

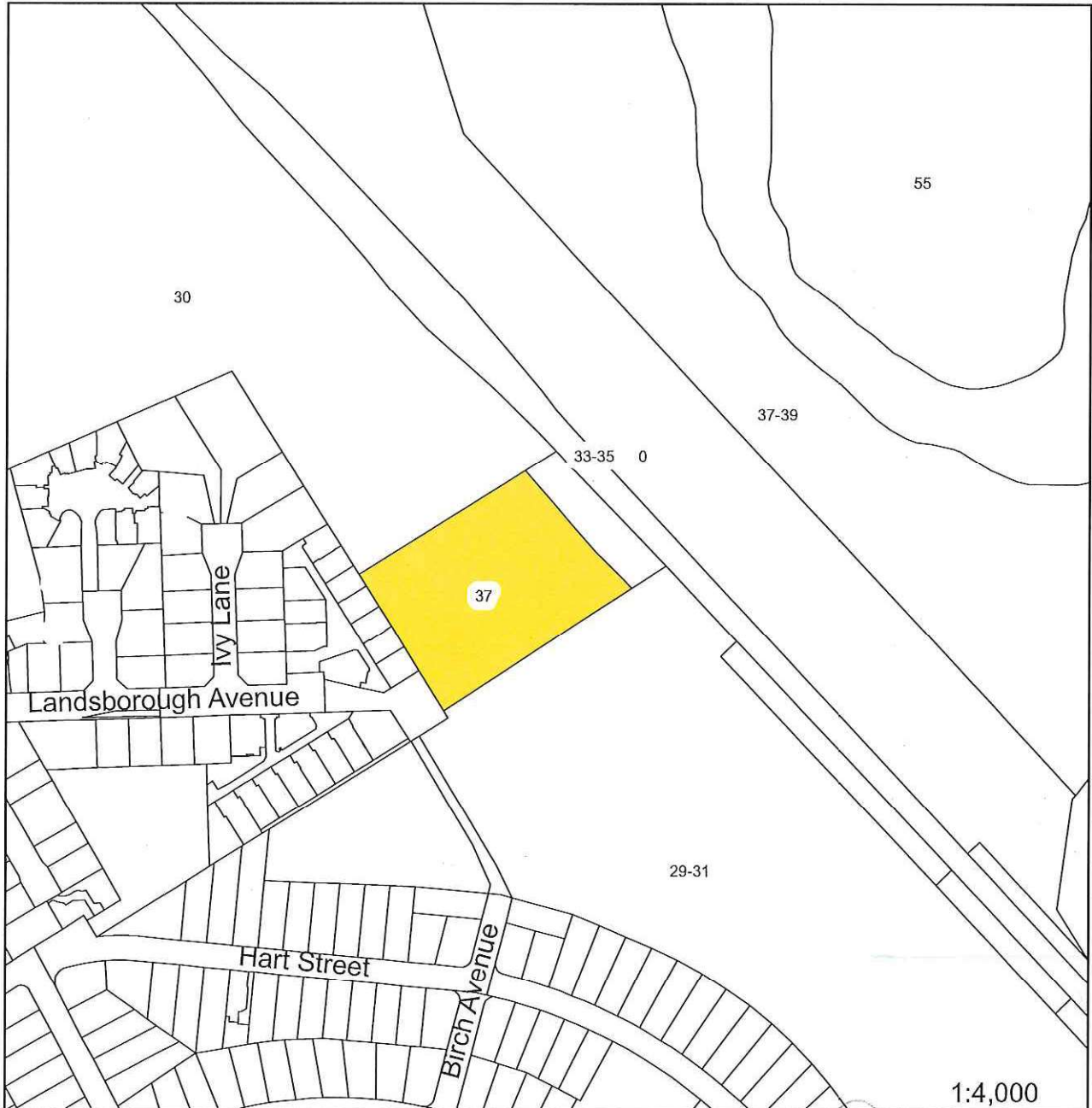
Launceston Interim Planning Scheme 2015

AMENDMENT 56

Rezoning from Utilities Zone to Particular Purpose Zone 10 - Birch Avenue Storage Centre
(37 Birch Avenue, NEWSTEAD (CT 177104/2))



Amend the interim planning scheme maps as below:



Zoning



Particular Purpose Zone 10 - Birch Avenue Storage Centre

THE COMMON SEAL
of Launceston City
Council was hereunto
affixed in the presence of: -




Michael Stretton
Chief Executive Officer

Launceston Interim Planning Scheme 2015

AMENDMENT 56

Rezoning from Utilities Zone to Particular Purpose Zone 10 - Birch Avenue Storage Centre (37 Birch Avenue, NEWSTEAD (CT 177104/2))

