

PLAN

DRAFT PLANNING SCHEME AMENDMENT 07/2019  
& PLANNING APPLICATION  
PLN-19-0228, 12 Pedder Street, Campbell Town

ATTACHMENTS:

- Application
- TasWater response

1-73  
**PLANNING APPLICATION**  
Proposal

**Description of proposal:** .....Rezone 12 Pedder St, Campbell Town from Recreation to .....

General Residential .....

.....  
.....  
.....  
.....

*(attach additional sheets if necessary)*

If applying for a subdivision which creates a new road, please supply three proposed names for the road, in order of preference:

1..... 2..... 3.....

**Site address:** .....12 Pedder St, Campbell Town.....

.....  
.....

CT no: CT 92353/20.....

Estimated cost of project

\$.....N/A.....

*(include cost of landscaping,  
car parks etc for commercial/industrial uses)*

Are there any existing buildings on this property? Yes /

If yes – main building is used as .....Former tennis clubrooms .....

.....

If variation to Planning Scheme provisions requested, justification to be provided:

.....  
.....  
.....  
.....  
.....

*(attach additional sheets if necessary)*

Is any signage required? .....N/A.....

*(if yes, provide details)*

## **12 Pedder Street, Campbell Town**

Submission to the Northern Midlands Council  
in support of a Section 33 request to amend  
the Northern Midlands Interim Planning  
Scheme 2013

November 2019



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**NOTE**

References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the **former provisions** of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015*. Parts 2A and 3 of the **former provisions** remain in force until a Local Provisions Schedule comes into effect for the municipal area.

# 1. Introduction

## 1.1 Purpose of the Report

Commercial Project Delivery 'CPD' acts on behalf of Marian Ellis to request a rezoning amendment to the Northern Midlands Interim Scheme 2013 (the Scheme) pursuant to section 33 of the *Land Use Planning and Approvals Act 1993* (the Act).

The proposed rezoning seeks to extend the General Residential Zone to land known as 12 Pedder Street, Campbell Town. This is effectively an extension of the General Residential Zone which applies to all immediately adjoining properties. The site was previously held by the Campbell Town Tennis Club Inc ('Tennis Club') and is currently zoned Recreation. The Tennis Club divested their interest in the property in August 2019 and invested the funds into two new tennis courts/netball court constructed at the Campbell Town sporting precinct at 57 High Street, Campbell Town.

The amendment is required to enable a future development application to be considered by The Northern Midlands Council to allow the new property owner to develop the site for residential purposes in keeping with adjoining lots. The purpose of this submission is to establish the rationale of the amendment and analysis against the relevant sections of the Act.

## 1.2 Applicant

The applicant is Commercial Project Delivery obo Marian Ellis. The contact is:

Chloe Lyne  
 Planning and Development Consultant  
 Commercial Project Delivery  
 1/47A Brisbane St  
 Launceston TAS 7250

## 1.3 Structure of the Report

The planning submission has been prepared to:

- provide the rationale for the draft amendment;
- provide a full description of the proposed use and development;
- detail the site and the surrounding uses;
- demonstrate that the application can further the objectives set out in Schedule 1 of the Act;
- determine that the proposal is in accordance with the State Policies;

- establish that the proposal is in accordance with the Northern Regional Land Use Strategy 2016 (Version 5.0);
- demonstrate that the proposal is outside of the area regulated by the *Gas Pipelines Act 2000*;
- make evident that this proposal does not conflict with uses on adjoining land; and
- establish that the use and development complies with applicable provisions of the relevant zone, codes and specific area plan of the Scheme.

#### 1.4 **Planning Overview**

<b>Element</b>	<b>Overview</b>
<b>Address</b>	<i>12 Pedder Street, Campbell Town</i>
<b>CT</b>	<i>92353/20</i>
<b>PID</b>	<i>6204530</i>
<b>Land Area</b>	<i>5300<sup>2</sup> +/-</i>
<b>Planning Instrument</b>	<i>Northern Midlands Interim Planning Scheme 2013</i>
<b>Legislative Instrument</b>	<i>Land Use Planning and Approvals Act 1995</i>
<b>Zone</b>	<i>18.0 – Recreation</i>
<b>Proposed Use</b>	<i>Residential (single dwelling)</i>
<b>Use Status</b>	<i>Prohibited</i>

#### 1.5 **Statutory References**

##### 1.5.1 **Name of Planning Instrument**

The subject of the proposed amendment is the ***Northern Midlands Interim Planning Scheme 2013*** (hence forth referred to as the interim planning scheme).

##### 1.5.2 **Name of Planning Authority**

The Planning Authority is the ***Northern Midlands Council*** ('Council')



## 2. Subject Site

### 2.1 Description of Subject Site and Surrounding Area

The subject site is a rectangular shaped lot with an area of 5300m<sup>2</sup>, accessed via a crossover onto Pedder Street, Campbell Town. The site has a frontage to Pedder Street of approximately 42 metres and a depth of 128 metres. The site is relatively flat and contains an existing tennis court and club house.

