

From: Clarence General Mail User
Sent: Tue, 17 Mar 2020 15:21:40 +1000
To: City Planning; Dan Ford
Subject: FW: Minimum Lot Size Acton Local Provision Schedule Clarence City Council

From: Evan Boardman <evan@e3planning.com.au>
Sent: Tuesday, 17 March 2020 4:17 PM
To: Dan Ford <dford@ccc.tas.gov.au>; Clarence General Mail User <clarence@ccc.tas.gov.au>
Cc: 'Nick Lambrakis' <nicklambrakis78@gmail.com>
Subject: RE: Minimum Lot Size Acton Local Provision Schedule Clarence City Council

Dear Dan

I am writing to advise you that I will be lodging a submission on the Draft Clarence Local Provision Schedule on behalf of Nick Lambrakis and others who will be seeking to have the proposed minimum lot size for subdivision in Acton to 1 hectare under the Local Provision Schedule.

Due to the unprecedented nature of the Worldwide Pandemic I have been unable to finalise the submission in time and will endeavour to get a representation to Council this evening or tomorrow.

I trust that this is acceptable to both you and the Tasmanian Planning Commission.

Regards

Evan

Evan Boardman
B.Econ, B, Sci (Hons), Grad Dip URP
Ph: 0438 376 840
227 Liverpool Street HOBART
PO Box 58
SOUTH HOBART TAS 7004



ENVIRONMENT
SUSTAINABLE
DEVELOPMENT
ECONOMICS

From: Clarence General Mail User
Sent: Wed, 18 Mar 2020 13:40:23 +1000
To: City Planning
Subject: FW: 476 488 South Arm Highway Lauderdale - Clarence LPS
Attachments: 476 488 South Arm Highway LPS 17 03 20.pdf

From: Evan Boardman <evan@e3planning.com.au>
Sent: Wednesday, 18 March 2020 2:11 PM
To: Dan Ford <dford@ccc.tas.gov.au>; Clarence General Mail User <clarence@ccc.tas.gov.au>
Cc: 'Malcolm Purcell' <malcolm@pridetec.com.au>; 'Nick Lambrakis' <nicklambrakis78@gmail.com>
Subject: 476 488 South Arm Highway Lauderdale - Clarence LPS

Please find attached a submission on the Clarence LPS lodged on behalf of my clients Nick and Harry Lambrakis and Oaktree Retirement Villages.

It would be greatly appreciated if you could consider the contents of the submission in the review of the LPS.

Evan Boardman
B.Econ, B, Sci (Hons), Grad Dip URP
Ph: 0438 376 840
227 Liverpool Street HOBART
PO Box 58
SOUTH HOBART TAS 7004





Tuesday 18 March 2020

Ian Nelson
General Manager
Clarence City Council
PO Box 96
Rosny Park TAS 7018 Via email: clarence@ccc.tas.gov.au

Dear Mr Nelson

RE: Clarence Local Provision Schedule 476 & 488 South Arm Highway

Please accept this submission on the Clarence Local Provision Schedule (LPS) as it pertains to 467 and 488 South Arm Highway (the properties). This submission is lodged on behalf of Harry and Nic Lambrakis and the OakTree group <https://www.oaktreegroup.com.au/>.

The proposal seeks to insert a specified departure into the LPS to provide for a Lifestyle Village/Community Living similar to the community living development on the adjacent property at 86 Mannata Street Lauderdale.

The proposed specified departure would provide for the insertion of the following into Table 11.2 of the Rural Living Zone of the Local Provision Schedule. Under the Discretionary List insert

<i>Discretionary</i>	
<i>Residential</i>	<i>Only if for a residential care facility, respite centre, assisted housing or retirement village.</i>

Oaktree Retirement Villages have 26 Lifestyle Villages operating across four Australian States including Tasmania. Oaktree is extremely desirous to develop the properties for a lifestyle village similar to those operated elsewhere across Australia. The properties have numerous benefits to Oaktree, including.

- Centrally located;
- Adjacent to
 - shops,
 - services,
 - pharmacy,
 - doctors surgery,
 - restaurants
- Good access to a main arterial road;
- Land is flat;
- Access to public transport;

It is understood that the properties have two potential challenges which principally relate to inundation and drainage, these challenges would be overcome if the properties were provided with the requested specified departure via

- filling of lower lying areas; and
- implementation of a drainage strategy for Lauderdale which it is understood has also been submitted to Council as part of the LPS consultation process. of the desire to develop the properties for

There is recognised strong demand for retirement and lifestyle accommodation within Southern Tasmania and particularly the Lauderdale Area. The population is aging and people are seeking to retire, downsize and move into a smaller residence with more services, facilities and care, close to their existing network of friends and family and neighbours.

