

## 1 & 3 TAYLOR STREET, INVERMAY

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### **Submission to the Launceston City Council In Support of a S43A Application for Scheme Amendment, Subdivision and Use Application**

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# 1. INTRODUCTION

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This submission forms part of a proposal for a combined request to amend the *Launceston Interim Planning Scheme 2015* and approve a subsequent subdivision and consolidation of Titles pursuant to Section 43A of the *Land Use Planning and Approvals Act 1993 (LUPAA)*. This application has been prepared by Ireneinc Planning on behalf of Rossetto Tiling Supply.

The proposal also includes an application to provide for subdivision in accordance with S43A of the above.

This report is an assessment of the strategic rationale for the proposed rezoning of the land at 3 Taylor Street, Invermay. The report looks at the strategic growth options for Launceston, considering the existing and projected regional growth together with specific supply and demand requirements for commercial land within northern Tasmania.

The assessment draws on the statutory requirements of LUPAA, as well as reference to other non-statutory documents informing historic context and strategic intent.

The following documents have been referenced as part of this analysis:

- Northern Tasmanian - Regional Land Use Strategy (RLUS) June 2018
- Greater Launceston Plan July 2014
- City of Launceston Strategic Plan 2014-2024
- Horizon 2021: City Of Launceston Economic Development Strategy
- Launceston Retail Audit & Activity Centres Strategy (July 2011)
- Launceston Interim Planning Scheme 2015

In accordance with s43A, the proposal has also been assessed in relation to the state policies.

## 1.1 THE PROPOSAL

The amendment seeks to rezone the rear part of the lot at 3 Taylor Street from 'General Residential' to 'Local Business' to enable the appropriate use to the site for a discretionary use, specifically ancillary storage for the adjoining bulky-goods business Rossetto Tiling Supply. Additionally, this amendment seeks to subdivide the rear part of the lot of 3 Taylor Street, which is to be adhered to the adjacent lot at 1 Taylor and apply for a change of use to Bulky goods sales.

The amendment relates to Certificate of Title 113036/5 commonly referred to as 3 Taylor Street, Invermay and Certificate of Title and Certificate of Title 24631/4, known as 1 Taylor Street (refer Figure 1)



**Figure 1: Site Location (Source: LISTmap)**

## 1.2 SITE DESCRIPTION

The subject site includes Certificate of Title 113036/5, is commonly referred to as 3 Taylor Street, Invermay and Certificate of Title 24631/4, known as 1 Taylor Street. The site is currently zoned General Residential and there is a single dwelling located toward the front of the site. The rear of the site is currently used as a storage area for goods and equipment used by Rossetto Tiling Supplies on the neighbouring lot, as an unapproved use.

The adjacent title Certificate of Title 24631/4, known as 1 Taylor Street, is currently providing informal access to 3 Taylor Street from the rear of the lot. 1 Taylor Street is zoned Local Business.

3 Taylor Street is approximately 603m<sup>2</sup>, with approximately 228m<sup>2</sup> of the rear of the site being used for storage of tiling goods and equipment. The remainder of the property is for the use of the existing residential dwelling. 1 Taylor Street is approximately 603m<sup>2</sup> as well.

The residential dwelling on the property is a single storey weatherboard building and has vehicle access at the side of the building.



Figure 2: Site aerial (Source: LISTmap)



Figure 3: Site image 1: access to the subject site (Source: I Duckett)



Figure 4: Site image 2 (Source: I Duckett)



Figure 5: Site image 3 (Source: I Duckett)



### 1.3 SURROUNDING SITE

The main retail space for Rossetto Tiling Supplies is located at 80-82 Invermay Road, with entry to the retail space located on the site, facing Taylor Street. There is a workshop on the site located between 80-82 Invermay Road and 1 Taylor Street, with a driveway accessed from Taylor Street. The neighbouring property at 1 Taylor Street is currently used for storage of supplies and equipment associated with the tiling supply business, and is used to access the rear of 3 Taylor Street. The boundary fence between part of the subject site and 1 Taylor Street has been removed to allow access.



Figure 6: Site aerial showing titles relating to Rossetto Tiling Supplies. (Source: LISTmap)

Adjacent to the site on Taylor Street is characterised by residential dwellings of a similar style and period to the one on the subject site. To the South is Caledonian Square.

### 1.4 HERITAGE

The subject site is not listed on the Tasmanian Heritage Register, nor does it adjoin any listed places.

# PART A -AMENDMENT

## 2. CURRENT PLANNING SCHEME PROVISIONS

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The subject site falls within the provisions of *the Launceston Interim Planning Scheme 2015*.

### 2.1 EXISTING ZONES

The site is zoned General Residential and there is an existing residential dwelling on the site which is currently occupied. The site is adjacent to land zoned Local Business and Open Space and is on the opposite side of the road to land zoned Inner Residential.

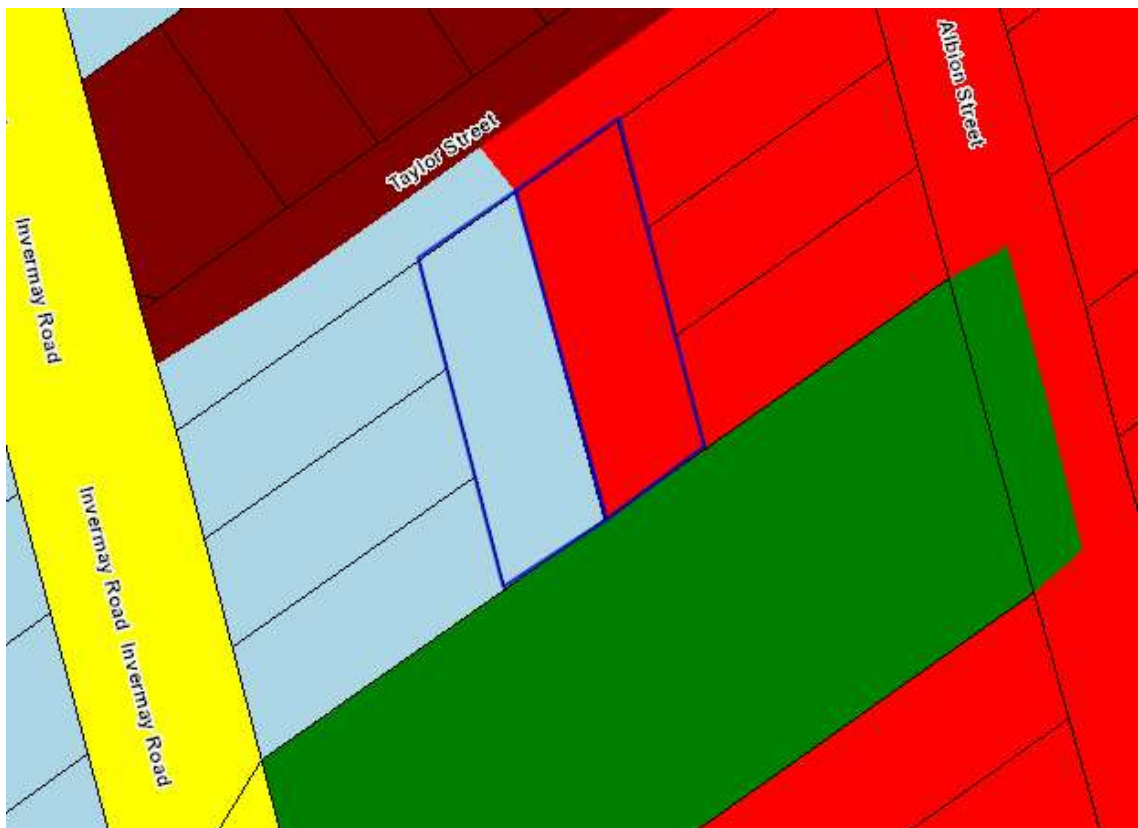


Figure 7: Zoning Plan (Source: LISTmap)

The use of the subject site as Bulky Goods Sales is prohibited under the existing zoning. The status of the Residential use is no permit required under the existing zoning. The site is a privately-owned freehold site, and the residential dwelling is tenanted as a private lease agreement. The Section 43A application seeks a more appropriate zone designation be applied to the rear of the site to facilitate the existing activity on the site, and to incorporate it with the commercial activities on the adjacent lots.

## 2.2 RESIDENTIAL ZONE

The site is currently zoned General Residential. The following zone purpose statements set out the intent of the zone.

*10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*

*10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.*

*10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

*10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.*

*10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.*

### 2.2.1 USE

Use	Qualification
No permit Required	
Residential	If for a single dwelling
Discretionary	
General retail and hire	If for a local shop
Prohibited	
Bulky goods sales	

Currently the storage of materials, ancillary to the bulky goods sales use, at the rear of the dwelling is prohibited under the zoning.

## 2.3 LOCAL BUSINESS ZONE

The site directly to the west where the tiling business is located is zoned Local Business. The following zone purpose statements set out the intent of the zone.

*20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.*

*20.1.1.2 To ensure that the primary purpose of the zone is maintained and use and development does not distort the activity centre hierarchy.*

*20.1.1.3 To maintain or improve the function, appearance and distinctive qualities of neighbourhood centres.*

*20.1.1.4 To create:*

*(a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and*

*(b) appropriate provision for car parking, pedestrian access and traffic circulation.*

20.1.1.5 To encourage a diversity of residential developments, including shop-top housing and tourist accommodation, which support the functions of neighbourhood centres.

### 2.3.1 USE

Use	Qualification
<b>Discretionary</b>	
Bulky goods sales	If for a single tenancy or a multiple tenancy development with a gross floor area between 250m <sup>2</sup> and 1 400m <sup>2</sup>
General retail and hire	If for a single tenancy or a multiple tenancy development with a gross floor area between 250m <sup>2</sup> and 1 400m <sup>2</sup>
Residential	

## 2.4 FLOOD INUNDATION

The subject site is subject to the provisions of Section E16.0 Invermay/Inveresk Flood Inundation Area Code of the Scheme for the Invermay/Inveresk Flood Inundation Area. Background to these provisions is included below.