The site is located on the eastern side of the township between Glenelg Street and West Street. Immediately to the south and east, the land is used for residential purposes whilst land opposite the site on Pedder Street is zoned Low Density Residential and is currently vacant, however forms part of a larger property which is developed for residential purposes.

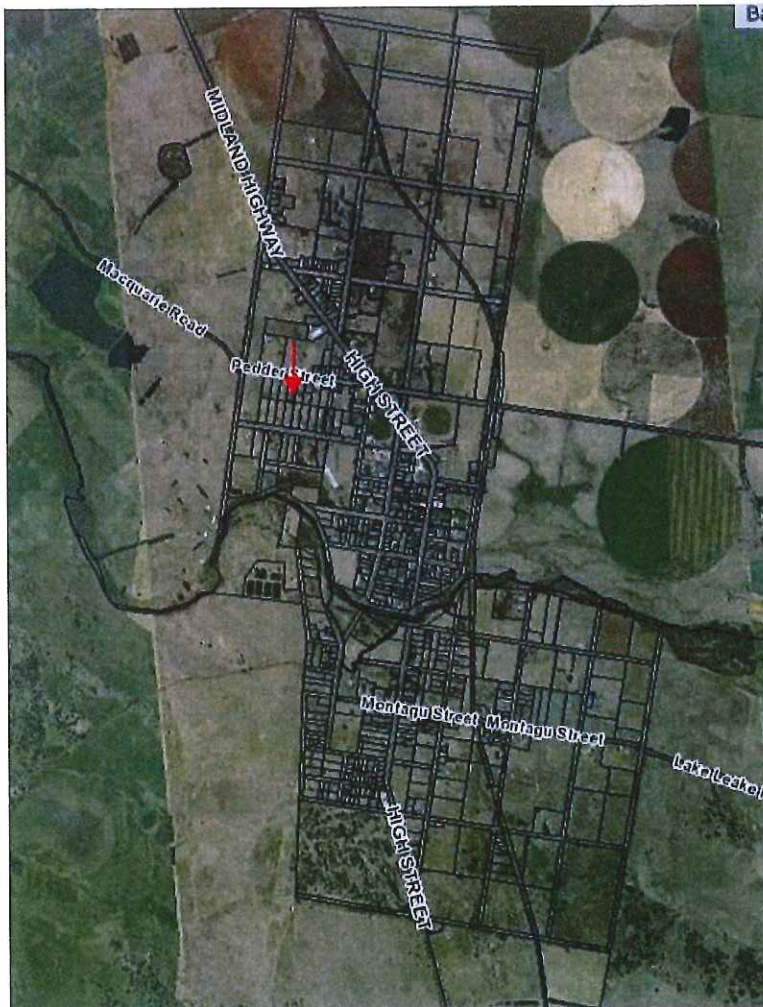


Figure 1: Locality



Figure 2: Site Plan



**Photo 1: View of site from Pedder Street**

## 2.2 Title Information

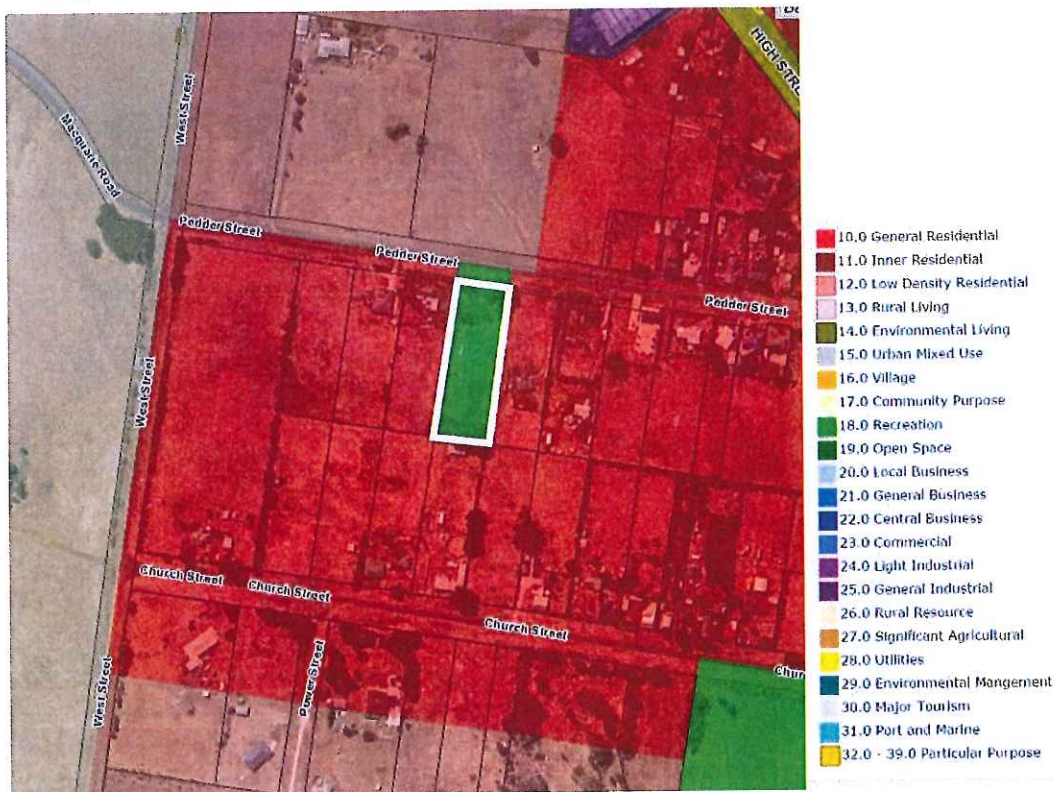
The proposed amendment and development application relates to the following title:

