

**From:** Michelle Schleiger <michelle@woolcottsurveys.com.au>  
**Sent:** Monday, 19 April 2021 4:16 PM  
**To:** wtc@wtc.tas.gov.au  
**Cc:** James Stewart; Brett Woolcott; Colin Smith  
**Subject:** I2021158725 - West Tamar Draft Local Provisions Schedule - submission for 232-236 West Tamar Road  
**Attachments:** Submission to the draft local provisions schedule - WTC - L201006 - Report - 232-236 West Tamar Road Final.pdf; FolioPlan-119794-1.pdf; FolioText-119794-1.pdf

Dear Planning

Please find attached a representation to the Local Provisions Schedule for Council for the lot at 232-236 West Tamar Road, on behalf of the property owner.

Attached:

- Supporting report for the representation
- Folio documents for the subject site.

Please direct any correspondence to this email address, and we look forward to hearing from you further on this matter.

With regards

Michelle Schleiger

Town Planner

M 0477 332 008

P 03 6332 3760

E [michelle@woolcottsurveys.com.au](mailto:michelle@woolcottsurveys.com.au)

W [www.woolcottsurveys.com.au](http://www.woolcottsurveys.com.au)

A 10 Goodman Court, Invermay TAS (PO BOX 593, Mowbray Heights TAS 7248)



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# Submission to the West Tamar draft Local Provisions Schedule

Planning Scheme Amendment – Rezone 232-236 West Tamar Road, Riverside,  
from General Residential to Local Business Zone

**Prepared for Graham Midson**

**2021**

Job Number: L201006  
Prepared by: Michelle Schleiger ([michelle@woolcottsurveys.com.au](mailto:michelle@woolcottsurveys.com.au))  
Town Planner  
Reviewed by: James Stewart ([james@woolcottsurveys.com.au](mailto:james@woolcottsurveys.com.au))  
Senior Planner

Rev. no	Description	Date
1	Draft	March 2021
2	Revision	9 April 2021
3	Final	19 April 2021

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## 1. Introduction

This report has been prepared in support of a representation to rezone the land under Section 35E of the Land Use Planning and Approval Act 1993 ("the Act") with regards to land at 232-236 West Tamar Road RIVERSIDE ("the subject site").

This application is to be read in conjunction with the following supporting documentation:

Document	Consultant
Proposal Plan	Woolcott Surveys

### 1.1 Summary

The following is a summary of the representation information:

Address	232-236 West Tamar Road RIVERSIDE
Property ID	6054843
Title:	119794/1
Land area:	1204m <sup>2</sup>
Special or significant features	Not identifiable
Current zone	General Residential
Proposed zone	Local Business
Planning Authority	West Tamar ("the Council")

### 1.2 The Proposal

This representation proposes that the subject site be considered for rezoning to the Local Business Zone (LBZ) under the Local Provisions Schedule of the Tasmanian Planning Scheme.

The site has been developed for local business and the current use reflects this. Planning records show that the site was zoned for Business in 1986 but in 2006 the site was captured into the General Residential Zone that surrounds the site. This means that each time there is a change of occupant to the building a change of use application is usually required. Rezoning the site means the site can be used as of right in a sensible manner that is suited to the building development.





Figure 1 – The subject site of 232-236 West Tamar Road RIVERSIDE.

## 2. Subject Site

### 2.1 Site location and characteristics

The site is located on the eastern side (inbound) of West Tamar Road in Riverside. The lot has frontage (south west) to West Tamar Road of 38.85m, (20.18m and 18.67m incorporating an angled frontage). The lot is 1204m<sup>2</sup> in area with the northwest boundary measuring 27.7m; the southeast boundary at 34.03m and the rear, northeast boundary being 37.85m.

To the north and northwest is a small residential subdivision (9 lots strata) which is bound by the Riverside Golf Club, which occupies around 44ha of land. To the east, south and west is residential land, with established development throughout.

