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Dear Madam,

REPRESENTATION TO THE DRAFT CENTRAL COAST LOCAL PROVISIONS SCHEDULE

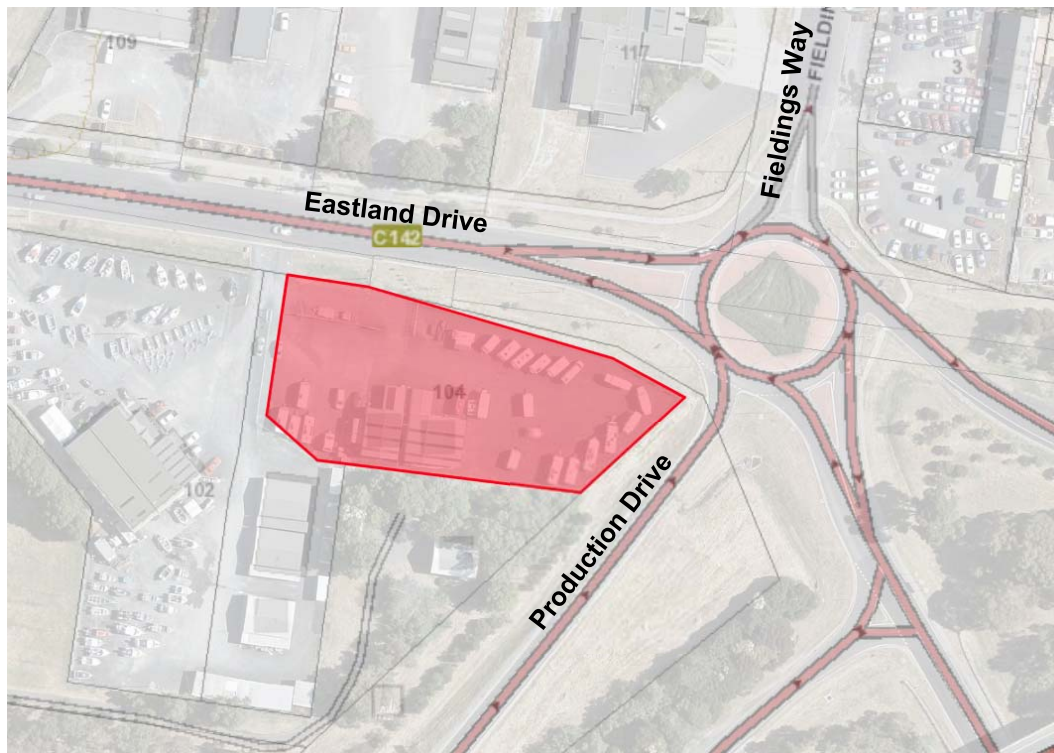
6ty° Pty Ltd has been engaged by **Lifestyle Caravans** to prepare a representation to the Draft Central Coast Local Provisions Schedule (LPS) in accordance with section 35E(1) of the *Land Use Planning and Approvals Act 1993* (the Act).

This representation is guided by section 35E(3)(b) of the Act. To this effect, it is submitted that the LPS should assign land identified by Certificate of Title Volume 11544 Folio 1 to the Local Business or Commercial zone instead of the Rural zone.

Background

Lifestyle Caravans is a local caravan sales and servicing business that currently operates from 104 Eastland Drive, Ulverstone (refer to Figure 1).

Figure 1 - aerial view of 104 Eastland Drive showing the location of the existing building and configuration of the outdoor caravan display and layby area.



It is a corner lot with frontage to Eastland Drive along its northern boundary and Production Drive along its eastern boundary. It has an area of 3,686m² and

contains two conjoined buildings that include an office, amenities, accessory shopfront and a service and repair workshop. The area surrounding the buildings comprises bituminous hardstand which is used as an outdoor caravan display and layby area, storage and car parking.

The business is experiencing increasing demand for new caravans, servicing and repair of existing caravans and caravan accessories. To accommodate this demand, the business is seeking to grow.

The site is at capacity. There is limited space to expand the outdoor display area or to construct a new office, retail shopfront, indoor showroom and servicing building and retail area whilst accommodating onsite loading, unloading and vehicle circulation movements. There is no opportunity to acquire land adjacent to the site. It has therefore been concluded that the business has outgrown its current location. Accordingly, the owners are seeking to relocate the business to an alternative site within the Central Coast municipality.