Insert Particular Purpose Zone 10 Birch Avenue Storage Centre after Particular Purpose 9 into the Launceston Interim Planning Scheme 2015:

Particular Purpose Zone 10 - Birch Avenue Storage Centre

41.1 Zone Purpose

40.1.1 Zone Purpose Statements

41.1.1 *To provide for a range of storage activities where off site impacts can be appropriately managed to minimise conflict or impact on the safety and amenity of other nearby uses.*

41.1.2 *To ensure that the intensity of new uses and development respects the amenity of residential zones and protects the safety of adjoining recreational uses and surrounding non-residential uses.*

41.1.3 *To ensure that use and development of the land does not adversely impact on the safety and efficiency of the local road network, and which responds to environmental constraints.*

41.1.4 *To ensure public authorities are able to maintain public utilities and infrastructure.*

41.2 Definition of Terms

Light Vehicles	Mean vehicles class 3 and below as defined in the ARX vehicle classification system.
Commercial vehicles	Mean vehicles class 4 and above as defined in the ARX vehicle classification system.
Public Authorities	means – (a) an Agency, within the meaning of the <i>State Service Act 2000</i> ; or (b) a council; or (d) a statutory authority; or (e) a council-owned company; or (f) a State-owned company;

41.3 Use Table

No Permit Required

Use Class	Qualification
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Use Class	Qualification
Utilities	If for minor utilities.
Storage	If for: <ul style="list-style-type: none"> a) Contractors yard; b) Vehicle storage including buses; c) Warehouse; or d) Self-Storage.
Discretionary	
Use Class	Qualification
Business and Professional Services	If for: <ul style="list-style-type: none"> a) Drug & alcohol & pre- employment medical assessments.
Bulky Goods Sales	If for: <ul style="list-style-type: none"> a) Shipping container sales
Storage	If for: <ul style="list-style-type: none"> a) Storing empty garbage bins.
Transport Depot and Distribution	If for: <ul style="list-style-type: none"> a) Road freight terminal; b) A bus terminal
Educational and occasional care	If for: <ul style="list-style-type: none"> a) Employment training centre
Prohibited	
All other uses	

41.4 Use Standards

41.4.1 Intensity of use

This standard applies to the uses classified in Table 41.4

Objective:

<p>That uses:</p> <ul style="list-style-type: none"> a) Do not cause an unreasonable loss of amenity to residential zones; b) Do not unreasonably interfere with the adjoining recreational uses; and c) Respond to environmental constraints such as flooding, and emissions from nearby utilities uses. 	
Acceptable Solutions	Performance Criteria
<p>A1 Hours of operation of a use must be within the hours of:</p> <ul style="list-style-type: none"> a) 7.00am to 7.00pm Monday to Friday; and b) 8.00am to 7.00pm Saturday, Sunday and public holidays. 	<p>P1 Hours of operation of a use must not cause an unreasonable loss of amenity to the residential zones, or the operation of the adjoining recreational uses, having regard to:</p> <ul style="list-style-type: none"> a) the timing, duration or extent of vehicle movements; b) noise, lighting or other emissions; and c) the hours of operation, and emissions of nearby uses. <p>As determined in a report by a suitably qualified person.</p>
<p>A2 External lighting for a use must:</p> <ul style="list-style-type: none"> a) not operate within the hours of 7:00pm to 7.00am, excluding any security lighting; and b) if for security lighting, be baffled so that direct light does not extend into the adjoining property. 	<p>P2 External lighting must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> a) the level of illumination and duration of lighting; and b) the distance to habitable rooms of an adjacent dwelling.

41.4.2 Commercial Vehicle Movements

<p>Objective:</p>	
<p>To ensure that:</p> <ul style="list-style-type: none"> a) Commercial and light vehicle movements achieve a reasonable level of safety to users of the adjoining recreation facility; and b) The types and frequency of vehicles are controlled to a reasonable level so as to maintain the safety and efficiency of the local road network 	
Acceptable Solutions	Performance Criteria
A3	P3

<p>a) The total weekday vehicle movements to and from the site, must not exceed:</p> <p>i. 46 commercial vehicle movements and 150 light vehicle movements; and</p> <p>b) The total weekend and public holiday vehicle movements to and from a site, must not exceed:</p> <p>i. 14 commercial vehicle movements and 76 light vehicle movements.</p>	<p>Commercial and light vehicle movements do not cause an unreasonable loss of amenity to the residential zones, or an unreasonable impact on the safety and efficiency of the local road network and adjoining recreational uses having regard to:</p> <p>a) the nature of the surrounding road network;</p> <p>b) the time and duration of commercial vehicle movements;</p> <p>c) the number and frequency of commercial vehicle movements;</p> <p>d) the size of commercial vehicles involved;</p> <p>e) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>f) any noise mitigation measures between the vehicle movement areas and the residential area; and</p> <p>g) potential conflicts with residential traffic, adjoining recreational land, and non-residential uses in the surrounding area .</p>
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Table 41.4 Application of use standards to use classes

Clause	Use Class
Clause 41.4.1	All permitted and discretionary uses.