There is a TasNetworks sub-station 580m south east of the subject site. The River Tamar is around 800m east at the point of Ti Tree Bend.

The site contains three tenancies. Two are developed to the frontage with no setback, and are similar to each other in design and materials. They are white painted brick with stepped parapet and deep verandahs that extend the width of the footpath. The third appears to be a later addition, setback from the footpath but not from the lot boundary, also white painted brick with plain parapet and an awning that covers the span of the building frontage.

The site contains space for car parking, approximately 511m<sup>2</sup> at the rear of the buildings with 14 car parking spaces marked and with access from West Tamar Road. There is also parking available at the front of the shops (short term) parallel to West Tamar Road for approximately 5 cars.

Currently, the site accommodates a floristry business and a veterinarian. One of the tenancies has been vacant for some time, due to the current zoning prohibiting many possible uses and potential applicants

to the tenancy. By example, there was a recent interested party willing to lease the tenancy for business and professional services (not medical), but, due to the zoning, had to look elsewhere. The use was ideal for the setting, but the zoning made it prohibited.

### 2.3 Zoning Context

The subject site is zoned General Residential (GRZ) as is the predominant surrounding area. The golf course is zoned for Recreation and there are areas zoned for Utilities associated with TasWater and TasNetworks. There are some small sections of Open Space Zone to the southwest and the land to the north and northeast that bounds the river is zoned Rural Resource.

### 2.6 Images

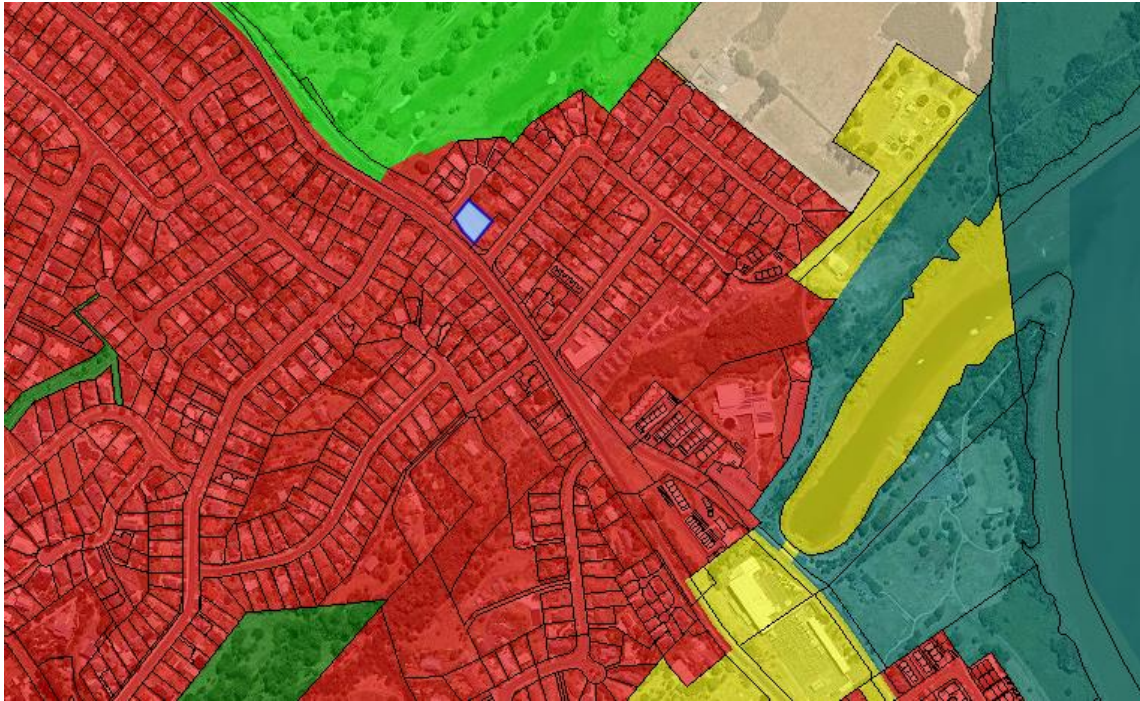


Figure 2 – The subject site is zoned as and predominantly surrounded by, the General Residential Zone (Source: LISTMap)





