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Subject: Attention: General Manager, Draft LPS - Former Franklin Evaporators 2 of 2
Attachments: Representation to amend HUO P3 - former Franklin Evaporators factory.pdf

Attention: General Manager
Reference: Draft Huon Valley Local Provisions Schedule
Subject Area: Former Franklin Evaporators (CT 172539/1), 3347 Huon Highway, Franklin, TAS 7113

For your consideration, we attach a representation on the Draft Local Provisions Schedule.

Regards,

Martin Riddle

On behalf of:

Martin Riddle, Deb van Velzen, Shane Johnson, Jane Johnson, for Old and New Franklin Pty Ltd Trustee for Watershed Franklin Property Trust (owners of the former industrial site, Franklin Evaporators)

REPRESENTATION TO AMEND HUO P3.0 PARTICULAR PURPOSE ZONE FRANKLIN MARINE AND TOURISM PRECINCT

Purpose

This representation seeks to amend the Use Table for the HUO P3.0 PPZ as it relates to the former Franklin Evaporators factory site (CT 172539/1) so that the Uses are better aligned to the Zone Purpose and Local Area Objectives.

Subject Area

This area contains the former Franklin Evaporators factory and associated land together with the crown lease located immediately to the north of CT 172539/1.

Zone Purpose - Draft Huon Valley LPS Submitted to the Commission (Version: November 2021)

The purpose of the Particular Purpose Zone – Franklin Marine and Tourism Precinct is:

- HUO-P3.1.1 To provide for boat and ship building activities alongside education, recreation and tourism activities.
- HUO-P3.1.2 To retain and enhance access to the Huon River.

Local Area Objectives - Draft Huon Valley LPS (Version: November 2021)

Reference Number	Area Description	Local Area Objectives
HUO-P3.2.1	Franklin Evaporators shown on an overlay map as HUO-P3.2.1 and in Figure HUO-P3.1.	To provide for: (a) the former industrial site, Franklin Evaporators (folio of the Register 45212/1), to become a tourism drawcard with a range of uses that complement and benefit from proximity to established boat building facilities and the Huon River. (b) To provide for a range of complementary uses.
HUO-P3.2.2	Franklin Marine and Tourism Precinct, within 15m of Main Road/Huon Highway, Franklin shown on an overlay map as HUO-P3.2.2 and in Figure HUO-P3.1.	To provide for: (a) development of a modest, single storey scale and design that is respectful of traditional residential form, exemplified by existing buildings along Main Road/Huon Highway, Franklin, that are located within the Franklin Heritage Specific Area Plan; and (b) commercial or community use.

Use Table in Draft LPS

The HUO P3.0 Particular Purpose Zone Franklin Marine and Tourism Precinct includes a mix of community-owned and privately-owned entities and a mix of freehold property and property leased from the Crown.

The Wooden Boat Centre and the Living Boat Trust are community-owned organisation holding Crown Leases/Licences. The marina is operated by Franklin Marine Chandlery as a privately-owned

entity on a Crown Lease. The former industrial site, Franklin Evaporators, is predominately freehold title but also includes an area of Crown Lease immediately to the north of the factory sheds. The applicable Use Table (HUO-P3.4) therefore covers a broad range of land types from community-managed Crown land to privately-owned freehold land.

HUO-P3.4 Use Table (from Draft LPS)

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Educational and Occasional Care	If not for a childcare centre, day respite facility, kindergarten and primary school.
General Retail and Hire	If related to boating or shipping.
Manufacturing and Processing	If related to boat or ship building.
Service Industry	If for the cleaning, maintenance or repair of boats or ships.
Sports and Recreation	If for an outdoor recreation facility.
Discretionary	
Community Meeting and Entertainment	
Food Services	
General Retail and Hire	If not for department store or supermarket.
Hotel Industry	If located on Folio of the Register 172539/1 .
Pleasure Boat Facility	
Port and Shipping	
Research and Development	
Resource Processing	
Tourism Operation	
Visitor Accommodation	If located on Folio of the Register 172539/1 .
Prohibited	
All other uses	