Absence of alternative sites within the municipality under the IPS

The use of land to sell caravans (the 'use'), including minor servicing, repair and accessory sales, is a sub-use of the bulky goods sales use class. Pursuant to the *Central Coast Interim Planning Scheme 2015* (IPS), the use is permitted within the Commercial zone and discretionary within the Village, Local Business and General Business zones.

Under the IPS, the combined area of Village zoned land is 33.13ha which is spread across the settlements of North Motton (12.88ha), South Riana (9.86ha) and Sprent (10.93ha). These settlements are located between 7km and 18km inland from the Ulverstone business district in rural areas. The majority of lots within these settlements range between 1,500m² and 2,500m² and contain single dwellings. Larger lots within these settlements are typically aligned to public and community uses which include churches, cemeteries, schools and public open space.

The combined area of Local Business zoned land is 10.81ha which is spread across Forth (1.55ha), West Ulverstone (2.12ha), Penguin (6.6ha), Turners Beach (0.3442ha) and Gawler (0.2043ha). There is 25.12ha of General Business zoned land which is concentrated to the Ulverstone business district.

Similarly to the Village zoned land, lots within the Local Business and General Business zones are typically smaller and tend to contain existing use and development. Larger vacant areas within the General Business zone are typically located behind extant buildings that front onto streets and generally comprise car parks, public thoroughfares and other civic spaces.

As detailed in clause 23.1.2 of the IPS, commercial uses are generally unsuited to the Village, Local Business and General Business zones due to the requirement for large floor or site areas for display, storage and operation; access to expansive customer car parking and loading areas; and a high standard of freight transport and vehicle access and facilities for the delivery and collection of goods.

These factors are pertinent to Village, Local Business and General Business zoned land under the IPS. It is not desirable or appropriate to locate the caravan sales and servicing use within these zones for several reasons which include:

- disconnection from urban settlements and commercial nodes;
- isolation from areas with high traffic volume and passing visibility;
- lack of vacant lots that are suitably sized and positioned to accommodate the use;
- traffic management and pedestrian safety issues associated with accessing sites within these areas;
- risk¹ of the use being incompatible with surrounding and nearby permitted uses and not aligning with the purpose, objectives and desired future character of the underlying zone;
- land within these zones is finite and should be preserved for uses that are encouraged by the purpose of the zone and which are typically those that are identified as permitted within the respective use table.

In contrast, the most appropriate and desirable zone for caravan sales and servicing uses to exist is the Commercial zone. It is the only zone that provides a permitted pathway for all bulky goods sales uses (except for the sale of foodstuffs and clothing).

Under the IPS, there is 8.49ha of Commercial zoned land (excluding zoning that extends into road casements) located across four separate precincts that extend between West Ulverstone at Hobbs Parade and Ulverstone at Industrial Drive. There are a total of 29 lots that are assigned to the Commercial zone and the average lot size is 2,927m², which is smaller than 104 Eastland Drive. Existing lots within the zone are fully developed and, in any event, too small to accommodate the use. There are no vacant lots in the zone.

The use is prohibited in all other zones under the IPS including the Light Industrial, General Industrial and Rural Resource zones.

Absence of alternative sites within the municipality under the LPS

Under the LPS, the use will be discretionary within the Village zone and permitted (unqualified) within the Local Business, General Business and Commercial zones. It will be prohibited in all other zones including the Light Industrial, General Industrial, Rural and Agriculture zones.

There will be no material changes to the spatial application of the Village, Local Business, General Business and Commercial zones under the LPS. This is presented in the table below.

Zone	IPS	LPS	Change
Village	33.67ha	34.7ha	+0.997ha
Local Business	10.81ha	10.935ha	+0.1207ha
General Business	25.12ha	25.12ha	-
Commercial	8.49ha	8.36ha	-0.1207ha

The area of Village zoned land proposed under the LPS will increase by 0.99ha. This increase reflects an expansion of the zone to the south and west of the

¹ the risk is quantified on the basis that bulky goods sales uses are discretionary within the Village, Local Business and General Business zones.

existing zoning in Sprent. The area of Village zoned land in North Motton and South Riana will not change.

The area of Local Business zoned land will increase by 0.1207ha which corresponds with two lots located at 15 and 17 Hobbs Parade, West Ulverstone which will be rezoned from Commercial to Local Business.

The area of General Business zoned land will not change. The area of Commercial zoned land will decrease by 0.1207ha which is representative of the zone swap at 15 and 17 Hobbs Parade.