Figure 3 – From the access point facing south



Figure 4 Subject site frontage - facing north





Figure 5 - Subject site frontage



Figure 6 - Subject site frontage



Figure 7 Subject site setback detail



Figure 8 Subject site rear - facing west





Figure 9 Car park - lower area. Facing south

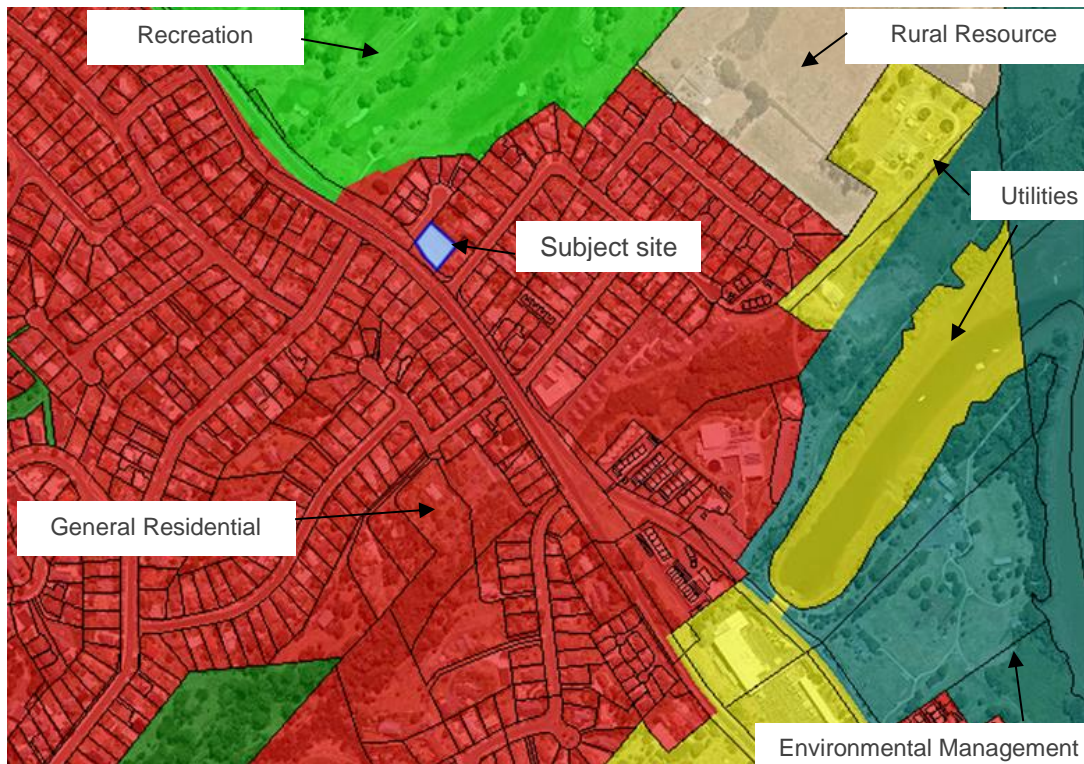


Figure 10 Car park upper - facing east



### 3. Planning Controls

#### 3.1 Current zone and overlays



The subject site is zoned for General Residential with no overlays.

Figure 11 Existing zoning for the subject site and surrounding area. The subject site is zoned GRZ (Source: LISTMap)

#### 3.2 Proposed zone

The proposed zoning under the West Tamar Draft Local Provisions Schedule is General Residential Zone.