REPRESENTATION TO THE DRAFT LPS AS IT APPLIES TO HUO P3.0 PARTICULAR PURPOSE ZONE FRANKLIN MARINE AND TOURISM PRECINCT

1. We support the existing Zone Purpose and Local Area Objectives for the Franklin Marine and Tourism Precinct.
2. The former industrial site, Franklin Evaporators, is referred to in the Draft LPS (Version: November 2021) as “Folio of the Register 45212/1” and as “Folio of the Register 172539/1” – highlighted above in yellow. The Version of the Draft LPS submitted to the Commission on 24 May 2021 refers only to “Folio of the Register 172539/1”. We ask that the correct current Folio Register number for the former industrial site, Franklin Evaporators, be used consistently throughout the LPS.
3. We support and accept the existing Uses and Qualifications included in HUO-P3.4 Use Table, however, we request further Uses be added as Discretionary Uses (see Point 4 below).
4. We ask that the following Uses be added to HUO-P3.4 Use Table as Discretionary Uses with the Qualification “If located on Folio of the Register 172539/1” [or 45212/1 if that is the correct Folio Register number for the former industrial site, Franklin Evaporators]:
 - a. Bulky Goods Sales

- b. Business and Professional Services
- c. Equipment and Machinery Sales and Hire
- d. Manufacturing and processing
- e. Residential
- f. Service industry
- g. Sports and recreation
- h. Storage

Reasons for suggested changes

The changes suggested apply only to the former industrial site, Franklin Evaporators and are considered in relation to the Zone Purpose and Local Area Objective HUO-P3.2.1 which applies specifically to that site.

- The Use Table in the Draft LPS (HUO-P3.4 Use Table) is very prescriptive and allows the Planning Authority little scope for exercising discretion when assessing applications for use of the site.
- The prescriptive nature of HUO-P3.4 Use Table significantly constrains opportunity for development of the site as a Marine and Tourism Precinct and therefore does little to advance the Zone Purpose and Local Area Objectives.
- The Zone Purpose and Local Area Objectives would be better served if the Use Table allowed proponents wider scope to explore potential uses and allowed the Planning Authority wider scope to use their discretion to assess Change of Use applications against the Zone Purpose and Local Area Objectives.
- In particular, the Use Table is not well aligned with the stated Local Area Objectives HUO-P3.2.1 for the Franklin Evaporators site and provides very little scope for achieving the Zone Purpose and Local Area Objectives

HUO-P3.2.1 Local Area Objectives – Franklin Evaporators	Inconsistencies between the Use Table and the Zone Purpose/Local Area Objectives
<p>(a) the former industrial site, Franklin Evaporators (folio of the Register 45212/1), to become a tourism drawcard with a range of uses that complement and benefit from proximity to established boat building facilities and the Huon River.</p> <p>(b) To provide for a range of complementary uses.</p>	<ul style="list-style-type: none"> • The Local Area Objectives for the Franklin Evaporators site emphasises the need for uses that complement established boat building facilities. • The existing Use Table includes very limited opportunity for “a range of uses that <u>complement and benefit from proximity</u> to established boat building facilities and the Huon River”. • Rather than complementing established boat building facilities, the existing Use Table primarily allows for activities that replicate and compete with them.

Justification

The former factory site has been empty since the Franklin Evaporators ceased to operate more than a decade ago. We believe this is largely because the Uses allowed by the Planning Scheme for the site are too restrictive. The proposed changes seek to broaden the permitted and discretionary uses of HUO P3.0 PPZ as far as it relates to 3347 Huon Hwy., Franklin (CT 172539/1) only, in a way that opens opportunities for uses consistent with the Zone Purpose for the Franklin Marine and Tourism Precinct.

The current use table applies to an area that includes public open space, a community boating related organisation (the Living Boat Trust), a private marina owned and operated by Franklin Marine Chandlery), a boating based educational, construction and tourism facility (The Wooden Boat Centre) and the former factory (Franklin Evaporators) at 3347 Huon Hwy.

The current permitted and discretionary uses are sensible in relation to the community use of the area but they unreasonably restrict the commercial viability of the former factory and will limit its productive re-use. Some of the restrictions for use make little sense.

For example, a joiner producing residential windows and doors is not included as permitted or discretionary. However, the same joiner could undertake the same activity if it was for boat construction. The servicing of boat engines is permitted but servicing of other engines is not.

An indoor climbing recreation use would not be permitted or discretionary but a similar outdoor facility would be permitted.

It is proposed to make the additional uses Discretionary so that the Planning Authority can assess future applications for Use or Development against the Zone Purpose and Local Area Objectives. This will ensure that the site will retain its principal purpose which is built around boating and tourism.

Martin Riddle, Deb van Velzen, Shane Johnson, Jane Johnson, for Old and New Franklin Pty Ltd Trustee for Watershed Franklin Property Trust (owners of the former industrial site, Franklin Evaporators).

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