Address	Owner(s)	Title Reference	Existing Land Area
12 Pedder Street, Campbell Town	Marian Ellis	92353/20	5300m <sup>2</sup>

A copy of the relevant certificate of title is contained at **Appendix A**.

### 2.3 Zone and Overlay Controls

The site is contained within the Recreation Zone and is also within the Bushfire Prone area and Urban Growth Boundary (refer Figure 3). The site is bound by General Residential Zoned land to the east, west and south and directly opposite the site on Pedder Street the land is zoned Low Density Residential, although the land to the east is zoned General Residential.



**Figure 3: Zoning Plan**

#### 2.3.1 Servicing

The site is connected to full reticulated services.

#### 2.3.2 Access and Road Network

Vehicular access to the subject site is provided via an existing crossover from Pedder Street intersects with High Street approximately 370 metres to the west and is the main thoroughfare through the town.

### 2.4 Environmental Hazards and Constraints

The following section provides an investigation into potential environmental hazards and constraints of the subject site.

### 2.4.1 Landslide Hazard

The subject site is not identified as being subject to landslide hazard as depicted by the overlay maps within the Scheme. Accordingly, the subject site is free from landslide hazards.

### 2.4.2 Bushfire Hazard

The subject site is situated within a bushfire prone area as defined by the Scheme. However, as the proposed residential development is not considered vulnerable or hazardous, the Bushfire Code does not apply to development.

### 2.4.3 Natural and Landscape Values

The subject site is located within an established urban area of Campbell Town and has been highly modified overtime. The land has been recently cleared of number of radiata pines around the perimeter. The vegetation remaining includes mature oak trees. There is no native vegetation on the site. The lack of vegetation also suggests that the habitat value of the land for fauna species is low. Accordingly, the subject site is free from significant flora and fauna values. The site is not contained within a designated scenic landscape area.

In accordance with the TasVeg mapping, the majority of the site is classified as Urban whilst the south-western corner is classified Agricultural as shown in Figure 4 below.



**Figure 4: TasVeg mapping**

#### **2.4.4 Site Contamination**

It is understood that site has not been utilised for any potentially contaminating uses in the past.

#### **2.5 Consideration of Aboriginal Heritage**

The subject land is within an urban area and is already developed for urban purposes. For this reason, it is considered that any Aboriginal Heritage Values that the site may have had would already be degraded. The subject land is not listed in Table E13.3 Places of Archaeological Significance.

#### **2.6 Consideration of European Cultural Heritage**

The site is not listed on the Tasmanian Heritage Register or locally at Council level. The site is not located within a Heritage Precinct under the Interim Planning Scheme.

## **3. Proposed Interim Planning Scheme Amendment**

### **3.1 Proposed Rezoning**

It is proposed to rezone the land at 12 Pedder Street, Campbell Town from Recreation to General Residential. The Bushfire and Urban Growth Boundary overlays will remain.

### **3.2 Rationale for the Amendment**

Until its recent sale in August 2019, the site was owned by a not for profit local community organisation being the Campbell Town Tennis Club Inc who operated a tennis club from the site since approximately 1929. With the upgrade of the Campbell Town War Memorial Oval and new club room facilities, the Tennis Club took the opportunity to relocate to that location so the town could be serviced by a range of sporting facilities within one precinct. There was only one usable court at the subject site and the club rooms needed significant upgrading. The cost of this upgrade and the ongoing maintenance and costs associated with such a large site meant that the relocation of the tennis court and the ability to provide for two courts (one being dual purpose netball court) at the new location is not only of a social benefit to the town but also an economic benefit to the Club who were struggling to cover annual costs.

The profits from the sale of the subject site were transferred to Council to contribute towards the cost of the new courts which also includes netball facilities. As such, given the site is now in private ownership and no longer required for recreation purposes, it is appropriate that it be rezoned to General Residential to enable the new owner the ability to construct a dwelling on it.