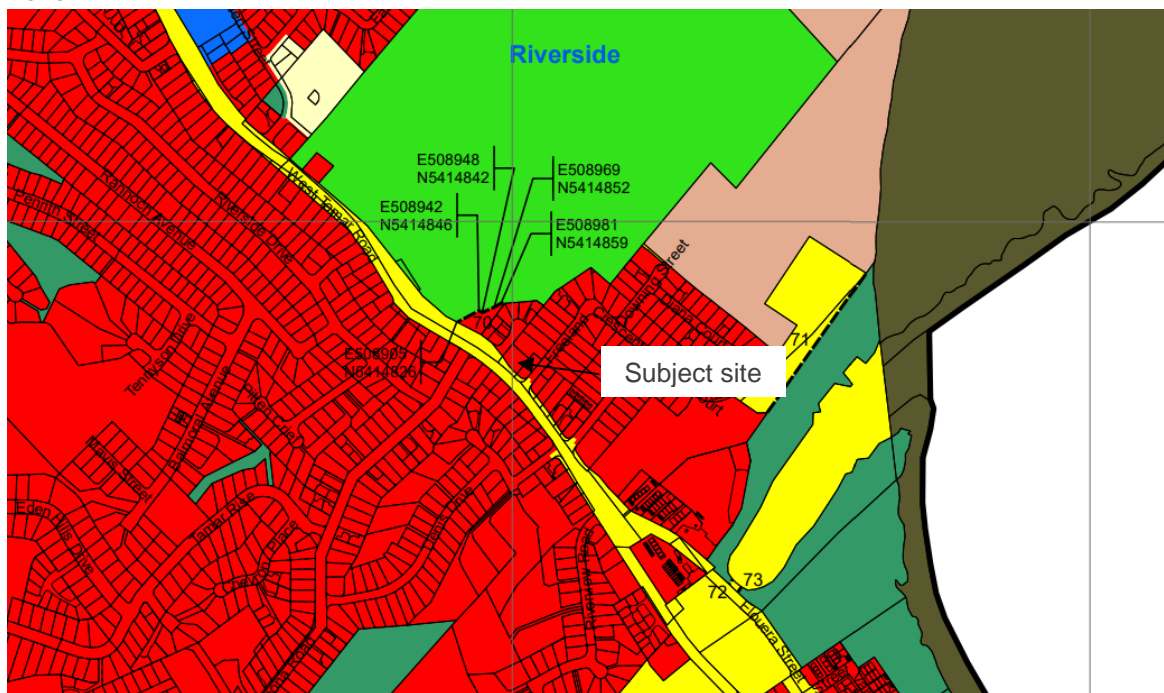


Figure 12 Proposed zoning for the subject site and surrounding area, showing the subject site zoned as General residential (Source: Map 31 of 32 of the West Tamar Draft LPS)



## 4. Zone Assessment

### Guideline No.1 Local Provisions Schedule (LPS) Zone and code application

#### 14.0 Local Business Zone

##### Zone Application Guidelines

The purpose of the Local Business Zone is:

- 14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.
- 14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- 14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

The zone application guidelines are:

- LBZ1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:
  - a) local shopping strips; or
  - b) town centres for some smaller settlements.
- LBZ2 The Local Business Zone may be applied to:
  - a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;
  - b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania;
  - and
  - c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.
- LBZ3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.
- LBZ4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:
  - a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or
  - b) there is a strategic intention to expand the existing retail or business area in this locality consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

##### Response:

The site is being used for the uses listed in 14.1.1 and is at an appropriate scale for neighbourhood activity. The development is small enough to not compete with the activity centre hierarchy, the closest centres of note being the Launceston Central Area (Principal Activity Area) and the Riverside Plaza (shopping complex) (Suburban Activity Centre). The Riverside Plaza is approximately 800m northwest of the subject site and the Launceston CBD is around 3km southeast.

The site is also of an appropriate size to service the immediate local area and passing traffic and there is existing car parking in place.

Each shopfront has glazing built to a pedestrian level.