### 2.4.1 FLOOD INUNDATION AREA

The purpose of the Invermay/Inveresk Flood Inundation Area Code is to:

- (a) reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area;*
- (b) ensure that new development is sited and designed to minimise the impact of flooding; and*
- (c) ensure that consideration is given in the siting, design and emergency response capability of new development on land subject to flood inundation.*

As illustrated in Figure 8 the site is located within the Scheme in the Invermay Residential Precinct.

3 Taylor Street is located within the *Invermay Residential* precinct. The Neighbouring properties, 1 Taylor Street and 80-82 Invermay Road are located within the *Invermay Road Commercial* precinct as shown in Figure 8.

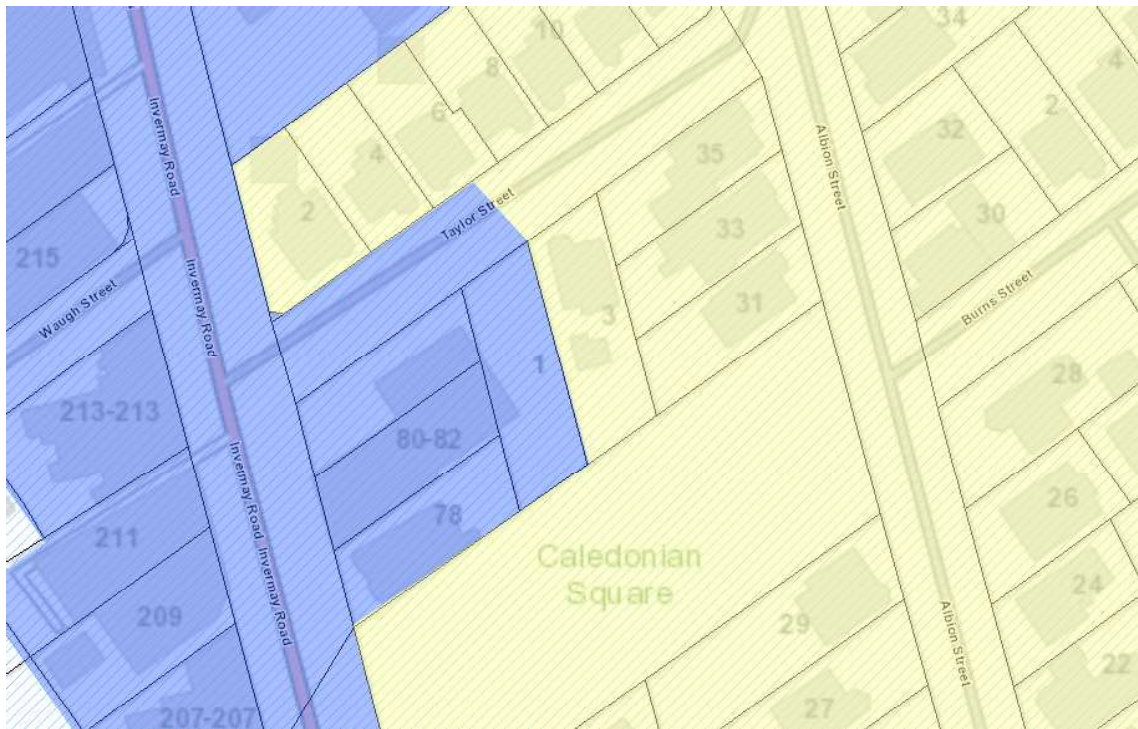


Figure 8: Flood Inundation Area. Invermay Residential precinct shown in yellow, Invermay Road Commercial shown in blue (Source: LISTmap).

## 2.5 INVERMAY FLOOD INUNDATION MANAGEMENT PRECINCTS

Precinct	Description	Land Use
4 Invermay Residential	Traditional residential area of mixed character. Largely not subject to inundation although would be isolated in a flood event.	(a) Maintenance of the existing residential use; (b) Prohibit significant community infrastructure.
5 Invermay Rd Commercial	Commercial, retail and light industrial area fronting on or accessed primarily from Invermay Road.	(a) Prohibit residential uses; (b) Prohibit significant community infrastructure.

### 2.5.1 USE STANDARDS

#### E16.6.1 UNACCEPTABLE USES

*Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.*

#### ACCEPTABLE SOLUTION

**A2. Must not be Residential, unless:**

- (a) a single dwelling in the Invermay Residential or Inveresk Residential precincts;
- (b) a multiple dwelling in the Invermay Residential Precinct; or

#### PERFORMANCE CRITERIA

**P1. No performance criteria**

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(c) associated with and supporting the educational activities within the Inveresk Cultural precinct.

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Comment: The residential use is located within the Invermay Residential precinct and therefore meets the Acceptable Solution A2.

## 2.5.2 DEVELOPMENT STANDARDS

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### E16.7.2 FLOOD IMPACT

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*Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.*

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#### ACCEPTABLE SOLUTION

#### PERFORMANCE CRITERIA

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*A1. Floor levels of all habitable rooms within the Residential use class must be at least 3.7m AHD.*

*P1. No performance criteria*

*A3. All buildings not in the Residential use class must have a:*

*P3. Buildings not in the Residential use class must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer. The report and plan must:*

*(a) floor level of at least 3.4m AHD; and*

*(b) gross floor area of not more than:*

*(i) 400 m<sup>2</sup>; or*

*(ii) 10% more than that existing or approved on the 1st January 2008.*

*(a) detail:*

*(i) the risks to life;*

*(ii) the likely impact on the use or development; and*

*(iii) how the use or development will manage the risk to tolerable levels; during either an overtopping of the levee or a levee breach at the closest point in the levee during a 5% AEP, 2% AEP or a 1% AEP flood event; and*

*(b) consider the following:*

*(i) the likely velocity and depth of flood waters;*

*(ii) the need to locate electrical equipment and other fittings above the 1% AEP flood level;*

*(iii) the likely effect of the use or development on flood characteristics;*

*(iv) the development and incorporation of evacuation plans into emergency management procedures for the precinct; and*

*(v) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing measures in the development.*

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Comment: There is no development proposed for the site. The residential building is existing on the site and no other new buildings are proposed.

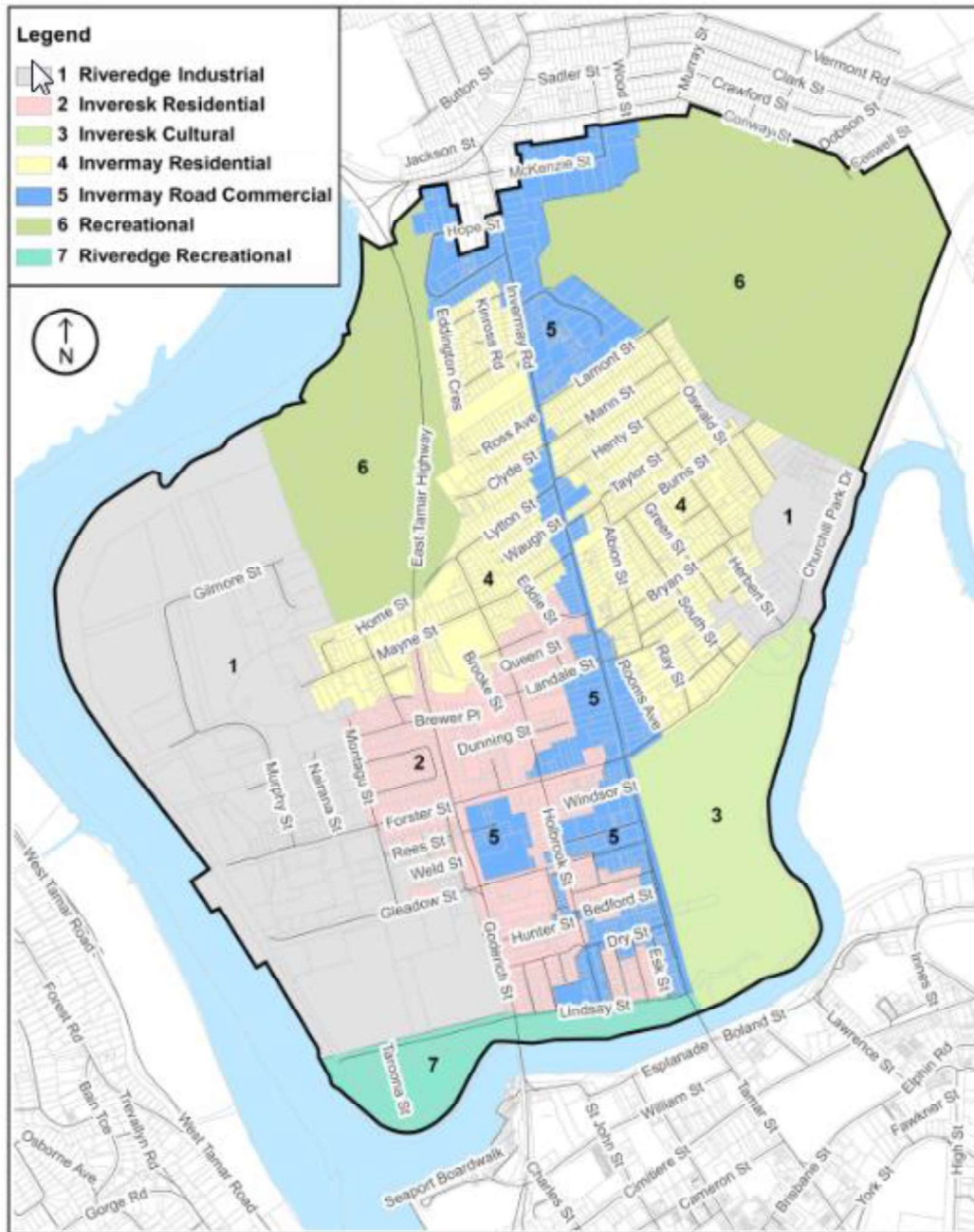


Figure 9: Invermay/Inveresk Flood Inundation Precincts (Source: LPS)

## 3. STRATEGIC ANALYSIS

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Strategic planning for the Launceston municipality, and the Invermay area specifically, is heavily guided by a suite of National and local planning documents which outline future projections for economic development and supply of commercial land. These documents identify a number of strategic arguments in favour of rezoning residential land to cater for commercial use and development. A summary of key points from each document is detailed within this section below.