Council has been aware of this plan throughout planning phase for the new courts and the sale process and accordingly have proposed to rezone the site to General Residential under the Draft Northern Midlands Local Provisions Schedule (LPS). The proposed rezoning is therefore in line with the LPS and is being presented as a rezoning amendment at this time to allow the owner to move forward with an application to construct a dwelling.

The application is not lodged under Section 43A as the owner is still working with their architect on finalising the plans and given the timeframe for approval of a rezoning, it was prudent that an application be made as expediently as possible. In any case it is likely that the future dwelling will be a permitted application under the General Residential Zone provisions, particularly given the large size of the site,

## 4. Planning Scheme Amendment Assessment

### 4.1 Requirements of the Act

Pursuant to Section 32(1) of the Act, 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)–

(a)....

(b)....

(c).....

(d)....

*(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 30O; 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 30O of the Act requires that an amendment to an interim planning scheme is as far as practicable, consistent with the regional land use strategy. Section 30O also sets a number of requirements relating to the insertion of a local provision and its relationship to a common provision.

In addition to these requirements, Section 20(1) is also relevant as a planning scheme amendment is also the making of a planning scheme:

*(1) A relevant decision-maker, in preparing, accepting, declaring or making a relevant scheme, or giving approval in relation to the making or approving of a relevant scheme, must, in the opinion of the relevant decision-maker–*

*(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; and*

*(c).....*



(d) have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and

(e) have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

The following sections address the matters that are covered by the above mentioned legislative requirements.

## **4.2 Strategic Plan**

The Northern Midlands Council Strategic Plan 2017-2027 seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the Northern Midlands Municipality. The key area within the strategic plan that are relevant to the proposed rezoning amendment are 'Progress' and 'People and Place'.

### **4.2.1 People and Place**

The key mission statement within this section is:

*Culture and Society – A Vibrant Future that Respects the Past*

*Diverse towns and villages services a rural-based industry. Connectivity challenges are innovatively managed to unite disparate communities. Equitable delivery of quality assets, programs and services supports sustainability.*

**Comment:** The proposed amendment will enable provision of additional General Residential Zoned land within the urban growth boundary and will promote infill development in an area that is relatively proximate to community services and retail areas. The removal of the Recreation zoning will not impact on the provision of recreation services in the township as the Campbell Town Tennis Club have relocated their courts to the multi-purpose precinct at the Campbell Town War Memorial Oval.

### **CAMPBELL TOWN WAR MEMORIAL OVAL**

It is noted that the Campbell Town War Memorial Oval Project is identified in the Strategic Plan Schedule as already being underway.

It is understood the project is now nearly at completion and the sale of the subject site has enabled further investment into the precinct.

## **4.3 Northern Regional Land Use Strategy June 2018**

The Northern Regional Land Use Strategy (NRLUS) provides overall direction on future use and development for the Northern Region. As required through Section 32(1)(ea) of LUPAA the proposed amendment must as far as practicable be consistent with the Regional Land Use Strategy.

The high-level nature of this document and the minor scale of the proposed amendment means that there is little direct correlation between the two.

### 4.3.1 **Overview of the RLUS**

The Northern Tasmania Regional Land Use Strategy (NRLUS) is a key policy framework that has been established to guide land use, development, and infrastructure investment decisions across the region. A primary objective of the RLUS is to guide land use, development and infrastructure decisions made by State and local government, and key infrastructure providers.

There are four key goals under the Framework based on *Economic Development, Liveability, Sustainability*, and strong *Governance*.

The RLUS defines three key land use categories to direct the allocation of all land in the region as *Urban Growth Areas, Rural Areas* or *Natural Environment Areas* to assist in zoning allocation. Given the site is located within the urban core of Longford, it is mainly the directives associated with Urban Growth Areas that are applicable to consider for the proposed rezoning.

### 4.3.2 **C - Goals and Strategic Directions**

#### *C.4.2 Goal 2: Liveability*

*To promote liveability measures for social and community development and the betterment of healthy strong and vibrant urban and rural settlements*

#### **Strategic Direction**

*G2.1 Identify Urban Growth Areas to advance a sustainable urban settlement pattern.*

*G 2.2 Plan for social-demographic changes*

*G2.3 Promote local character values*

#### **Conformance of Amendment**

The subject site is within an existing urban settlement and already zoned for development, albeit Recreation. Campbell Town is identified as a District Service Centre on the Regional Settlement Hierarchy and the proposed provision of a small area of additional residential zoned land will enable the site to be utilised for residential purposes given it is no longer required for its former use as recreation. This is in line with the Draft Northern Midlands Local Provisions Schedule.

The proposed rezoning of the 5300m<sup>2</sup> site will allow for future development for residential purposes. The new owner plans to develop a single dwelling on the site which is in keeping with the development density on surrounding lots. The tennis court and clubrooms will be retained.