The location of the properties is shown in figure 1.

The properties have dual split zoning , Local Business Zone and Rural Living Zone as shown in figure 2 under the existing Scheme and also under the LPS as shown in figure 3.



Figure 1: Property Location source: www.thelist.tas.gov.au



Figure 2: Existing Property Zoning source: www.thelist.tas.gov.au

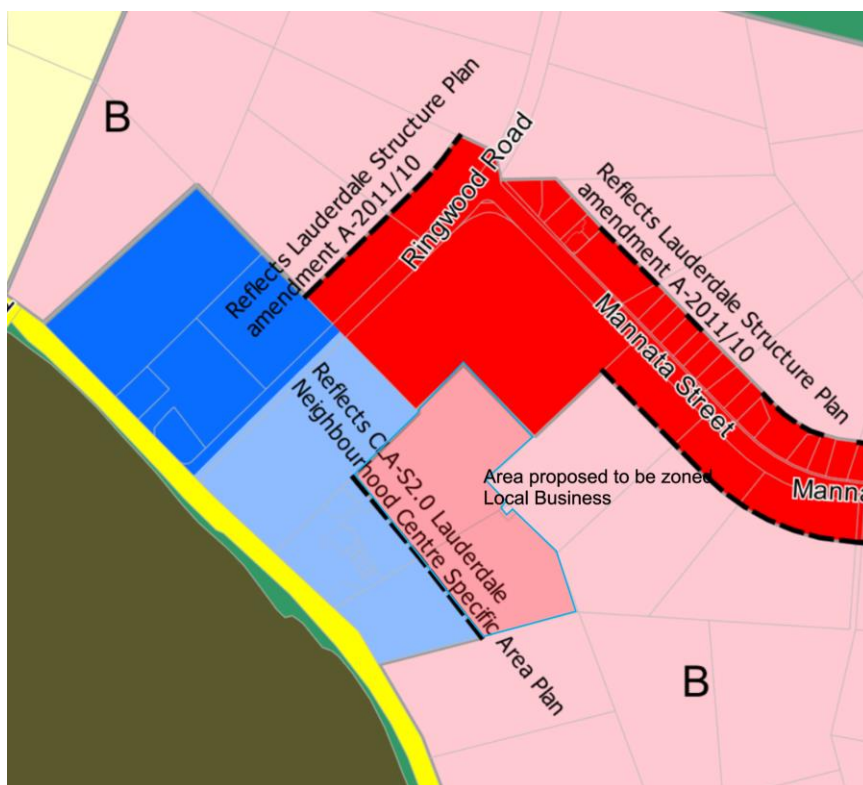
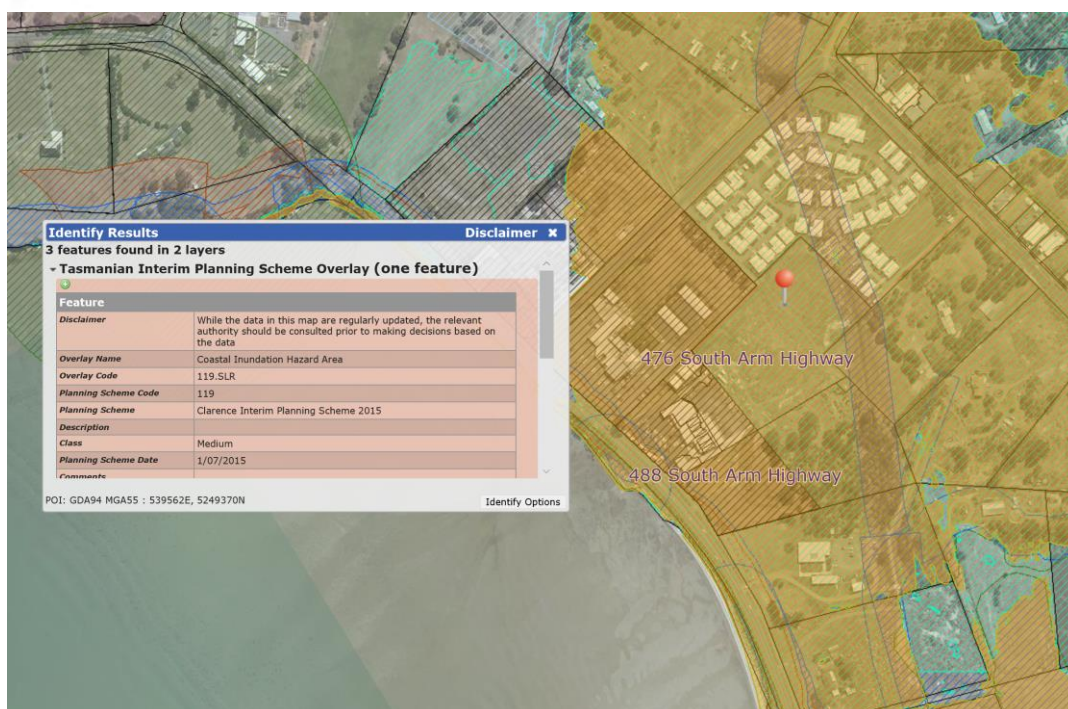
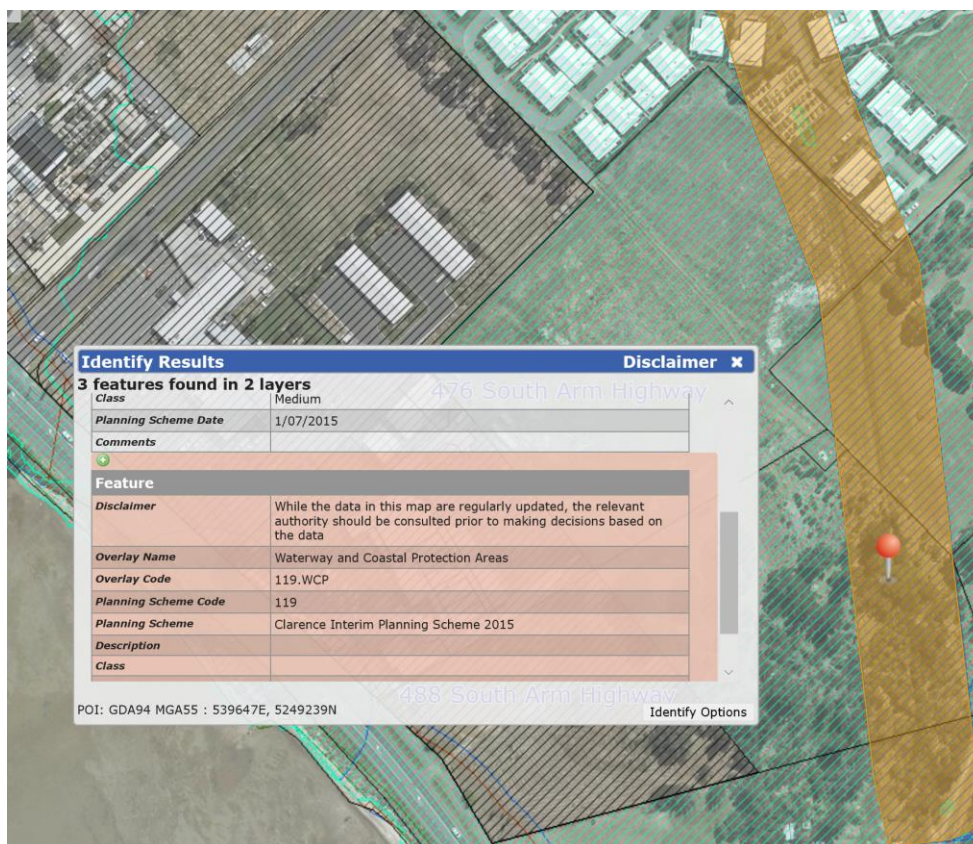