### 3.1 DEMOGRAPHIC TRENDS WITHIN LAUNCESTON AND THE NORTHERN REGION

- The Australian Bureau of Statistics (ABS) Estimated Resident Population (ERP) estimates that in 2016 the population of Northern Tasmania was 143 537.
- At the 2016 Census the population of the Launceston Local Government Area (LGA) was 65,274 persons and the median age was 39 years. The population of Invermay was 3,061 persons, which is approximately 4.6% of the population of the Launceston LGA.
- The population of Greater Launceston is projected to reach 114,380 persons by 2021 and 124,050 persons by 2036. (Greater Launceston Plan)
- The City of Launceston Economic Profile shows that retail is the second largest employment sector in the City of Launceston at 13.8%.
- While there has been a decrease in jobs in agriculture and manufacturing industries over the last ten years, employment in the retail sector has increased, representing growth in the industry.

### 3.2 NORTHERN TASMANIAN - REGIONAL LAND USE STRATEGY (RLUS) 2018

Long term planning for the Launceston area must consider the existing regional growth together with the supply and demand for commercial land within the northern region of Tasmania.

The Northern Tasmanian Regional Land Use Strategy (RLUS) June 2018 is a statutory regional plan and sets out the strategy and policy basis to facilitate and manage change, growth, and development to 2032.

The purpose of the RLUS is to guide land use, development in the region and as such the contents of the RLUS needs to be considered in relation to the proposed amendment. A shift in the regional economy has been identified with an increased emphasis on small and medium enterprise for employment.

#### 3.2.1 REGIONAL SETTLEMENT NETWORK

The subject site is currently zoned General Residential and the street frontage part of the site is proposed to remain in the General Residential Zone. The subject site is located within a Priority Consolidation Area of the RLUS and has been identified as an Urban Growth Area.



The RLUS found that *the proportion of medium and higher density housing types will increase in these settlements at the upper end of the settlement hierarchy*

To encourage consolidation of these areas identified as a Priority Consolidation Area the RLUS aims to:

- *apply zoning that provides for the flexibility of settlements or precincts within a settlement and the ability to restructure under-utilised land.*

### 3.2.2 REGIONAL ACTIVITY CENTRES NETWORK

The RLUS has aligned growth and expansion of regional and commercial activity centres with current and future population growth.

The RLUS recognises the role of commercial areas as key employment and service areas, which aid in the success of regional centres such as Launceston.

The strategic context of the Regional Activity Centres Network Policy within RLUS which support the proposed amendment are as follows:

- *Activity centres across the region provide the focus for a diverse range of mixed land uses including services, employment, commercial/retail facilities, community infrastructure, entertainment and residential accommodation.*
- *Launceston CBD and its inner urban area is the region's Principal Activity Centre (PAC). It provides a significant proportion of all employment opportunities within the region.*

The Regional Activity Centres Network Policy supports the need for mixed land uses within the Region and the need to support and create employment opportunities. The Strategy aims to *create economic growth by co-locating a mix of land uses* and this may include the provision for retail, commercial and business facilities.

The Strategy aims to reinforce the role of the Launceston Principal Activity Centre including bulk goods precinct and to consolidate bulky goods precincts. The subject site is within an area of existing bulky good retailing and the rezoning of part of the subject site to facilitate this is in keeping with the Strategy.

### 3.2.3 REGIONAL ECONOMIC DEVELOPMENT

Goal 1 of the RLUS concerns economic development which is to *facilitate economic development and productivity through integrated land use and infrastructure planning.*

Strategies outlined by the RLUS to facilitate economic development and productivity include:

- Facilitate innovation and capitalise on the co-location of industry in strengthened 'clusters' of economic and employment activity.*
- Add value, diversify the economy and generate jobs.*
- Develop the preconditions for business competitiveness through merits-based planning and development assessment processes that:*
  - *Flexibly consider the location of economic development having regard for the changing economic environment; and*
  - *Focus on community-specific outcomes and environmental impacts, rather than a standards-based approach.*
- 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.*

The proposed rezoning of part of the subject site will facilitate economic development in the Invermay Precinct by providing the necessary land and infrastructure for Rossetto Tiling to operate at the required scale.

#### 3.2.4 REGIONAL ENVIRONMENT (NATURAL HAZARDS)

The RLUS identifies the role that planning decisions have in reducing natural hazard risk. The RLUS states that land designated for *housing, industry, community and infrastructure services must not be located within or adjacent to areas which are vulnerable to an unacceptable level of risk including coastal inundation, landslip, flooding or contaminated land.*

Specifically, the RLUS identifies strategies for natural Hazards:

- *Ensure that future land use and development minimises risk to people and property resulting from flooding.*
- *Include controls in planning schemes based on current best practice to manage risk to persons and property resulting from inundation.*

The RLUS also identifies that some use and development within natural hazard areas may be appropriate with consideration of the following:

*Permit appropriate land uses and urban development in areas of susceptibility only where risk is very low or where it can be managed by prescriptive controls to avoid undue risk to persons including life of loss and damage to property*

These strategies have been taken into consideration in the preparation of this amendment.

### 3.3 GREATER LAUNCESTON PLAN

The Greater Launceston Plan (GLP) recognises Launceston as the key regional city for Northern Tasmania, providing range of services to the region including retail and bulky goods.

#### 3.3.1 HISTORIC DEVELOPMENT

The sensibility of the historic pattern is an important legacy for the GLP and should be considered in future strategic thinking.

The intent of the Greater Launceston Plan is to provide a unified vision and consistent policy framework to support prosperity and sustainable development for existing and future communities in the greater Launceston area;

The Greater Launceston Plan identifies *moderate long term demand for retail, bulky goods and commercial office floorspace* which will require additional land. There is also a recognised need to foster infill development in high access public transport corridors.

The following principles contained within the Greater Launceston Plan support the rezoning of part of the site at Taylor Street:

**Principle 1** *Effective strategic planning for Greater Launceston requires the assessment and provisioning of the range of land requirements and preferred land use - transport relationships over the next twenty years and beyond.*

**Principle 2** *The efficient functioning, servicing and future development of greater Launceston will be optimised through its urban consolidation.*

**Principle 8** *The economic prosperity and social vitality of greater Launceston and the broader region will be significantly facilitated through the development of regional nodes and a diversity of employment areas.*

The GLP identifies the *extensive network of small and medium businesses* as a Strategic Advantage within Greater Launceston, as these provide opportunities for economic growth and employment.

Relevant factors which have influenced historic development in Launceston:

- *Historically, development within Launceston has largely respected the constraints of the floodplain*
- *the long period of European settlement by Australian standards, together with extensive periods of relatively low growth have resulted in a high concentration of retail and commercial development in the CBD and LCA;*
- *the GLP seeks to modify the historic pattern of urban development and to consolidate the future growth of the urban area through infill development and the planned development of selected growth corridors.*
- *the history of greater Launceston clearly demonstrates the close inter-relationship between land use and transport infrastructure;*

### 3.4 HORIZON 2021: CITY OF LAUNCESTON ECONOMIC DEVELOPMENT STRATEGY

This document sets out a vision for Launceston's economic development to 2021 and aligns with the goals of the Greater Launceston Plan. *Horizon 2021* succeeds the *Launceston Retail Audit and Activity Centre Strategy*, which had identified an 'important bulky goods and mixed use precinct located at Invermay'.

Although not specifically a planning document, *Horizon 2021* identifies that an 'enabling environment' is necessary for economic prosperity, including support mechanisms such as a 'supportive regional planning framework' which are required to facilitate economic activity.

*Horizon 2021* cites enablers of economic development to include; 'appropriately zoned land, as well as the form and function of the Launceston central business district and other activity centres'.

Launceston City Council has placed a high level of importance on the need for economic development in the city and has identified the strong role that the council play within this. Urban planning and development are pivotal in underpinning the role that the council plays.

One of the four strategy areas is to *grow Launceston's Regional Retail and Services Sector*. The Strategy identifies the retail sector to be a major source of employment within Launceston. *Horizon 2021* acknowledges the vital role that policy, planning and regulatory framework play in supporting *business innovation, investment and industry growth*.

## 4. STRATEGIC RESPONSE

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### 4.1 SUMMARY OF THE STRATEGIC ANALYSIS

From a review of the previous report sections, an analysis of strategic thinking and local planning policy objectives highlights a number of key points which support the proposed Scheme Amendment to rezone the subject site from General Residential to Local Business within the current *Launceston Interim Planning*.

Key points in support of the amendment are outlined below:

#### 4.1.1 ECONOMIC DEVELOPMENT

- Horizon 2021 demonstrates a need for economic development which is facilitated through planning controls.
- The City of Launceston Economic Profile shows that retail is the second largest employment sector in the City of Launceston at 13.8%.
- The Greater Launceston Plan identifies *moderate long term demand for retail, bulky goods and commercial office floorspace* which will require additional land

#### 4.1.2 RESIDENTIAL

- The RLUS recommends that Invermay is a Priority Consolidation Area. While the area is considered ideal for increasing dwelling densities its location in the flood inundation area means that a storage use presents less risks to life and property.
- Horizon 2021 recommends that industrial uses be relocated from the inner city (in areas such as Invermay) and suggests that it may be possible to rezone some areas of transition for Residential and Commercial.