The subject site is neither heritage listed or within a Heritage Precinct. The owner's future plans for the site being a single dwelling within an area characterised by single

<p><i>G2.4 Enhance social inclusion</i></p>	<p>dwelling on large lots is in keeping with the character.</p> <p>The relocation of the recreation facilities previously on the site to the multi-purpose precinct enhances social inclusion for health related activities. Already, the tennis club has seen increased interest in tennis lessons with numbers up from 6 per week to 20 per week. Membership levels are also increasing as families see the benefit of being able to access the tennis courts whilst utilising the swimming pool.</p>
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**C.4.3 Goal 3: Sustainability**  
*To promote greater sustainability in new development and develop stronger community resilience to social and environmental change.*

<b>Strategic Direction</b>	<b>Conformance of Amendment</b>
<p><i>G3.1 Promote the Region's unique environmental assets and values</i></p>	<p>The subject site is within an existing urban area and already partially developed. Further development of the site for residential purposes will not impact on any sensitive landforms or biodiversity values. The proposed amendment is considered to be sustainable in that it promotes infill residential development.</p>
<p><i>G3.2 Establish planning policies to support sustainable development, address the impacts of climate change, improve energy efficiency and reduce environmental emissions and pollutants.</i></p>	<p>The proposed rezoning is an example of creating infill development opportunities rather than 'Greenfield' development.</p>

**4.3.3 E - Regional Planning Policies**

**Regional Settlement Network Policy**

The Table E.1 of the NRLUS describes Campbell Town as being a District Service Centre which is defined as 'Significant regional settlement areas with an important sub-regional role in terms of access to a wide range of services, education and employment opportunities. Employment within District Centres is strongly related to surrounding productive resources.'

The specific Regional Policies and Actions relevant to the proposed amendment are as follows:

**Specific Policies and Actions**

Policy ▾	Actions ▾
<b>Regional Settlement Networks</b>	
<p><b>RSN-P1</b> Urban settlements are contained within identified <i>Urban Growth Areas</i>. No new discrete settlements are allowed and opportunities for expansion will be restricted to locations where there is a demonstrated housing need, particularly where spare infrastructure capacity exists (particularly water supply and sewerage).</p>	<p><b>RSN-A1</b> Provide an adequate supply of well located and serviced residential land to meet projected demand. Land owners/developers are provided with the details about how development should occur through local settlement strategies, structure plans and planning schemes. Plans are to be prepared in accordance with land use principles outlined in the RLUS, land capability, infrastructure capacity and demand.</p> <p><b>RSN-A2</b> Land supply will be provided in <i>Urban Growth Areas</i> identified as:</p> <ul style="list-style-type: none"> <li>■ <i>Priority Consolidation Areas</i>;</li> <li>■ <i>Supporting Consolidation Areas</i>; or</li> <li>■ <i>Growth Corridor</i>.</li> </ul> <p><b>RSN-A3</b> Apply zoning that provides for the flexibility of settlements or precincts within a settlement and the ability to restructure under-utilised land.</p>

**Response:** The proposed rezoning will not result in either a new settlement or an out of centre residential area. The rezoning creates the opportunity for infill housing on a site that is fully connected to reticulated services where there is adequate capacity.

The proposed rezoning represents an opportunity for the owner to undertake development of under-utilised land that is no longer required for Recreation purposes.

<p><b>RSN-P2</b> Provide for existing settlements to support local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance quality of life..</p> <p><b>RSN-P3</b> Recognise the isolated relationship of the Furneaux Group of islands to the settlement system of the region, and that settlement and activity centre planning will be dependent on local strategies to support sustainable outcomes.</p>	<p><b>RSN-A4</b> Provide for the long term future supply of urban residential land that matches existing and planned infrastructure capacity being delivered by TasWater, specifically in parallel with existing water and sewerage capacity and required augmentation to meet urban development growth and capacity – both residential and industrial.</p> <p><b>RSN-A5</b> Provide a diverse housing choice that is affordable, accessible and reflects changes in population, including population composition. Ageing populations and single persons should be supported to remain in existing communities as housing needs change; 'ageing in home' options should be provided.</p> <p><b>RSN-A6</b> Encourage urban residential expansion in-and-around the region's activity centre network to maximise proximity to employment, services and the use of existing infrastructure, including supporting greater public transport use and services.</p> <p><b>RSN-A7</b> Ensure all rural and environmental living occurs outside <i>Urban Growth Areas</i>.</p> <p><b>RSN-A8</b> Identify areas with existing mixed land use patterns, and/ or 'Brownfield' areas adjacent to activity centres, for mixed use redevelopment, and apply zones that provide for flexibility of use to support the activity centre and the role of the settlement.</p>
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**Comment:** The proposed rezoning adheres to RSN – P2 by providing for additional residential land within an existing settlement.

#### RSN-P5

Encourage a higher proportion of development at high and medium density to maximise infrastructure capacity. This will include an increased proportion of multiple dwellings at infill and redevelopment locations across the region's *Urban Growth Areas* to meet residential demand.