Figure 3: Proposed Property Zoning Clarence LPS


 Figure 4: Coastal Inundation Hazard Area Overlay source: www.thelist.tas.gov.au

 Figure 5: Waterway and Coastal Protection Area Overlay source: www.thelist.tas.gov.au

Overlays

The properties are subject to 3 overlays under the Scheme as shown in figures 4, 5 and 6 which would not alter as a result of the proposed specified departure and would still regulate use and development on the properties and would provide Council with the ability to refuse any application for a Lifestyle Living/Community Village if considered appropriate.

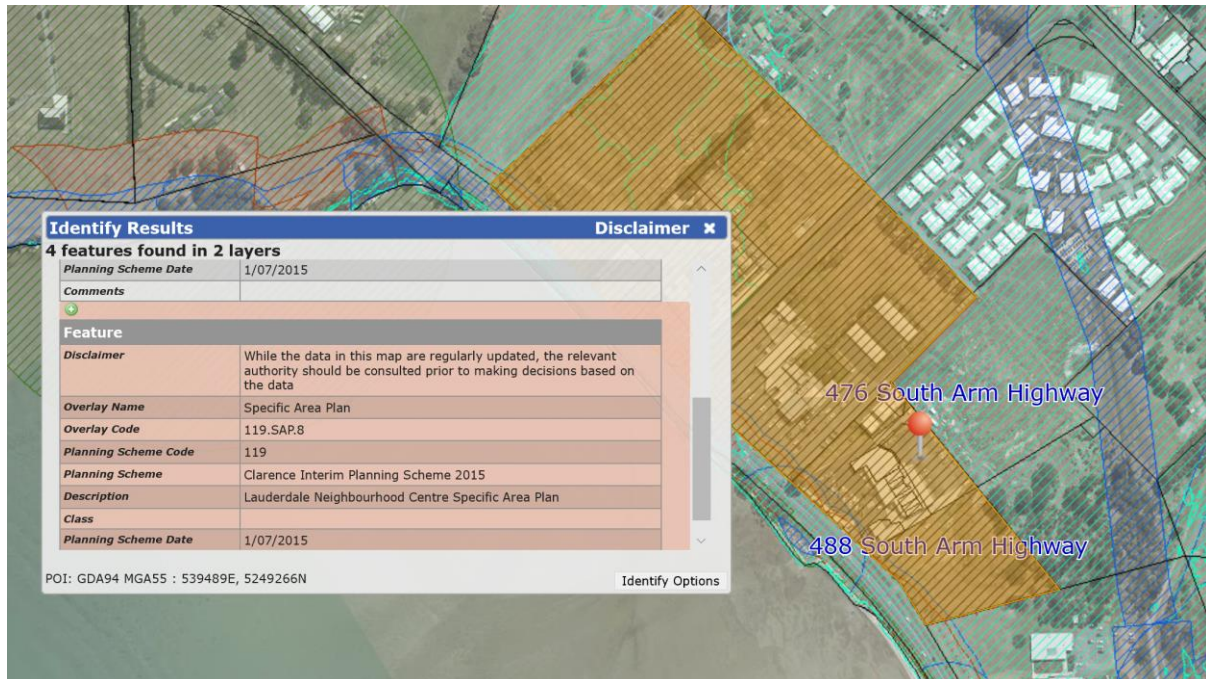


Figure 6: Specific Area Plan source: www.thelist.tas.gov.au

Density Transition

Land to the west of the properties is subject to the Lauderdale Neighbourhood Specific Area Plan as shown in figure 4 above which has as its purpose.

CLA-S2.0 Lauderdale Neighbourhood Centre Specific Area Plan

CLA-S2.1 Plan Purpose

The purpose of the Lauderdale Neighbourhood Centre Specific Area Plan is:

- CLA-S2.1.1 To implement the recommendations of the *Clarence City Council Retail Analysis 2010* and the *Lauderdale Structure Plan 2011*, by providing for the expansion of the Lauderdale Neighbourhood Centre.

The LPS and the Scheme provide for the expansion of Lauderdale Neighbourhood Centre by introducing a Local Business Zone over the entirety of the area subject to the Lauderdale

Neighbourhood Centre Specific Area Plan. The Local Business Zone provides for the following uses,

Local Business Zone - Use Table

Use Class	Qualification
No Permit Required	
Business and Professional Services	
Food Service	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
Permitted	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	

Pleasure Boat Facility	If for a boat ramp.
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
Discretionary	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for food or beverage production.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If for: (a) a public transport facility; or (b) distribution of goods to or from land within the zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.

The number of permitted and discretionary uses within the Local Business Zone is extensive and provides for intensive use and development ranging from General Retail and Hire, Residential (including for Community Living), Tourist Operation, Transport Depot and Distribution, Vehicle Fuel Sales and Service, meaning that the Lauderdale Neighbourhood area is likely to become particularly dense in terms of people, development and use. This density is sharply contrasted with adjacent Rural Living Zoning of the properties, 476 and 488 South Arm Highway. The Use Table of the Rural Living Zone is reproduced below.

Rural Living Zone Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Resource Development	If for grazing.
Utilities	If for minor utilities.
Permitted	
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a veterinary centre.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding and Training	

Education and Occasional Care	If for: (a) a childcare centre or primary school; or (b) an existing respite centre.
Emergency Services	
Food Services	If for a gross floor area of no more than 200m ² .
General Retail and Hire	If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop.
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Resource Development	If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required.
Resource Processing	If not for an abattoir, animal saleyards or sawmilling.
Sports and Recreation	If for an outdoor recreation facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	

The above use table provides very limited opportunities for use and development to occur on the land adjacent to the Lauderdale Neighbourhood Centre. The accepted planning principle is that density of use and development generally transitions from higher density through to lower density to a zone which has virtually no density provisions such as a Rural Zone. In this instance the zoning, the use and development do not transition from a high-density zone through to a lower density zone. The LPS for this area of Lauderdale moves immediately from a high-density Lauderdale Neighbour Centre Local Business Zone to a Rural Living Zone without any transition.