#### 4.1.3 COMMERCIAL

- There is an existing strong commercial and retail precinct along the Invermay Road Corridor.
- Launceston CBD and its inner urban area is the region's Principal Activity Centre (PAC). It provides a significant proportion of all employment opportunities within the region.
- The RLUS outlines the suitability of consolidating bulky goods sales within the city.

#### 4.1.4 FLOOD INUNDATION

- Standard planning controls for flood inundation have been incorporated within the RLUS and Scheme such as ensuring that future land use and development minimises risk to people and property resulting from flooding and sensitive uses, such as

residential use and development. The proposed amendment complies with these controls.

- The location of the subject site within the Invermay Residential Management Precinct allows for maintenance of the existing residential use.

## 4.2 AMENDMENTS TO THE PLANS

The amendment involves rezoning the rear of the site and subdividing the site to allow for the existing zoning and Residential use at the front of the site, while rezoning the rear of the site to the Local Business Zone to allow for the discretionary use of Bulky Goods Sales on the site.

The proposed amendment is supported through a review of relevant strategic documents which reflect a need to consolidate land uses within Invermay. The flood overlay prevents substantial investment into residential housing fabric, leaving the residential uses that are there as a residual use rather than a strategically important or protected use.

In terms of flooding, the residential uses are most vulnerable, as is the residential building fabric. On the other hand the area is well suited to local business/ commercial uses - established use has limited opportunity for expansion. This allows them to remain in a relatively accessible inner ring suburb, to service the surrounding community, and co-locate with other similar and related activities.

### 4.2.1 ZONES

The site at 3 Taylor Street, Invermay is currently zoned 'General Residential' which prohibits a bulky goods sales use under the Interim Scheme. By undertaking amendment option 1 it is intended that the rear of the 3 Taylor Street will be subdivided and adhered to the adjacent title at 1 Taylor Street. It is intended that the rear of the subject site then be rezoned to Local Business.

This approach would allow for the street scape to be preserved, whilst facilitating the commercial use at the rear of the property. Utilising the space at the rear of 3 Taylor Street allows Rossetto Tiling to have access to the land required for storing and processing large stock items. Without access to this land Rossetto Tiling may be required to relocate to a precinct on the fringe of the city, which is not consistent with strategic directives set out in the RLUS.

As seen in **Error! Reference source not found.** the rear of the subject site is currently being used for an unapproved non-conforming use of bulky goods sales, while the front of the subject site is currently being used as residential.

A review of the relevant strategic and statutory supports an amendment of the Planning Scheme and therefore the part of the subject site should be rezoned from 'General Residential' to 'Local Business' to support the intended use.

## 5. FORMAT OF THE AMENDMENT

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### 5.1 INTENT OF THE AMENDMENT

The proposed amendment is intended to rezone part of the subject site from 'General Residential' to 'Local Business' under the Launceston Interim Planning Scheme 2015 to enable the rear of site at 3 Taylor Street to be used for the storage of equipment and supplies, ancillary to the existing and adjacent bulky goods sales use for the tiling business, 'Rossetto Tiling'.

### 5.2 SPECIFIC AMENDMENT

The amendment is for the rezoning from General Residential Zone to Local Business Zone the rear of 3 Taylor Street to allow for a change of use to Bulky Goods Sales which is an existing informal use.



Figure 10: Detail of proposed amendment for showing portion of the site to be rezoned from 'General Residential' to 'Local Business' (Source: LISTmap)

## 6. LAND USE PLANNING AND APPROVALS ACT 1993

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In accordance with S8C and the Savings and Transitional Provisions of Schedule 6 request for amendment to the Scheme is made under the former *Land Use Planning and Approval Act 1993* in accordance, the former Section 32 which requires that amendments to planning scheme be considered against the following:

- (1) *A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)-*
  - ...(e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
  - (ea) *must not conflict with the requirements of section 300; and*
  - (f) *must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*
- (2) *The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Section 20 also includes the following:

- 20.(1) (a) *seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and*
- (b) *prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993;...*

The above provisions are considered in the following sections.

### 6.1 POTENTIAL LAND USE CONFLICTS

The proposed zoning is consistent with the adjacent site to the East and the proposed rezoning would become a supporting use for the neighbouring business. Use standards for the zone protect the residential amenity of adjacent zones. The proposal is not intended to intensify or change the use which is already occurring on the adjacent site.

### 6.2 REQUIREMENTS OF SECTION 300

Relevant to the amendment Section 300 provides as follows:

#### **300. Amendments under Divisions 2 and 2A of interim planning schemes**

- (1) *An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy, if any,*

for the regional area in which is situated the land to which the scheme applies.

- (2) An amendment, of a planning scheme, that would amend a local provision of the scheme or insert a new provision into the scheme may only be made under Division 2 or 2A if -
- (a) the amendment is not such that the local provision as amended or inserted would be directly or indirectly inconsistent with the common provisions, except in accordance with section 30EA, or an overriding local provision; and
  - (b) the amendment does not revoke or amend an overriding local provision; and
  - (c) the amendment is not to the effect that a conflicting local provision would, after the amendment, be contained in the scheme. ...

The amendment proposed is a rezoning of an area of land and as such is a local provision which can be amended under Division 2 or 2A. The proposed amendment maintains the existing zoning at the street frontage and allows for the expanded zoning of the Local Business Zone of the adjacent lot. The proposed amendment is consistent with the Northern Regional Land Use Strategy.

### 6.3 THE OBJECTIVES OF THE ACT

The objectives of the Land Use Planning and Approvals Act 1993 are considered in the following table;

OBJECTIVE	DEVELOPMENT RESPONSE
<b>PART 1</b>	
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	There is no proposed development for the site. Any future proposed development would be required to consider the impact on natural and physical resources.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water: and</i>	The proposal responds to the recommendations contained with the Retail and Industrial Strategies to relocate Industrial land from the inner city and to encourage bulky goods precincts in areas such as Invermay. The proposed rezoning amendment is an extension of existing activity on adjacent lots.
<i>(c) to encourage public involvement in resources management and planning; and</i>	Interested parties will have an opportunity to make representations and be involved in public hearings.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c): and</i>	The proposed scheme amendment allows for land at the rear of an existing dwelling to be used for the purposed of storage relating to the adjacent retail business, providing needed storage for product and equipment which allow the business to continue to operate in its current location within the Local Business Zone.  This will keep employment opportunities in the area and will ensure the Invermay Road retail precinct remains vibrant with tenanted commercial premises.
<i>(e) to promote the sharing of responsibility for resource</i>	Detailed consideration of all the issues associated with the proposal and the future use of the land and



*management and planning between the different spheres of Government, the community and industry in the State.*

the subsequent consideration by Council and the TPC demonstrates a cooperative approach between developers, State Government, Council and to a certain degree, the general community.

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## PART 2

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*(a) to require sound strategic planning and co-ordinated action by State and local government; and*

The proposal demonstrates strategic compliance with policy at both State and Local government and considers a wide range of strategic documents.

*(b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land; and*

The proposal seeks approval consistent with the provisions of the Act to amend planning schemes.

*(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*

The proposal considers potential environmental effects specifically in relation to the Flood Inundation Area overlay which exists over the site.

The proposed use and subdivision supports a consolidation of land uses in the area as supported by the RLUS, while considering appropriate use for the site, which does not include residential development and minimise impact of any possible inundation has been incorporated into this section 43A application.

The proposal considers potential social and economic effects by:-

- Consolidating a mix of uses in the Launceston Principal Activity Centre.
- Supporting the needs of small and medium business to remain viable.
- Supporting the needs of current and future population within Launceston, by facilitating economic growth.

*(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*

This report demonstrates strategic land use planning that is integrated with policy at different levels of government.

The rezoning application allows the social, environmental and economic impacts to be assessed against the various guiding policies governing land use planning at different levels.

This proposal, and the process it is required to go through, helps identify issues associated with the intended use and development, integrating aspects of this proposal with that of the use and subdivision application, gain a greater understanding of the social, economic and environmental impacts.

*(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals; and*

The section 43A proposal represents an integrated development proposal.

*(f) to secure a pleasant, efficient and safe working environment for all Tasmanians and visitors to Tasmania; and*

The proposal will support the continued use of the wider site as a place of employment within the area. The proposed use will provide a pleasant, efficient and safe working environment.

<i>(g) to conserve those buildings and areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i>	The proposed rezoning will maintain the streetscape of the residential area while allowing for a change of use at the rear of the site. The proposed rezoning will not impact a heritage place.
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i>	The proposed rezoning will have no negative impact on public infrastructure.
<i>(i) to provide a planning framework which fully considers land capability.</i>	The capability of the land, its size and location as well as the existing Industrial zoning makes it unviable for productive agriculture and appropriate for Commercial development.

## 6.4 STATE POLICIES

### 6.4.1 STATE COASTAL POLICY 1996

As the subject site is within one kilometre inland from the high-water mark of the Tamar and North Esk Rivers, consideration of the Policy is relevant.

These three principles guide the Policy:

- *Natural and cultural values of the coast shall be protected.*
- *The coast shall be used developed in a sustainable manner.*
- *Integrated management and protection of the coast zone is a shared responsibility.*

The Outcomes of the Policy and comment in relation to the development is contained below:

OUTCOME	RESPONSE
<i>1. Protection of Natural and Cultural Values of the Coastal Zone.</i>	The site has already been substantially cleared and developed, leaving little vegetation behind on the site. There are no EPBC listed species on the site, nor are there any threatened species listed. Although located within one kilometre for the Tamar and North Esk Rivers there is no evidence that there are any coastal species present on the site. There are no trees located on the site.
<i>2. Sustainable Development of Coastal Areas and Resources</i>	The site is located within a flood inundation area which, since 1969, has been protected by a levee system which has been maintained and funded by the Launceston City Council and the Crown. In conjunction with the protection afforded to the site from the levee system, development on the site will be assessed on a performance based system to minimise damage on use and development on the site.
<i>3. Shared responsibility for Integrated Management of Coastal Areas &amp; Resources</i>	The proposed use does not encroach on any coastal reserves. Any future development would be required to meet development standards relating to coastal reserves. Development of the subject land provides the opportunity for private and public partnership in addressing inundation concerns and appropriately managing the area.