#### RSN-A10

Apply zoning provisions which provide for a higher proportion of the region's growth to occur in suitably zoned and serviced areas. The application of Urban Mixed Use, Inner Residential and General Residential Zones should specifically support diversity in dwelling types and sizes in appropriate locations.

**Response:** The application of the General Residential Zone to the site will enable potential freehold subdivision down to 450m<sup>2</sup> lot which would be permissible under the zone provisions and multiple dwelling development at a permissible density of one dwelling per 325<sup>2</sup> site area. Therefore, the zone provisions allow for higher density development than the prevailing pattern of residential in the immediate surrounds. That being said, whilst the potential is there, it is the current owner's intention to develop the lot with a single dwelling.

### E.3 Regional Activity Centre Network Policy

The NRLUS identifies a Regional Activity Centre Hierarchy comprising of the following:

Order in Hierarchy	Role	Places
1	Principal Activity Centre	Launceston CBD
2	Major Activity Centres	Mowbray and Kings Meadows
3	Suburban Activity Centres	Prospect, Lilydale, Legana Shopping Centre, Prospect Vale Market Place, Riverside
4.	District Service Centres	George Town, Longford, Scottsdale, St Helens, Westbury, Deloraine
5.	Neighbourhood or Rural Town Centres	Wellington Street, Newnham, Norwood, Youngtown, St Leonards Beaconsfield, Exeter, Bridport, St Marys, <b>Campbell Town</b> , Perth, Evandale
6	Local or Minor Centres	

Campbell Town is classified as a Neighbourhood or Rural Town Centre. The following strategies are outlined for the two land uses relevant to this rezoning within a Neighbourhood or Rural Town Centre:

- **Residential:** *Some adjoining in centre/town residential development offering a greater mix of housing types and densities than outer laying residential areas.*

The proposed rezoning allows the opportunity for infill residential development, potentially at higher densities than the surrounds.

- **Public Open Spaces:** *Local sports grounds, playgrounds and linear parks.*

*Active sports facilities such as skate parks, basketball/tennis courts*

Whilst the proposed rezoning will remove land zoned for Recreation from within the township, given it has now passed to private hands, it is appropriate that the rezoning occurs. Furthermore, the reason for the sale was to enable the Tennis Club to assist in funding two new multi-purpose courts within the larger sporting precinct at the Campbell Town Memorial Oval. As such, the tennis facilities have not been lost to the town and in fact are already seeing higher utilisation in their new location than in the previous one.

#### **4.4 Campbell Town War Memorial Oval Precinct Development Plan**

The Campbell Town War Memorial Oval Precinct Development Plan was finalised in September 2014. It is relevant to this rezoning amendment in so far as it provides context around the sale of the subject site and why it is no longer required for recreational purposes.

Section 3.12.1 of this report provided an overview of the condition of the Tennis Club facilities at the subject site (12 Pedder St) back in 2014 as being:

*The Campbell Town Tennis Club is currently situated in Pedder Street, approximately 500m to the west of the War Memorial Oval Precinct. As well as two asphalt— surfaced courts (which appear to be disused), the club also has a much newer concrete court featuring artificial grass surfacing, good fencing and lighting.*

*In addition to the courts, the tennis club has a weatherboard clubhouse and pavilion. However, this ageing facility appears to have inadequate foundations and is generally in a very poor state of repair.'*

Section 4.12 of the report recommended that that Council construct two multipurpose courts at the War Memorial Precinct. Whilst the recommended siting for the courts differs from what is constructed, it is clear that Council has developed the site in accordance with the Development Plan. Some of the benefits of the relocation of the tennis courts as noted in the Development Plan are:

- *The Clubhouse at the Pedder St site is in a very poor state of repair and would probably require at least \$50 000 - \$100 000 in funding to bring it up to a reasonable standard.*
- *Netball is currently very popular in Campbell Town and if this continues to be so, there may be justification for developing multipurpose courts suitable for both tennis and netball (with different colours line markings)*

- *The presence of a large, hard surfaced area could work in well with other future uses of the site (particularly if fencing was designed with extra large gates to allow vehicular or large volume pedestrian access.)*

**Comment:** Anecdotal evidence suggests that the above arguments around the development have proven to be correct. Prior to their relocation, the Tennis Club was struggling financially with large TasWater bills and cost of maintenance and repairs. The overall running costs at the new facility will be much lower and will enable the Tennis Club to remain financially solvent. Further, the high visibility and central location of the new facility means interest in participation in tennis has significantly increased. Weekly tennis lessons for children have increased participation from 6 participants per week at the Pedder Street facility to 20 per week at the new facility.

The Midlands Magic Netball Club continues to thrive with the number of teams being entered in competitions increasing by one a year for the past two years and with an additional team again expected for the 2020 season. The ability for the Club to have courts adjacent to a clubhouse facility will be of great benefit for the 2020 season.