41.2 Development Standards

41.2.1 Building Height

This standard applies to the use classes specified in Table 41.2.

<p>Objective:</p>
<p>To provide for a building height that:</p> <p>a) is necessary for the operation of the use;</p> <p>b) minimises adverse impacts on adjoining properties; and</p> <p>c) allow opportunities to construct buildings of a similar height to those that existed prior to the zone taking effect.</p>

Acceptable Solutions	Performance Criteria
<p>A1 Building height must be not more than 10m</p>	<p>P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> a) the bulk and form of the building; b) separation from existing uses on adjoining properties; and c) any buffers created by natural or other features.
<p>A2 Building height within 10m of a Residential Zone must be not more than 8.5m.</p>	<p>P2 Building height within 10m a Residential Zone must not cause an unreasonable loss of residential amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; b) overlooking and reduction of privacy; c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining properties; and d) the height of existing buildings on the site.

41.2.2 Setbacks

This standard applies to the use classes specified in Table 41.2.

<p>Objective:</p>	
<p>That building setbacks:</p> <ul style="list-style-type: none"> a) are appropriate for the site; b) do not cause an unreasonable loss of residential amenity to adjoining residential zones and adjoining recreational uses; c) allow opportunities to construct buildings of a similar scale to those that existed prior to the zone taking effect; and d) allows opportunities for landscaping. 	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must have a setback from all boundaries of:</p> <ul style="list-style-type: none"> a) not less than 5.5m; or 	<p>P2 Buildings must be sited to allow adequate space for landscaping and not cause an unreasonable loss of</p>

<p>b) not less than half the wall height of the building, whichever is the greater.</p>	<p>residential amenity to adjoining residential zones or to the adjacent recreational zone, having regard to:</p> <ul style="list-style-type: none"> a) the setback of buildings on adjacent properties; b) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; c) overlooking and reduction of privacy; d) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjacent property; and e) the scale, bulk or proportions of the existing buildings on the site.
<p>A2 Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a Residential Zone.</p>	<p>P2 Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a Residential Zone must be located, baffled or insulated to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> a) the characteristics and frequency of emissions generated; b) the nature of the proposed use; c) the topography of the site and location of the sensitive use; and d) any proposed mitigation measures.

41.2.3 Fencing

This standard applies to the use classes specified in Table 41.2.

<p>Objective:</p>	
<p>That fencing does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Fencing, for security purposes, on a common boundary with a property in a Residential Zone, must:</p> <ul style="list-style-type: none"> a) have a height of not more than 	<p>P1 Common boundary fences with a property in a Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p>

<p>2.1m; and b) does not contain barbed wire.</p>	<p>a) their height, design, location and extent; and b) the proposed materials and construction.</p>
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41.2.4 Landscaping

This standard applies to the use classes specified in Table 41.2.

<p>Objective:</p>	
<p>That landscaping:</p> <p>a) enhances the amenity and appearance of the site when viewed from adjoining recreational uses where buildings are proposed; and b) protects the amenity of adjoining residential zones.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 No Acceptable Solution.</p>	<p>P1 Where buildings are proposed within 10m of the common boundary with a property in a Residential Zone, the area between the building and the boundary must be landscaped, having regard to: a) the width of the setback; b) the topography of the site; c) existing vegetation on the site; and d) the location, type and growth of the proposed vegetation.</p>
<p>A2 Where buildings or extensions are proposed within 10m of a common boundary with CT 3251/22, not less than 50% of the area between the building and the boundary must be landscaped.</p>	<p>P2 Landscaping must improve the amenity and appearance of the site when viewed from CT 3251/22, having regard to: a) the existing vegetation on the site; b) shade for users of the site and car parking areas; c) the location, type and growth of the proposed vegetation; d) the area set aside for landscaping and its suitability; e) any proposed screening; and f) the character of the surrounding area.</p>

41.2.5 Site Coverage

This standard applies to the use classes specified in Table 41.2.

Objective:	
To restrict the intensity of development to ensure a reasonable impact on the residential amenity of adjoining residential zones, and on the safety and efficiency of the local road network.	
Acceptable Solutions	Performance Criteria
A1 Site coverage must not exceed 20%	P1 No Performance Criteria.

41.2.6 Subdivision

This standard applies to the use classes specified in Table 41.2.