The application of LBZ3 is most fitting for the site as a group of local shops or businesses within an existing residential area where there is intention to maintain such uses and the provisions of the residential zone are not appropriate.

Furthermore, the subject site is located on the main road, and clearly identifiable as shops. They are of an appropriate scale to local business and, as mentioned, an intention to retain as currently used.

## West Tamar Local Provisions Schedule – Supporting Report – January 2021

### 3.3.6 Local Business – Extracted

The townships of Exeter, Beaconsfield and part of Riverside and Trevallyn contain a Local Business zone. Each location is suitable for business, retail, and administrative, professional, community and entertainment functions.

It is intended to retain this zoning as it will meet the needs of the local community. There is no obvious demand for additional land to be included within this zone however **some local shopping precincts have been identified that are consistent with the Local Business Zone however are currently zone(d) General Residential.**

The subject site is one such site, that has been captured in a large swathe of General Residential Zone but is more suited to the Local Business Zone.

## Regional Planning Policies

### Introduction

The following is taken from the Northern Tasmania Regional Land Use Strategy (RLUS) from the Regional Planning Policies section. Regional Planning Policies address the management of regional growth.

## E.3 Regional Activity Centre Network Policy

### E.2.3 Key activity centre network strategies

Strategy	Response
Implement a regional activity centre network to support a wide range of land uses and activities consistent with the role and function of centres described in the Regional Activity Centre Hierarchy (Table E.3).  The preferred functions and roles for activity centres are described in Table E.2.	According to Table E.2 the role of Local or minor centres is to provide a focus for day-to-day life within an urban community. The subject site is fitting as a small selection of services within a residential setting.
Promote efficient land use, transport and infrastructure planning to reduce dependence on private vehicle travel.	The subject site is well placed for access by a variety of transport modes, including walking by the local community.

## E.3.4 Specific Policies and Actions

Policy	Actions Response
<p>RAC-P4</p> <p>Promote and support the role of lower order activity centres, particularly neighbourhood and rural town centres. This will support and strengthen local communities and encourage a viable population base for regional and rural settlements, while promoting the development of new neighbourhood and local centres within Urban Growth Areas where appropriate.</p>	<p>RAC-A5</p> <p>As a lower order activity centre, the role and function of the subject site, if rezoned to Local Business, will be strengthened. The site will more ably provide for local services by allowing easier filling of suitable tenancies.</p>
<p>RAC-P5</p> <p>Provide safe and amenable access to Activity Centres, for all members of the community, by supporting active transport opportunities that encourage people to walk, cycle and use public transport.</p>	<p>RAC-A6</p> <p>The subject site is well serviced for all modes of transport and is located close to residencies that can easily walk to the site.</p>

## 5. Summary

Rezoning of the subject site is a reflection of the existing use of the land. As a lower order activity centre, the site is well suited to the role of a Local or Minor Centre. The site has been operating as such for many years and the proposed re-zoning to Local Business is about alignment to current use rather than proposing a new use.

The site is well suited to the purpose of the zone (local business zone) by providing business, retail, administrative and professional functions at an appropriate scale of development. Pedestrian activity is encouraged through appropriate infrastructure, windows at pedestrian level and clear access to all shops. It is intended to continue the use of this site as such and rezoning would help to facilitate this.

Rezoning will allow tenants to occupy the building with more suitable permissible uses, encouraging healthy tenancies and fostering small business opportunities.

The proposal is in line with the role of a Local or Minor Centre, being clustered in a residential area with access and car parking and with existing transport infrastructure for all transport modes, providing a focus on day-to-day activities. The employment opportunities are limited, with the focus being on small to micro business opportunities.

It is therefore submitted that the subject site be rezoned from General Residential Zone to the Local Business Zone.