It has been identified that the existing land stock assigned to the Local Business and General Business zones is not suitable to accommodate large scale bulky goods sales activities.

Existing clusters of Local Business, General Business and Commercial zoned land are typically locked by established General Residential zoned land and other incidental land use and development. These areas are therefore unable to be expanded into immediately contiguous land. There is also minimal opportunity for infill development.

Inconsistency with statutory obligations

The LPS is required to, among other matters, further the objectives detailed in Schedule 1 of the Act and be consistent with the Cradle Coast Regional Land Use Strategy (the Strategy).

Objective 1(e) of the Act requires the planning system to facilitate economic development in accordance with the objectives set out in sub-paragraphs (a), (b) and (c).

The Strategy, at clause 3.3.1 (a), compels a planning scheme to facilitate the supply of employment land in all settlement areas for industrial, business and institutional use including in residential locations.

It is submitted that the LPS will not further Objective 1(e) of the Act or be consistent with relevant sections of the Strategy that relate to economic activity on the basis that the LPS does not allocate sufficient land to accommodate current and future demand for bulky goods sales uses, and more specifically, caravan sales and service uses.

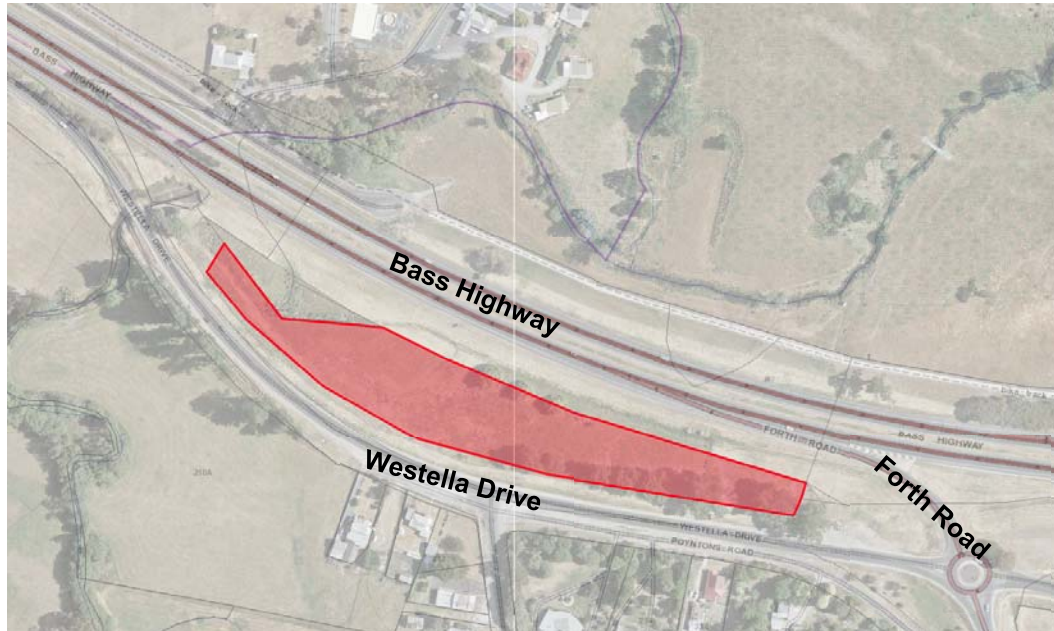
Opportunity to provide for bulky goods sales uses

Land identified by Certificate of Title Volume 11544 Folio 1 has been recognised as a suitable location to relocate Lifestyle Caravans (refer to Figure 2). It is vacant freehold lot and has an area of 1.342ha. The long-axis of the lot is approximately 390m and is oriented parallel to Bass Highway along its northern boundary. It also has frontage to Westella Drive along its southern boundary.

Its attributes are congruous for commercial land which requires a large site area, high standards of vehicular access and good exposure to substantial traffic volumes with high passing visibility.

The site is undeveloped, does not contain any natural values and is not subject to any natural hazards as detailed within the code overlay maps proposed under the LPS (except for Bushfire-Prone Areas mapping).

Figure 2 - aerial view of CT 11544/ 1.



The site is zoned Rural Resource under the IPS and is proposed to be zoned Rural under the LPS. Both zones enable the site to be developed for a variety of uses that are permissible within the respective zones. The agricultural value of the land for primary production is marginal. This is largely demonstrated by the application of the Rural zone and not to the Agriculture zone under the LPS and information provided in Council's section 35(1) report.