It is anticipated that the use of the tennis courts will significantly increase over the summer period when the adjacent swimming pool is open and residents take advantage of being able to participate in two recreational activities in the one location.

In summary, the relocation of the tennis courts from the Pedder Street site is a fantastic success and the final component of that project is the rezoning of 12 Pedder Street to enable its reuse for residential purposes given it is evident it is clearly no longer required for recreational purposes.

#### **4.5 Interim Planning Scheme 2013 – Planning Scheme Objectives**

The following sections outlines the relevant parts of the Objectives to the Interim Planning Scheme and how the proposed rezoning furthers them.

##### **4.5.1 Housing 3.2.2**

*Longford with the town with the largest resident population. The growth limits for the town are circumscribed in all directions except to the south of the town in terms of urban land supply for housing and, depending on density and agricultural land use constraints, there are foreseeable limits to the urban area and population of the town.*

##### **Response:**

The proposed rezoning will allow additional residential growth within the designated urban growth boundary area and within an established residential enclave of Campbell Town. The proposed rezoning has the added benefit of providing additional residential and without any impact to agricultural production.

##### **4.5.2 Settlement Strategy 3.6**

###### **3.6.1.4 Campbell Town**

*Campbell Town will be supported as the District Centre for the Midlands to arrest population loss and strengthen services to the district.*

**Response:**

The proposed rezoning of Recreation zoned land to General Residential will not have any impact on the supply/demand of residential land within the township. At this stage a structure plan has not been prepared for Campbell Town, however, given the small size of the parcel and the fact that it is infill means that its rezoning will have no real impact on any larger strategic planning project that may occur for the township in the future.

**4.5.3 Land Supply Strategy 3.7****3.7.3 Urban Growth Boundaries**

The site is contained within the Campbell Town Urban Growth Boundary.



#### 4.6 Objectives of the RMPS

An assessment of the Proposed Amendment against the objectives of the Resource Management and Planning System of Tasmania is outlined below.

Objective	Response
<i>Part 1</i>	
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	It is considered that the proposed rezoning amendment promotes the sustainable development of Campbell Town by allowing existing land located within a residential, urban environment to be developed for such purposes in the future. The subject site does not contain any threatened flora or fauna species and does not contribute to significant ecological processes within the locality.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The proposed rezoning amendment represents an orderly and sustainable use of land within a township that has limits on its ability to continue to expand outside the town boundaries without impact to agricultural productivity. The proposed rezoning allows for the future development of additional dwelling/s within the urban growth boundary. Whilst the site was formerly owned by the Tennis Club and used as their facilities, it was sold off to fund new facilities at the multi-purpose precinct at the Campbell Town Water Memorial Oval. The subject site is surrounded by the General Residential Zone and the proposed rezoning represents a logical expansion of the zone.  The site is connected to full reticulated services.
<i>(c) to encourage public involvement in resource management and planning</i>	If initiated, the Draft Amendment will be placed on public exhibition for a formal comment period prescribed by Section 38 of the Act.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) an (c)</i>	The proposed rezoning amendment provides an opportunity for increased investment in the housing stock in the Campbell Town township and will therefore stimulate economic growth not only through construction activity but also an increase in residential population.

Objective	Response
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	The proposal represents a process of shared responsibility between State government, local government, the land development industry and the community. All relevant bodies will be consulted as part of the planning approval process.
<i>Part 2</i>	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government</i>	<p>As stated, the proposed rezoning amendment represents a logical expansion of the General Residential Zone and the area of the land in question is very small and therefore will have no discernible impact on supply/demand of residential land within the township.</p> <p>As addressed in sections 4.3-4.5 of this report, the proposed amendment is in accordance with the directions under the Northern Regional Land Use Strategy, the Campbell Town War Memorial Precinct Development Plan and the Northern Midlands Interim Planning Scheme 2013.</p>
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The proposed rezoning will not impact on the construct of the Northern Midlands Interim Planning Scheme. In fact the proposed rezoning is in line with zoning application for the site under the Draft Northern Midlands Local Provisions Schedule.
<i>(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</i>	<p>The proposal will not impact significantly on the environment. The proposal has considered the effect on the environment by promoting infill development within an existing urban area and on serviced land thereby avoiding development pressures in less appropriate areas.</p> <p>Accordingly, it is considered that the proposed rezoning will provide for the efficient and sensible extension of the uses that will be permissible on the site without compromising environmental or ecological values within the municipality.</p>
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and</i>	The proposal furthers the State and municipal objectives of sustainable economic development of land in a

Objective	Response
<i>resource management policies at State, regional and municipal levels</i>	manner which does not compromise environmental, social, conservation and resource management values.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	The proponent is seeking a rezoning of the site in advance of future development as their plans for a single dwelling are still being finalised. It is likely that once rezoned, the dwelling application will not require a planning permit. Therefore, at this stage a combined S43A rezoning and development application approval pathway is not appropriate.
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania</i>	The proposed amendment will not impact the residential amenity of neighbouring residential properties.
<i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	There are no known local historic or aboriginal heritage values applicable to the site. Notwithstanding this, the provisions of the <i>Aboriginal Heritage Act 1976</i> will apply to any development of the subject site.
<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.</i>	The proposed rezoning amendment will not impact on the attainment of this objective.
<i>(i) to provide a planning framework which fully considers land capability.</i>	The site is not currently zoned for agricultural purposes so consideration of this objective is not applicable.