## Annexure 1 – Rezone proposal plan





## Annexure 2 – Copy of Title and Title Plan



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**w** [woolcottsurveys.com.au](http://woolcottsurveys.com.au) **e** [office@woolcottsurveys.com.au](mailto:office@woolcottsurveys.com.au)

**Launceston**

Head office  
10 Goodman Court  
Invermay 7250  
**p** (03) 6332 3760

**St Helens**

East Coast office  
48 Cecilia Street  
St Helens 7216  
**p** (03) 6376 1972

**Hobart**

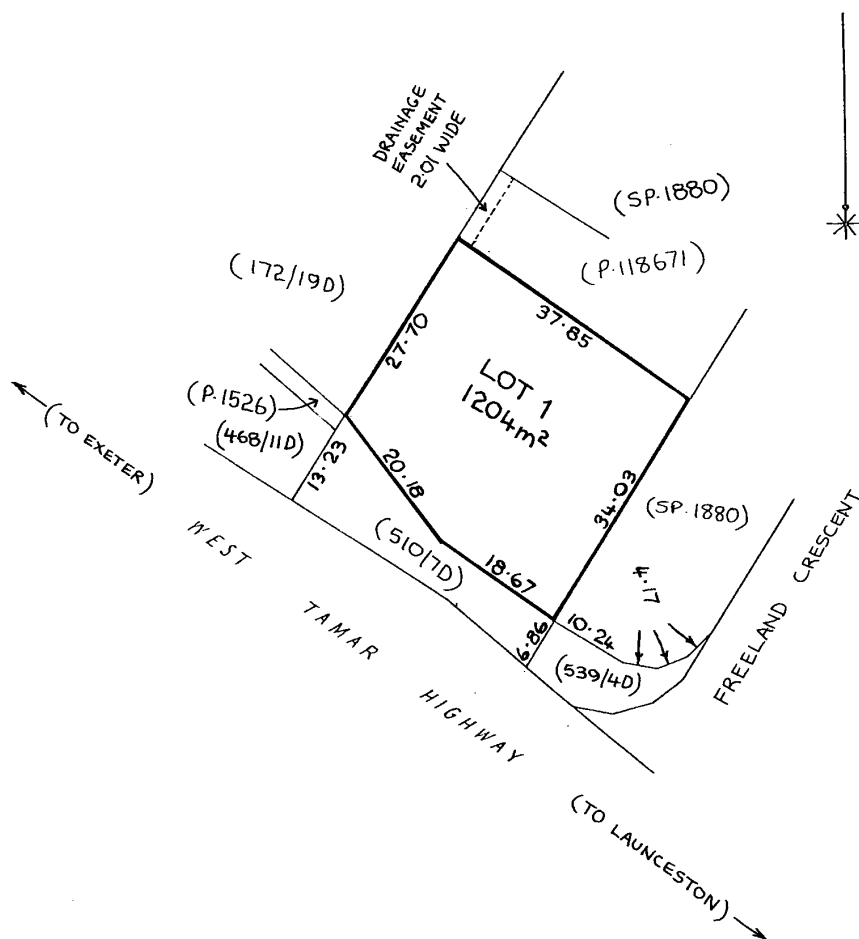
South office  
Rear studio, 132 Davey Street  
Hobart 7000  
**p** (03) 6227 7968

**Devonport**

North west office  
2 Piping Lane  
East Devonport 7310  
**p** (03) 6332 3760

OWNER		<b>PLAN OF TITLE</b> LOCATION TOWN OF RIVERSIDE  FIRST SURVEY PLAN No. (176/14D) COMPILED BY LTO SCALE 1: 600      LENGTHS IN METRES		REGISTERED NUMBER <b>P119794</b>
FOLIO REFERENCE CT 2408/58				APPROVED: 2 AUG 1995 <i>Michael Dine</i> Recorder of Titles
GRANTEE				
MAPSHEET MUNICIPAL CODE No. 129	LAST UPI No 4107456	LAST PLAN No. (176/14D)	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

**BALANCE PLAN**



DR A 111