Rezoning the site to a zone under the LPS that allows for caravan sales and servicing (such as the Local Business zone or Commercial zone) will therefore not be contrary to the State Policy on the *Protection of Agricultural Land Policy 2009*.

In contrast, rezoning the site to either Local Business or Commercial will enable the LPS, with respect to bulky goods sales uses, to further objective 1(e) under Schedule 1 of the Act whilst being consistent with the relevant sections of the Strategy at clauses 3.3.1 and 3.3.9.

The relevant policies in clause 3.3.9 of the Strategy are set out in the table below.

3.3.9 Business and Commercial Activity	
Policy	Action
a.	<i>Facilitate convenient access in each settlement area to food and convenience goods retailers and services.</i>
b.	<i>Promote the distribution of higher order retail goods and services throughout the Region in a manner consistent with recognised settlement patterns and at a scale, type and frequency of occurrence appropriate to settlement size, local consumer demand, and relationship to the wider regional market.</i>

3.3.9 Business and Commercial Activity

Policy	Action
	<i>In this regard Devonport, Burnie, Latrobe, Sheffield, Ulverstone, Wynyard, Queenstown, Smithton and Currie will provide regional or district business and commercial service roles in addition to meeting local demand.</i>
c.	<i>Facilitate retail and service provision to complement and enhance the collective drawing power of existing retail and service areas but which does not involve location of major attractors for the express purpose of capturing market share in excess of that warranted by settlement size and relative function in a regional context.</i>
d.	<i>Promote integration of neighbourhood retail and service provision into residential areas at a scale, location and disposition suitable to service local need.</i>
e.	<i>Maintain the integrity, viability and vitality of established centres by locating new business and commercial development onto land within or immediately contiguous with existing town centres and commercial zones.</i>
f.	<i>Promote increased mix of land use, including for housing, within accessible business centres to encourage viability and vitality.</i>
g.	<i>Prevent linear commercial development.</i>
h.	<i>Prevent leakage of commercial and retail activities from preferred locations by restricting retail sales in other land use areas.</i>
i.	<i>Provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods.</i>
j.	<i>Restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres.</i>
k.	<i>Require proposals for major business or commercial development outside designated town centres be supported by need, absence of suitable alternative sites and of potential for immediate, incremental or cumulative adverse effect on established town centres and the regional pattern of service provision.</i>

The key themes in the business and commercial activity policies broadly relate to the preservation of established commercial and retail precincts within town centres and protect against inappropriate use and development within established settlements, including ribbon development.

It acknowledges that settlements are required to provide locations for bulky goods and large format retailing where there is an absence of suitable alternative sites and where new commercial uses outside designated town centres will not have an adverse effect on the sustainability of these centres.

Discussion

There is an absence of suitably sized lots within the Local Business, General Business and Commercial zones under the IPS and LPS that can accommodate large scale bulky goods sales uses, including caravan sales and servicing. There is no opportunity to expand the zones onto land within or immediately contiguous to the existing and future zone boundaries.

Rezoning the site located between Bass Highway and Westella Drive to the Local Business or Commercial zone will not compromise or distort the established retail hierarchy of Ulverstone. The site is within Turners Beach which is an established mixed use settlement that is located on the northern and southern sides of Bass Highway between the Forth River bridge to the east and Claytons Road to the west. Developing the site for commercial purposes will therefore not equate to linear development.

Further, the size and scale of lifestyle caravans is not large enough or strategically positioned to relocated to other major regional commercial sites. There are no other smaller commercial areas within adjoining municipalities that are available or suitable to accommodate the use.

On this basis, it is considered that rezoning the site to Local Business or Commercial will further the relevant policies of the Strategy, particularly those associated with clause 3.3.9.

Summary

There is an expectation under the Strategy that Ulverstone will provide a commercial service node within the region. The available commercial land within the town is limited, and there are no suitable alternative sites for the proposed use.

There is an absence of suitably zoned land under the IPS that allows caravan sales and servicing uses. This will not be improved by under the LPS.

The site at Westella Drive presents an opportunity to apply a zone that allows for bulky goods sales to a greenfield site with an established mixed use settlement, enabling the LPS to further its statutory obligations set out by the Act.

Please do not hesitate to contact me should you require any further information or wish to discuss any of the matters raised above.

Yours faithfully

6ty° Pty Ltd



George Walker
Planning Consultant