#### 6.4.2 STATE POLICY ON WATER QUALITY MANAGEMENT 1997

The purpose of the *State Policy on Water Quality Management 1997* is:

*To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System. (Schedule 1 of the State Policies and Projects Act 1993)*

The objectives and the response of the proposal to the policy are:

OBJECTIVE	RESPONSE
<i>(a) focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;</i>	Any future development will consider water quality objectives in its design. There is currently no development proposed on the site.
<i>(b) Ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives, and that pollutants discharged into waterways are reduced as far as possible by the use of best practice environmental management;</i>	There are no sources of pollution arising from the development. No change to the way water is discharged from the site is proposed.
<i>(c) Ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community</i>	No development is currently proposed for the site. Any future development resulting in pollution will be responsible for any monitoring required.
<i>(d) Facilitate and promote integrated catchment management.</i>	Catchment management will be dealt with as part of the existing stormwater system for the residential dwelling. No changes to the way water is dealt with on site. Any future proposed development would need to meet the requirements.
<i>(e) apply the precautionary principle to Part 4 of this Policy.</i>	The precautionary principle will be applied.

#### 6.4.3 STATE POLICY ON THE PROTECTION OF AGRICULTURAL LAND 2009

The purpose of this policy is:

*To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land*

The site is not mapped as having any agricultural land classification.

The site is assessed as not having any agricultural value, as shown in Figure 11 and is therefore not considered prime agricultural land. The proposed amendment is not contrary to the Policy.

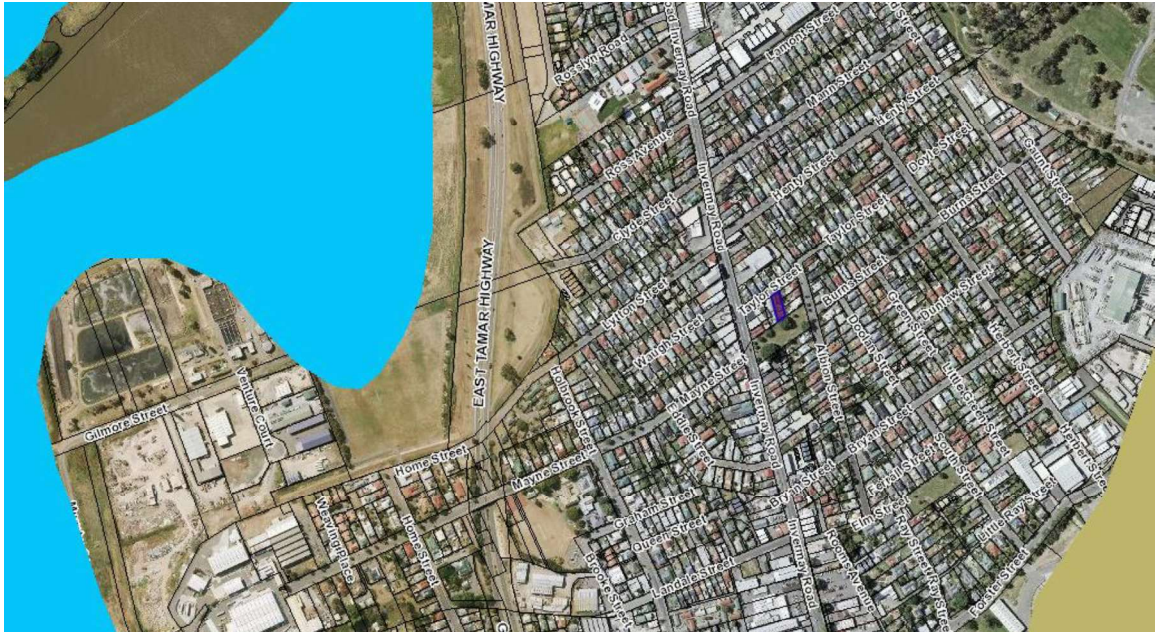


Figure 11: Land Capability (Source: LISTmap)

## 6.5 NATIONAL ENVIRONMENTAL PROTECTION MEASURES

National Environmental Protection Measures (NEPMs) are broad framework setting statutory instruments made under the *National Environment Protection Council (Tasmania) Act 1995*. Section 12A of the *State Policies and Projects Act 1993* provides that a NEPM is taken to be a State Policy approved by both Houses of Parliament

Seven NEPMs have been made to date that deal with:

- Ambient air quality;
- Air toxins;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste Between States and Territories;
- National Pollutant Inventory; and
- Used Packaging Materials.

The proposed amendment is intended to allow for a storage use to occur on the site and is not intended that the storage of dangerous substances or emissions will occur as a result of these activities. The Local Business Zone is intended to facilitate a diverse range of local business functions and is not intended to support commercial activities which will result in environmental impacts. Any relevant NEPMs are considered capable of being adequately handled through existing Scheme provisions.

## 6.6 PROVISIONS RELATING TO USE DEVELOPMENT, PROTECTION OR CONSERVATION OF LAND

Further to the proposed amendment to the zoning map, all requirements in relation to the sustainable development of the land can be adequately provided for through the Scheme provisions.

## 6.7 REGIONAL IMPACT

The RLUS supports the location of Bulky Goods Sales within the Launceston Principal Activity Centre and the co locating of mixed uses. The location of such a use and development within the site will not negatively impact on the region as an entity in environmental, economic or social terms.

## PART B - APPLICATION FOR USE & SUBDIVISION

### 7. PROPOSAL

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The site is subject to the *Launceston Interim Planning Scheme 2015*. The following is an assessment of the proposal in relation to the relevant provisions of the Scheme subject to the amendments as if approved from Part A of this report.

This application is for the proposed change of use and subdivision of 3 Taylor Street Invermay. It is proposed that the part of 3 Taylor Street which had been rezoned to Local Business be subdivided and consolidated with the adjacent lot at 1 Taylor Street to allow the land to be used as part of the Rossetto Tiling Business. Additionally, it is proposed that a change of use be applied to Bulky Goods Sales.

#### 7.1 SUBDIVISION

Following the amendment, it is proposed that the subject site, CT113036/5 is subdivided to allow for a separation of uses on the site. The proposed subdivision at the rear of the site is for the purpose of consolidating with the adjacent lot (CT24631/4).

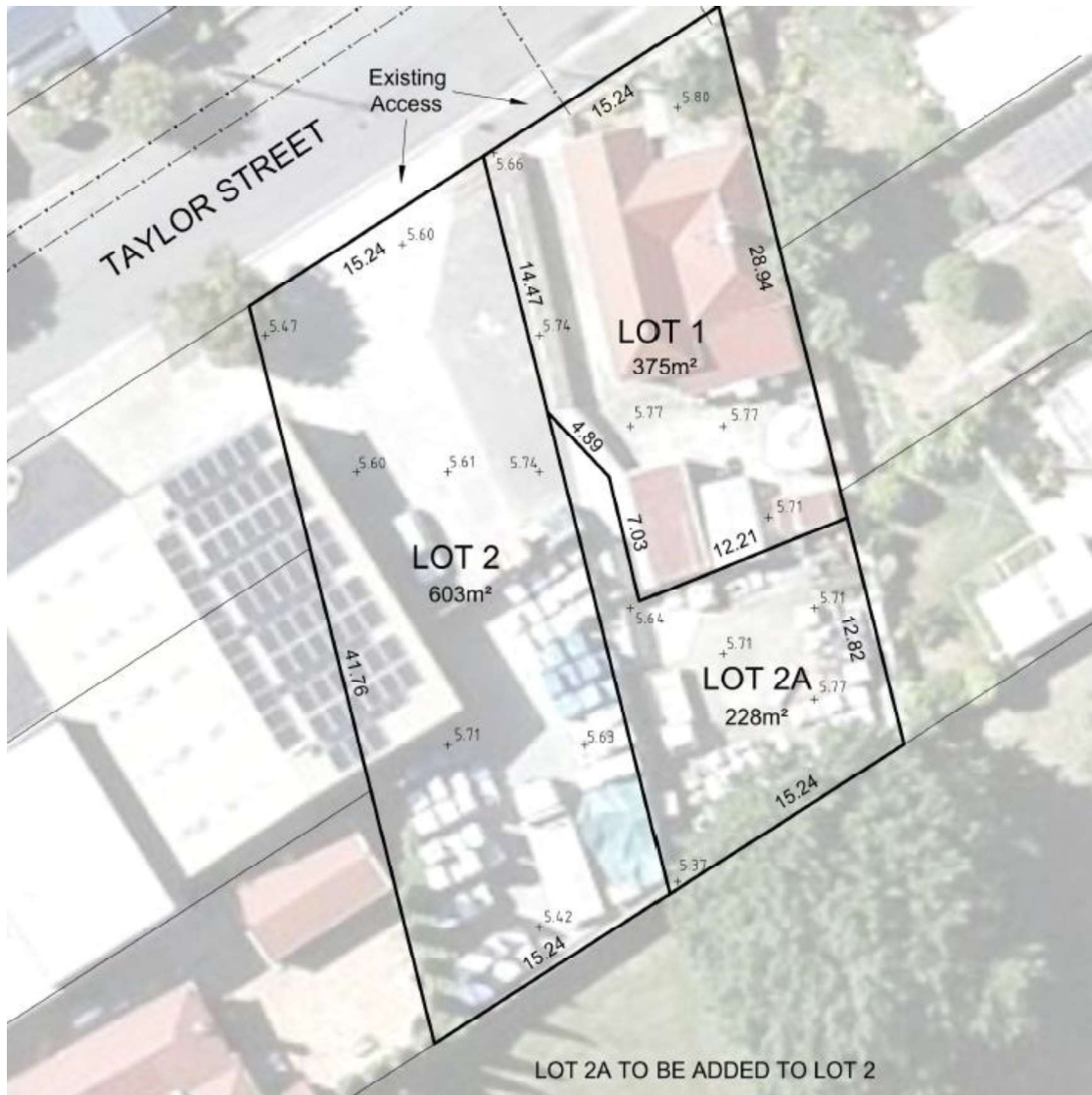


Figure 12 Proposed subdivision (Source: LISTmap)

### 7.1.1 GENERAL RESIDENTIAL ZONE

The proposed lot within the General Residential Zone is to be approximately 357m<sup>2</sup> and will accommodate the existing residential use and development on the site.