Objective:	
<ul style="list-style-type: none"> a) To allow subdivision where required for works by public authorities b) That each lot has appropriate water supply, wastewater and stormwater disposal; and c) Restrict subdivision due to access and environmental constraints. 	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be for: <ul style="list-style-type: none"> a) re-alignment of the boundaries of existing lots; or b) consolidation of titles in relation to the land; or c) creation of lots for the maintenance of the flood protection levee; or d) boundary adjustment. 	P1 No Performance Criteria.
A2 Each lot (other than lots created for the maintenance of the flood protection levee) must be connected to a reticulated: <ul style="list-style-type: none"> a) Water supply; b) Sewerage system; and c) Stormwater system. 	P2 No Performance Criteria/

41.2.7 Setback to Levee Banks

Objective:
To ensure that new buildings & works retain sufficient separation for safe circulation, maintenance and use of infrastructure.

Acceptable Solutions	Performance Criteria
<p>A1 New buildings, works or extensions to existing buildings are to be set back 15m from the toe of the flood levee, and 20 m from an embankment levee unless:</p> <p>a) They are works or structures of a temporary nature, that can be removed to provide access for plant and equipment for engineering works; or</p> <p>b) They are works or structures required to maintain, repair or upgrade the existing levee system, existing pedestrian or bicycle infrastructure, or natural values management.</p>	<p>P1 Building setbacks must ensure structural integrity of the levees, having regard to the following factors:</p> <p>a) protection of the structural integrity of the levees, and amenity of the levee walkway; and</p> <p>b) not impeding access to the levees for maintenance and repair.</p>

Table 41.2 Application of development standards to use classes

Clause	Use Class
Clause 41.2.1 to 41.2.7	All uses classes

THE COMMON SEAL
 of Launceston City Council was hereunto
 affixed in the presence of:



Date 13/02/2020

(Handwritten signature)
 Michael Stretton
 Chief Executive Officer

TITLE: Amendment 56 - 37 Birch Avenue, Newstead

FILE NO: SF6959

AUTHOR: Brian White (Town Planner)

ACTING GENERAL MANAGER: Richard Jamieson (Community and Place Network)

DECISION STATEMENT:

To decide whether to reject or initiate Amendment 56 to the Launceston Interim Planning Scheme 2015, to replace the existing Utilities Zoning of 37 Birch Avenue, Newstead, with Particular Purpose Zone 10 - Birch Avenue Storage Centre.

RECOMMENDATION:

That Council:

1. pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 56 replace the existing Utilities Zoning of 37 Birch Avenue, Newstead (CT177104/2) with Particular Purpose Zone 10 - Birch Avenue Storage Centre.
2. directs Council Officers to prepare Draft Amendment 56 of the Launceston Interim Planning Scheme 2015.
3. pursuant to the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Chief Executive Officer its functions under section 35(1) of the *Land Use Planning and Approvals Act 1993*, to certify the draft amendment to the Launceston Interim Planning Scheme 2015.
4. pursuant to the former section 38(1) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.

Mrs L Hurst (General Manager Community and Place Network), Mr R Jamieson (Manager City Development) and Mr B White (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Due to a declaration on Interest in interest in Agenda Item - 9.2 - Amendment 56 - 37 Birch Avenue, Newstead, Councillor N D Daking withdrew from the Meeting at 1.05pm.

DECISION: 6 February 2020

MOTION

Moved Councillor D H McKenzie, seconded Councillor R I Soward

That Council:

- 1. pursuant to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 56 replace the existing Utilities Zoning of 37 Birch Avenue, Newstead (CT177104/2) with Particular Purpose Zone 10 - Birch Avenue Storage Centre).**
- 2. directs Council Officers to prepare Draft Amendment 56 of the Launceston Interim Planning Scheme 2015.**
- 3. pursuant to the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Chief Executive Officer its functions under section 35(1) of the *Land Use Planning and Approvals Act 1993*, to certify the draft amendment to the Launceston Interim Planning Scheme 2015 (ECM Document Set ID Numbers 4229061 and 4229220) subject to the following change:**

To alter Draft Amendment 56 Particular Purpose Zone 10 - Birch Avenue Storage Centre (ECM Document Set ID Number 4229061) as follows:

- 1. Clause 41.2.5 (A1) - Site Coverage
Amend Acceptable solution A1 to state:
Site coverage must not exceed 25%.**
- 4. pursuant to the former section 38(1) of the *Land Use Planning and Approvals Act 1993*, determines the period for public exhibition to be 28 days.**

CARRIED 11:1

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox and Councillor A G Harris
AGAINST VOTE: Councillor T G Walker

Councillor N D Daking re-entered the Meeting at 1.17pm.