Inserting a specified departure to enable a denser development (Community Living Lifestyle Village) would provide for this transition and a connectivity between the Lauderdale Neighbourhood Centre, the Residential Area to the land to the north and the Roches Beach Living Lifestyle Village.

Roches Beach Lifestyle Village

86 Mannata Street, Lauderdale has been developed for a lifestyle village and if the proposed specified departure was inserted into the Scheme a larger more connected lifestyle village and

retirement complex with a greater economy of scale could be constructed to provide for the needs of the local community.

Oaktree has extensive experience and background in running and constructing lifestyle villages across Australia and if the scheme was amended a substantial investment would be made in Lauderdale supporting the economy of the area.

Rural Living

Any use and development of a residential care facility, respite centre, assisted housing or retirement village would need to be assessed against the relevant development standards of the LPS, these standards are reproduced and considered below:

Site Coverage

Performance Criteria
<p>P1</p> <p>The site coverage must be consistent with that existing on established properties in the area having regard to:</p> <ul style="list-style-type: none">(a) the topography of the site;(b) the capacity of the site to absorb runoff;(c) the size and shape of the site;(d) the existing buildings and any constraints imposed by existing development;(e) the need to remove vegetation; and(f) the character of development existing on established properties in the area.

Planning Response

The properties are located adjacent to an existing residential community living development as outlined in the Lauderdale Structure Plan as shown in figure 6. All the above matters would need to be considered as part of any development application lodged with Council. Council would also have the ability to refuse any such development if it did not comply with the performance criteria.



Figure 6: Lauderdale Structure Plan showing Community Living Area and area proposed to be developed for Community Living and Lifestyle Village via a specified departure

Building Height

Performance Criteria
<p>P1</p> <p>Building height must be compatible with the character of the area and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none">(a) the topography of the site;(b) the height, bulk and form of existing buildings on the site and adjoining properties;(c) the bulk and form of proposed buildings;(d) sunlight to habitable rooms and private open space in adjoining properties; and(e) any overshadowing of adjoining properties or
public places.

Planning Response

It could be expected that the tallest buildings would be two stories and would be capable of complying with the development standard for building height.

Front Setback

P2

Buildings must be sited to be compatible with the character of the area, having regard to:

- (a) the topography of the site;
- (b) the setbacks of adjacent buildings;
- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance when viewed from roads and public places; and
- (e) the retention of vegetation.

Planning Response

If appropriately designed and located any development application for a liofestyle village would be capable of satuisfying the above performance criteria.

Side and Rear Setbacks

P2

Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (a) the topography of the site;
- (b) the size and shape of the site;
- (c) the location of existing buildings on the site;
- (d) the proposed colours and external materials of the building;
- (e) visual impact on skylines and prominent ridgelines;
- (f) impact on native vegetation;
- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
 - (i) overlooking and loss of privacy;
 - (ii) visual impact, when viewed from adjoining lots, through building bulk and massing;
- (h) be no less than:
 - (i) 10m; or
 - (ii) 5m for lots below the minimum lot size specified in the acceptable solution; or
 - (iii) the setback of an existing roofed building (other than an exempt building) from that boundary.

unless the lot is narrower than 40m at the location of the proposed building site.

Planning Response

If appropriately designed and located any development application for a liofestyle village would be capable of satuysfying the above performance criteria.

Subdivision

Minimum Lot Size

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area not less than specified in Table 11.1 and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 15m x 20m clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of existing buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) any natural or landscape values; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area, <p>and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.</p>

Planning Response

No subdivision is envisaged or required as part of any proposed community living proposal. As the development standards are not proposed to be altered the development potential of the properties with respect to subdivision would similarly not alter.

Conclusion

The proposed specified departure would provide for the development of a very limited use – that is a lifestyle village similar to that adjacent to the properties.

A lifestyle village would support and encourage the development of the Lauderdale Neighbourhood Centre through the provision of greater residential density and provide for a zoning transition between the neighbourhood centre and the residential areas to the northeast.

The proposed specified departure is put to Council for consideration as part of the development of the Clarence LPS.

If you have any further queries, please do not hesitate to contact me on 0438 376 84 or email evan@e3planning.com.au.

Regards



Evan Boardman

Grad Dip URP, B ScEnv, B Econ