### 7.1.2 ZONE PURPOSE STATEMENTS

The purpose of the zone is as follows:

*10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*

*10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.*

*10.1.1.3 Non-residential uses are not to adversely affect residential amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

10.1.1.4 To encourage residential development that respects the existing and desired neighbourhood character.

10.1.1.5 To encourage residential use and development that facilitates solar access, integrated urban landscapes, and utilisation of public transport, walking and cycling networks.

### 7.1.3 DEVELOPMENT STANDARDS

<b>10.4.15 Lot size and dimensions</b>	
<b>Objective:</b> To ensure the area and dimensions of lots are appropriate for the intended use of the lots.	
Scheme Provisions	Design Response
<p><b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant Acceptable Solutions for development of buildings on the lots;</p> <p>(b) the likely location of buildings on the lots;</p> <p>(c) the likely provision of on-site parking and manoeuvrability for vehicles;</p> <p>(d) the topography of the site;</p> <p>(e) the presence of any natural hazards;</p> <p>(f) adequate provision for private open space; and</p> <p>(g) the existing pattern of development in the area.</p>	<p>The proposed lot does not meet the Acceptable Solutions and is therefore required to meet the performance criteria P1.</p> <p>(a) The existing dwelling on the proposed lot does not currently meet the Acceptable Solution for setback from a primary frontage. The proposed subdivision has not changed this. The existing dwelling is located approximately 9m from the rear boundary and meets the Acceptable Solution for rear setback.</p> <p>(b) There is an existing dwelling on the site. No further residential development is proposed and the site's location within a Flood Inundation Area makes further development on the site unsuitable.</p> <p>(c) The lot is accessed directly from the frontage to the road via a driveway which is situated between the existing dwelling and the boundary. No changes to existing access and parking are proposed.</p> <p>(d) The site is flat and is well suited to residential use and development.</p> <p>(e) The site is located within a Flood Inundation Area. There is an existing house on the site and the Flood Inundation Precinct supports the maintenance of the existing residential use.</p> <p>(f) There is adequate provision for private open space available at the rear of the dwelling.</p>



	(g) The existing development on the site is consistent with the pattern of development in the area.
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<b>10.4.16 Frontage and access</b>	
<b>Objective:</b> To ensure that lots provide: (a) appropriate frontage to a road; and (b) safe and appropriate access suitable for the intended use.	
Scheme Provisions	Design Response
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 3.6m.	<b>A1</b> The proposed lot has a frontage to a road maintained by a road authority of approximately 15m and therefore meets the Acceptable Solution A1.
<b>A2</b> No acceptable solution. <b>P2</b> Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the character of the area; and (e) the advice of the road authority.	<b>P2</b> The proposed lot is capable of providing reasonable vehicle access to the boundary of a lot with regard to: (a) The lot is flat and does not create any barriers to vehicle access on the lot. (b) The lot is accessed directly from the frontage to the road via a driveway which is situated between the existing dwelling and the boundary. (c) the road is a local residential street with low volumes of traffic. (d) Due to the residential character of the street other dwellings in the area are accessed in a similar manner. (e) There has been no advice provided by the road authority.

<b>10.4.17 Discharge of stormwater</b>	
<b>Objective:</b> To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.	
Scheme Provisions	Design Response
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.	<b>A1</b> As there is an existing dwelling on the lot, the lot is currently connected to a public stormwater system.

<p><i>A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</i></p> <p><i>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</i></p> <p><i>(a) the location of the discharge point (if any);</i></p> <p><i>(b) stormwater flow paths both internal and external to the site;</i></p> <p><i>(c) the topography of the site;</i></p> <p><i>(d) the characteristics of the site, including rainfall;</i></p> <p><i>(e) the development of the site and adjoining land;</i></p> <p><i>(f) the additional runoff from the subdivision development and likely future development of the land; and</i></p> <p><i>(g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</i></p>	<p><b>P2</b> Stormwater flows will be mitigated to a level that the public stormwater system can accommodate, having regard to:</p> <p>(a) The site is located in the Taswater Combined Drainage Area and stormwater runoff is discharged at the street kerb and channel.</p> <p>(b) &amp; (c) The site is flat but slopes slightly to the north meaning that runoff is directed directly to the street and does not encroach on neighbouring properties.</p> <p>(d) The purpose of the subdivision is to consolidate the lot with the neighbouring Title. The site has an existing connection to stormwater system.</p> <p>(e) The site has an existing dwelling on it which is currently connected to the public stormwater system.</p> <p>(f) The proposed subdivision is not expected to change the amount of runoff from the site.</p> <p>(g) The site does not have any onsite storage devices. There are no detention basins or water sensitive urban design techniques as the condition of the site and stormwater connections is to remain unchanged.</p>
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#### **10.4.18 Water and sewerage services**

**Objective:** To ensure each lot provides for appropriate water supply and wastewater disposal.

Scheme Provisions	Design Response
<p><i>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</i></p>	<p><b>A1</b> The lot at 1 Taylor Street is currently connected to a reticulated water supply and once consolidated meets Acceptable Solution A1.</p>
<p><i>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</i></p>	<p><b>A2</b> The lot at 1 Taylor Street is currently connected to a reticulated sewerage supply and once consolidated meets Acceptable Solution A2.</p>

#### **10.4.19 Integrated urban landscape**

**Objective:** To provide landscaping of lots, roads and public open spaces that contributes to the character and identity of urban places and the character of the surrounding area.

Scheme Provisions	Design Response
<i>A1 Subdivision does not create any new road, public open space or other reserves.</i>	A1 Subdivision does not create any new road, public open space or other reserves and meets Acceptable Solution A1.

<b>10.4.20 Walking and cycling network</b>	
<b>Objective: To:</b> <i>(a) provide safe and convenient movement through and between neighbourhoods by pedestrians and cyclists;</i> <i>(b) design footpaths, shared path and cycle path networks that are safe and accessible; and</i> <i>(c) accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i>	
Scheme Provisions	Design Response
<i>A1 Subdivision does not create any new road, footpath or public open space.</i>	A1 Subdivision does not create any new road, footpath or public open space and meets Acceptable Solution A1.

<b>10.4.21 Lot diversity</b>	
<b>Objective: To provide a range and mix of lot sizes to suit a variety of dwelling and household types.</b>	
Scheme Provisions	Design Response
<i>A1 Subdivision is for 10 lots or less.</i>	A1 Subdivision is for less than 10 lots and meets Acceptable Solution A1.

<b>10.4.22 Solar orientation of lots</b>	
<b>Objective: To provide for solar orientation of lots and solar access for future dwellings.</b>	
Scheme Provisions	Design Response
<i>A1 Any lot for residential use with an area of less than 500m<sup>2</sup>, in a subdivision of 10 or more lots, must have the long access between 30 degrees west of north and 30 degrees east of north.</i>	A1 As the subdivision is of 10 lots or less this standard does not apply.

<b>10.4.23 Neighbourhood road network</b>	
<b>Objective: To provide for convenient and safe movement, through and between neighbourhoods, for motor vehicles, pedestrians, cyclists and public transport using the road network.</b>	
Scheme Provisions	Design Response

<i>A1 Subdivision does not create any new road.</i>	<b>A1</b> The subdivision does not create any new road and therefore meets the Acceptable Solution A1.
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<b>10.4.24 Public transport network</b>	
<b>Objective:</b> <i>To provide for access to public transport.</i>	
Scheme Provisions	Design Response
<i>A1 Subdivision does not create any new road.</i>	<b>A1</b> The subdivision does not create any new road and therefore meets the Acceptable Solution A1.

#### 7.1.4 LOCAL BUSINESS ZONE

The proposed lot within the Local Business Zone is to be consolidated with the adjoining lot, CT24631/4, to create a lot of approximately 787m<sup>2</sup>.

#### 7.1.5 ZONE PURPOSE STATEMENTS

The purpose of the zone is as follows:

*20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.*

*20.1.1.2 To ensure that the primary purpose of the zone is maintained and use and development does not distort the activity centre hierarchy.*

*20.1.1.3 To maintain or improve the function, appearance and distinctive qualities of neighbourhood centres.*

*20.1.1.4 To create:*

*(a) activity at pedestrian levels, with active road frontages offering interest and engagement to shoppers; and*

*(b) appropriate provision for car parking, pedestrian access and traffic circulation.*

*20.1.1.5 To encourage a diversity of residential developments, including shop-top housing and tourist accommodation, which support the functions of neighbourhood centres.*

#### 7.1.6 DEVELOPMENT STANDARDS

<b>20.4.11 Lot size and dimensions</b>	
<b>Objective:</b> <i>To ensure:</i> <i>(a) the area and dimensions of lots are appropriate for the zone; and</i> <i>(b) adjoining land, especially residential zones, is protected from adverse impacts on amenity.</i>	
Scheme Provisions	Design Response
<i>A1.2 Each lot, or a lot proposed in a plan of subdivision, must:</i>	<b>A1.2</b> (c) The subdivision of the proposed lot is for the consolidation of a lot with another lot

<p><i>(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone; and</i></p> <p><i>A1.3 Each lot, or a lot proposed in a plan of subdivision, must have new boundaries aligned from buildings that satisfy the relevant Acceptable solutions for setbacks.</i></p>	<p>which is also located in the Local Business Zone.</p> <p><b>A1.3</b> As the proposed lot is on the boundary of the General Residential zone the required setbacks for a building must be set back 3m from the boundary as prescribed in 20.4.1 A4 of the Scheme.</p> <p><i>20.4.1 A4</i></p> <p><i>Where the site is located on the boundary of the General Residential and Inner Residential zones, new buildings or alterations to existing buildings, must:</i></p> <p><i>(a) be set back a horizontal distance of no less than 3m from the zone boundary; and</i></p> <p><i>(b) have a solid fence no less than 1.8m high on the zone boundary.</i></p> <p>As the proposed site is to be consolidated with the adjoining lot, the proposed lot is able to satisfy the relevant Acceptable Solutions for setbacks.</p>
<p><b>A2</b> <i>Subdivision must not be located on the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use or Village zones.</i></p> <p><b>P2</b> <i>Each lot, or a lot proposed in a plan of subdivision, must be designed to minimise the potential for nuisance or loss of amenity for adjacent lots, having regard to:</i></p> <p><i>(a) the lot layout and design;</i></p> <p><i>(b) the existing pattern of development in the area;</i></p> <p><i>(c) the ability for buildings to be erected in accordance with the development standards;</i></p> <p><i>(d) the proposed use of the lot;</i></p> <p><i>(e) the future use of the subject or adjoining land;</i></p> <p><i>(f) the topography of the site;</i></p> <p><i>(g) the physical separation to surrounding sensitive land uses;</i></p> <p><i>(h) compatibility with the existing pattern of development in an area;</i></p>	<p><b>A2</b> The subdivision will be located on the boundary of the General Residential Zone and therefore does not meet the Acceptable Solution A2 and will need to meet the performance criteria P2.</p> <p><b>P2</b> (a) The location of the proposed lot at the rear of the existing dwelling will maintain the street frontage and a separation from the existing dwelling will not cause any nuisance or loss of amenity.</p> <p>The proposed lot will not cause any nuisance or loss of amenity to neighbouring lots to the East.</p> <p>(b) The proposed rezoning of the site would be consistent with the adjacent site to the West, which currently located on the boundary of the General Residential Zone. The proposed rezoning and subdivision would allow the street scape to be maintained and maintain the existing use at the street frontage of the site.</p> <p>(c) As demonstrate in response to A1.3 of this standard the lot will allow for buildings to be</p>

<p>(i) the orientation of the lot;</p> <p>(j) access considerations; and</p> <p>(k) the accessibility for vehicles providing for supplies, waste removal, emergency services and public transport.</p>	<p>erected in accordance with the development standards, once the lot has been consolidated.</p> <p>(d) The proposed use is for Storage and is a supporting use to the adjacent Bulky Goods Sales use.</p> <p>(e) As the proposed rezoning of the site does not allow for an intensification of the bulky goods use, there would not be additional adverse impacts upon the amenity of neighbouring sites. The adjacent land to the south is zoned open space and is therefore unlikely to be developed in the foreseeable future. Similarly, the adjoining general residential properties are developed, with only a few of the properties having any remaining potential for future additional dwellings.</p> <p>(f) The site is almost entirely flat and could therefore support future changes to use or development within the dimensions of the lot. The elevation of the site approximately 5m above sea level makes the site well suited to a business or commercial use.</p> <p>(g) The site is adjacent to a residential use but is setback from existing dwellings and separated by boundary fences.</p> <p>(h) While the proposed lot size is smaller than the surrounding lots the proposed zoning is consistent with the adjacent site, and the subject site is surrounded by a variety of lot and zoning types, including Inner Residential zoning on the opposite side of Taylor Street.</p> <p>(i) The lot would have access to morning sun and proposed use on the site would not adversely affect solar access on neighbouring lots.</p> <p>(j) Access is provided from the neighbouring lot and is related to the intended use.</p> <p>(k) Vehicles would be able to access the site from the driveway on the adjacent site.</p>
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#### 20.4.12 Frontage and Access

**Objective:**

<p>To ensure that lots provide:</p> <p>(a) appropriate frontage to a road; and</p> <p>(b) safe and appropriate access suitable for the intended use.</p>	
Scheme Provisions	Design Response
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must have a frontage to a road maintained by a road authority of no less than 5m.</p>	<p><b>A1</b> As the proposed lot will have a frontage to a road maintained by a road authority of approximately 14.5m once the lot has been consolidated with the adjoining lot, the proposal meets Acceptable Solution A1.</p>
<p><b>A2</b> No acceptable solution.</p> <p><b>P2</b> Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic, including pedestrians;</p> <p>(d) the character of the area; and</p> <p>(e) the advice of the road authority.</p>	<p><b>P2</b> The proposed lot is provided with reasonable vehicle access through the consolidation of the lot with the adjacent title, providing access from 1 Taylor Street. The provision of reasonable vehicle access has regard to the following:</p> <p>(a) The site is predominately flat which allows for suitable access to the lot.</p> <p>(b) Once the lots have been consolidated the lot will be accessed directly from the road frontage at 1 Taylor Street.</p> <p>(c) The road is a local residential street. Customer parking for Rossetto Tiling Supply is situated at 80-82 Invermay Road and vehicle movement associated with the business would be limited to delivery vehicles, as is currently the case.</p> <p>(d) Bulky goods sales associated with Rossetto Tiling is an existing use on the adjacent site and the subdivision and consolidation of lots is to support</p> <p>(e) There has been no advice provided by the road authority.</p>

#### 20.4.13 Discharge of stormwater

##### Objective:

To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.

Scheme Provisions	Design Response
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system.</p>	<p><b>A1</b> The proposed lot will be consolidated with the adjacent lot at 1 Taylor Street which is already connected to a public stormwater system.</p>

<p><i>A2 The Council's General Manager has provided written advice that the public stormwater system has the capacity to accommodate the stormwater discharge from the subdivision.</i></p> <p><i>P2 Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</i></p> <p><i>(a) the location of the discharge point (if any);</i></p> <p><i>(b) stormwater flow paths both internal and external to the site;</i></p> <p><i>(c) the topography of the site;</i></p> <p><i>(d) the characteristics of the site, including rainfall;</i></p> <p><i>(e) the development of the site and adjoining land;</i></p> <p><i>(f) the additional runoff from the subdivision development and likely future development of the land; and</i></p> <p><i>(g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</i></p>	<p><b>P2</b> Stormwater runoff conditions on the site will remain unchanged and utilise existing connections on the site.</p> <p>(a) The site is located in the Taswater Combined Drainage Area and stormwater runoff is discharged at the street kerb and channel.</p> <p>(b) &amp; (c) The site is flat but slopes slightly to the north meaning that runoff is directed directly to the street and does not encroach on neighbouring properties.</p> <p>(d) The purpose of the subdivision is to consolidate the lot with the neighbouring Title. The site has an existing connection to stormwater system.</p> <p>(e) The neighbouring lot already has connection and access to stormwater.</p> <p>(f) The proposed subdivision is not expected to change the amount of runoff from the site. The characteristics of the site mean that it is unlikely that any future development will result in additional runoff from the site.</p> <p>(g) The site does not have any onsite storage devices. There are no detention basins or water sensitive urban design techniques as the condition of the site and stormwater connections is to remain unchanged.</p>
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<p><b>20.4.14 Water and sewerage services</b></p>	
<p><b>Objective:</b> To ensure each lot provides for appropriate water supply and wastewater disposal.</p>	
<p>Scheme Provisions</p>	<p>Design Response</p>
<p><i>A1 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated water supply.</i></p>	<p><b>A1</b> The consolidated lot has an existing connection to a reticulated water supply.</p>
<p><i>A2 Each lot, or a lot proposed in a plan of subdivision, must be connected to a reticulated sewerage system.</i></p>	<p><b>A2</b> The consolidated lot has an existing connection to a reticulated water supply.</p>

## 7.2 PROPOSED USE

It is proposed as part of this application that the site will be used for the storage of goods and machinery, which is ancillary to the Bulky Goods Sales use on the adjacent site.



## 7.2.1 USE STANDARDS

### Local Business Zone

<b>20.3.1 Hours of Operation</b>	
<b>Objective:</b> <i>To ensure that uses do not cause unreasonable loss of amenity to nearby sensitive uses.</i>	
Scheme Provisions	Design Response
<b>A1</b> Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Friday and 7:00am to 5:00pm Saturday and Sunday.	<b>A1</b> The retail space operates from 8.00 am to 5.30 pm Monday - Friday and 9.00 am to 1.00 pm Saturday.  Any vehicle movements outside of the shop opening hours would be minimal and deliveries would be made within the times prescribed in Acceptable Solution A1. Therefore, meets Acceptable Solution A1.
<b>A2</b> Operating hours, except for office and administrative tasks, must be between: (a) 6.00am and 10.00pm, where adjacent to the boundary of the General Residential, Inner Residential, Low Density Residential and Urban Mixed Use zones; or (b) 6.00am to midnight otherwise.	<b>A2</b> The retail space operates from 8.00 am to 5.30 pm Monday - Friday and 9.00 am to 1.00 pm Saturday.  This meets the Acceptable Solution A2.

<b>20.3.2 Mechanical Plant and equipment</b>	
<b>Objective:</b> <i>To ensure that the use of mechanical plant and equipment does not cause an unreasonable loss of amenity to sensitive uses.</i>	
Scheme Provisions	Design Response
<b>A1</b> Air conditioning, air extraction, heating or refrigeration systems or compressors must be designed, located, baffled or insulated to prevent noise, odours, fumes or vibration from being received by adjoining or immediately opposite sensitive uses.	<b>A1</b> No air conditioning, air extraction, heating or refrigeration systems or compressors are proposed to be located at 3 Taylor Street and therefore meets the Acceptable Solution A1.

<b>20.3.3 Light spill and illumination</b>	
<b>Objective:</b> <i>To ensure that light spill and levels of illumination from external lighting does not cause unreasonable loss of amenity to sensitive uses.</i>	
Scheme Provisions	Design Response

<p><b>A1 The use must:</b></p> <p>(a) not include permanent, fixed floodlighting where the zone adjoins the boundary of the General Residential, Inner Residential, Low Density Residential, Urban Mixed Use and Village zones; and</p> <p>(b) contain direct light from external light sources within the boundaries of the site.</p>	<p><b>A1</b> The zone will adjoin the boundary of the General Residential zone, but the proposed use will not include permanent fixed floodlighting or direct light from external light sources and therefore meets the Acceptable Solution A1.</p>
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<p><b>20.3.4 Noise levels</b></p>	
<p><b>Objective:</b></p> <p>To ensure that noise levels from uses do not unreasonably impact on the amenity of nearby sensitive uses.</p>	
<p>Scheme Provisions</p>	<p>Design Response</p>
<p><b>P1</b> Noise levels generated by a use on the site must not unreasonably impact on the amenity of nearby sensitive uses, having regard to:</p> <p>(a) the nature and intensity of the use;</p> <p>(b) the characteristics of the noise emitted;</p> <p>(c) background noise levels;</p> <p>(d) any mitigation measures proposed;</p> <p>(e) the topography of the site; and</p> <p>(f) the character of the surrounding area.</p>	<p><b>P1</b></p> <p>Noise provisions have been removed from the State provisions.</p> <p>Noise will not result from a change or intensification of the existing noise levels on the approved use of the related adjacent tiling business.</p> <p>Noise can be conditioned on the permit and dealt with under the environmental regulations.</p> <p>(a) The proposed use of bulky goods sales on the site is an extension of the existing, approved tiling business on the adjacent lot. The proposed use will not increase the intensity of use on the site as it proposed that the new use will be for the storing of tiles only.</p> <p>(b) Any noise generated on the site would be limited to the delivery of tiles and the relocation of items stored on the site. In accordance with the EPA’s Noise Measurement Procedures manual a LAeq noise level is measured over a 10-20 minute period, and as such noise generated on the site would occur for the entire time period.</p> <p>(c) Background noise levels adjacent to the site will include noises</p>

	<p>associated with the existing tiling business. It is not intended that the noise levels generated on site will match or exceed these levels.</p> <p>(d) Any noise generated on the site would not occur outside of the time periods specified in the EMPCA Noise Regulations 2016, being 7am-6pm Mon-Fri, 8am-6pm Sat and 10am-6pm Sun.</p> <p>(e) The site is almost flat, and the topography will not have an effect on noise levels to sensitive uses.</p> <p>(f) The site is located adjacent to the Local Business Zone and, while less than 300m from a residential premises, the rezoning does not seek an intensification of the use on site, rather to bring the current use in to accordance with the requirements of the Launceston Interim Planning Scheme. There is an existing interface between the local business, inner residential and general residential zones in the locale. The application is not seeking to alter or substantially intensify the bulky goods use on the subject sites. Invermay Road is an established area typified by light industrial and other commercial uses surrounded by residential development.</p>
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### 20.3.5 Retail Impact

This provision is not applicable to the use of Storage as per Table 20.3 of the Scheme.

## 7.3 CODES

### 7.3.1 ROAD AND RAILWAY ASSETS CODE

This Code does not apply as there intensification of the use existing access as the subdivision and adhesion will not increase the floor space or number of staff working on the site.

### 7.3.2 PARKING AND SUSTAINABLE TRANSPORT CODE

#### E6.5.1 Car parking numbers

**Objective:** To ensure that an appropriate level of car parking is provided to meet the needs of the use.

Scheme Provisions	Design Response
<p><b>A1</b></p> <p><i>The number of car parking spaces must:</i></p> <p><i>(a) not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or</i></p> <p><i>(b) not be less than 100% of the requirements of Table E6.1 for dwellings in the General Residential Zone; or</i></p> <p><i>(c) not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater, except for dwellings in the General Residential Zone; or</i></p> <p><i>(d) be in accordance with an acceptable solution contained within a parking precinct plan.</i></p>	<p><b>A1</b></p> <p>The proposal does not seek a variation to the existing approved car parking for the site.</p> <p>The change of use to ‘Bulky Goods Sales’ requires extra car parking spaces in the instance of additional staff and additional gross floor area.</p> <p>This application does not seek to intensify the use for Rosetto Tiling, and no additional staff would be required due to the additional land being rezoned to be used for stock and machinery.</p> <p>This application does not propose any new buildings, structures, or building extensions. As such, there is not an increase in floor area, and therefore no additional parking is triggered.</p>

## 8. CONCLUSION

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The proposed rezoning, subdivision and subsequent change of use for the rear of the subject site at 3 Taylor Street represents a high level of compliance to relevant strategic framework as well as with the *Launceston Interim Planning Scheme*.

Due to the nature of Bulky Goods Sales more land is required to undertake the necessary level of activity on the site. The proposed amendment is supported through a review of relevant strategic documents which reflect a need to consolidate land uses within Invermay.

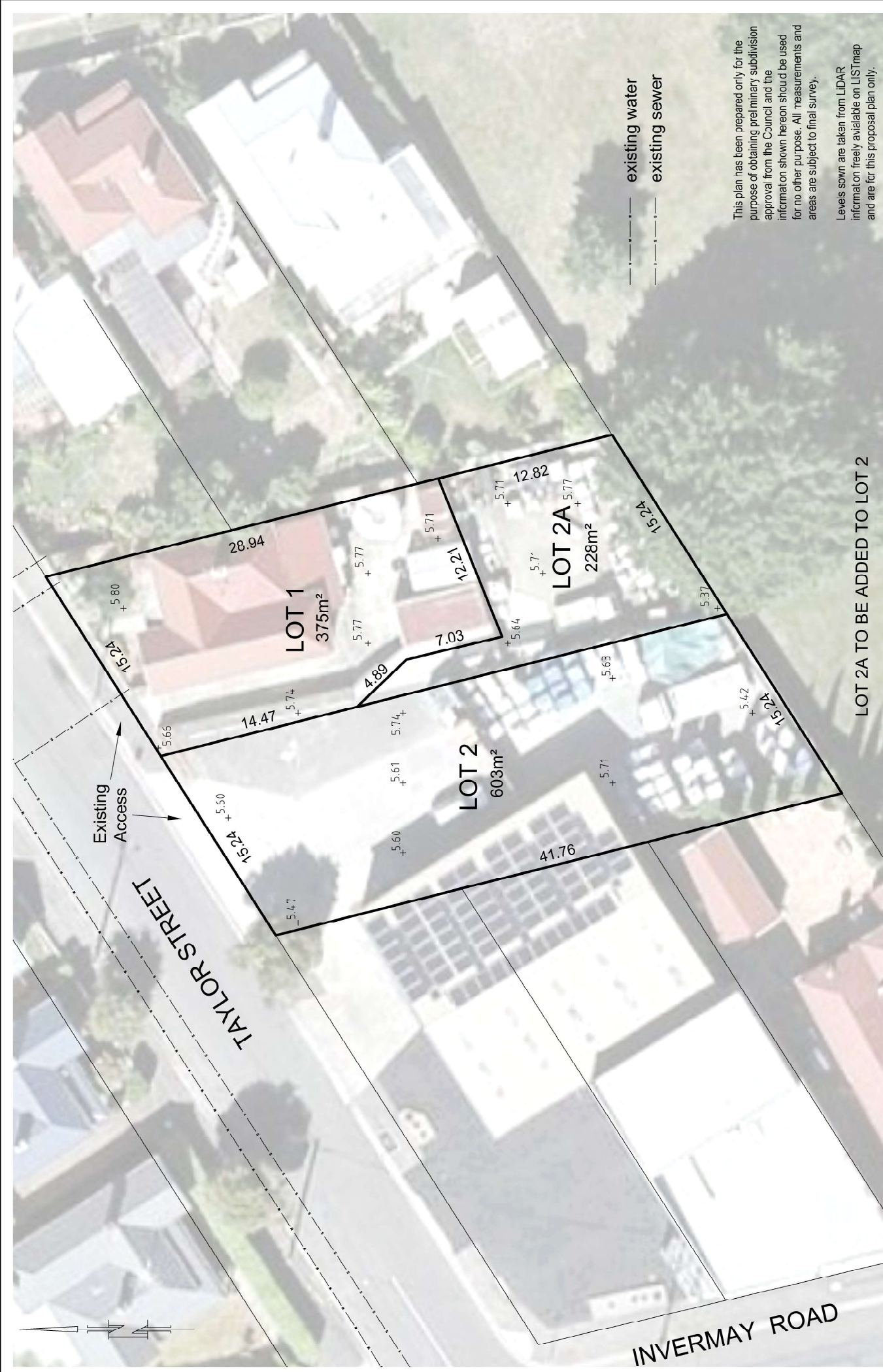
The proposal, to rezone the rear of the site to 'Local Business' while maintaining the front of the site as 'General Residential' presents the most suitable option as it allows for the existing zoning and use to be maintained on the street frontage, in keeping with the surrounding residential area.

Rezoning the rear of the site allows for that part of the site to be consolidated with the neighbouring lot at 1 Taylor St, and consequently the related use.

The proposal represents an appropriate use and development for the site.

# APPENDIX A - TITLES

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This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Levels shown are taken from LIDAR information freely available on LISTmap and are for this proposal plan only.

LOT 2A TO BE ADDED TO LOT 2

REV	DESCRIPTION	DATE	APPR
A			
B			
C			
D			
E			

SUPERVISOR	SR	44241
DRAWN	SR	@
DATE		22-7-2019

SECTION	44241
CHECKED	@

SUBDIVISION PROPOSAL  
 3 TAYLOR STREET, INVERMAY  
 IRENE INC.  
 C.T. 113036/5 & C.T. 24631/4

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SCALE: 1:250  
 JOB NUMBER: 44241-PO1  
 DRAWING: (A3)