## 4.7 State Policies

### 4.7.1 State Coastal Policy 1996

The subject land is not located within one kilometre of the coast, and therefore the State Coastal Policy 1996 does not apply.

### 4.7.2 State Policy on the Protection of Agricultural Land 2009

Assessment against the State Policy on the Protection of Agricultural Land has not been provided given the site is already zoned for non-agricultural purposes (Recreation).

**4.7.3 State Policy on Water Quality Management 1997**

The site is not adjacent to any watercourses and therefore the State Policy on Water Quality Management 1997 is not applicable.

**4.7.4 National Environment Protection Measures**

National Environmental Protection Measures (NEPMs) are developed under the *National Environment Protection Council (Tasmania) Act 1995* and outline objectives and protections for aspects of the environment. Section 12A of the *State Policies and Projects Act 1993* provides NEPMs with the status of a State Policy.

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.

None of these NEPMs are considered relevant to this application.

**4.8 Provisions relating to use, development, protection or conservation of land and potential land use conflict**

All required provisions relating to the sustainable development of the land are provided for through the normal planning scheme requirements. In particular, the range of codes dealing with land hazards and values will continue to apply to future applications for a permit.

The table below outlines the differences in the allowable land uses in both the existing (Recreation) and proposed (General Residential) zones.

Recreation Zone (existing)	General Residential Zone (proposed)
<i>No permit required</i>	
Natural and cultural values management Passive recreation	Residential (single dwelling) Natural and cultural values management Passive recreation
<i>Permitted</i>	

Recreation Zone (existing)	General Residential Zone (proposed)
Crematoria and cemeteries (if for existing crematoria and cemeteries)  Sports and Recreation	Residential (caretakers dwelling or home-based business)  Utilities
<i>Discretionary</i>	
Community meeting and entertainment  Crematoria and cemeteries  Emergency services  Motor racing facility  Tourist operation  Pleasure boat facility  Utilities  Visitor accommodation	Business and professional services (medical centre)  Educational and occasional care  Food services (if a café or takeaway food premises)  General retail and hire (if a local shop)  Community meeting and entertainment (if not a cinema or function centre)  Residential (if a boarding house, communal residence, hostel, residential aged care facility, retirement village)  Visitor Accommodation

It is evident from the above table that the range of uses permissible on the site will alter as a result of the rezoning. Essentially the recreation type uses will no longer be permissible and replaced with residential and supporting uses. It is submitted that given the location of the site which is entirely surrounded by residential development (albeit it as a relatively low density), that the revised range of uses that are more compatible with residential development is appropriate for the site and will not impact negatively on the amenity of the surrounds. The General Residential Zone has use standards which will apply to future uses on the site which seek to protect the amenity of surrounding properties. Further, the development standards contained within the General Residential Zone provide for greater protection of amenity including overshadowing and loss of privacy to the neighbouring properties than is afforded by the development standards under the Recreation Zone. For these reasons, it is submitted that the proposed rezoning will not result in land use conflict or loss of amenity.

Any future application for use and development would be subject to the same number of codes as currently applies

#### **4.9 Gas Pipelines Act 2000**

The subject land is not affected by the Gas Pipeline. This requirement is therefore not applicable.

#### **4.10 Regional Impact**

The proposed amendment is considered consistent with the Northern Tasmania Regional Land Use Strategy, as discussed in Section 4.3 above. This demonstrates that the future development facilitated by the proposed amendment is consistent with the desired environmental, economic and social outcomes for the Northern Region.

#### **4.11 Other requirements of Section 20**

The proposed amendment is also consistent with the other requirements under Section 20(2), (3), (4), (5), (6), (7), (8) and (9) of the Act. In particular, the proposed amendment does not:

- prevent the continuance or completion of any lawful use or development;
- prevent the reconstruction or restoration of buildings or works unintentionally destroyed or damaged;
- extend or transfer a use from one part of a parcel of land to another part; and
- affect forestry operations, mineral exploration, fishing or marine farming.

## 5. Conclusion

The proposed rezoning amendment has been assessed against all relevant strategic plans, strategies and the objectives of the RMPS. The rezoning effectively represents an infill rezoning of land which is currently zoned Recreation to General Residential which is representative of the surrounding zoning profile. The site was divested by the Campbell Town Tennis Club Inc in August 2019 to partially fund new multi-purpose courts at the Campbell Town War Memorial Precinct. This relocation has taken place and as such the site is no longer required for recreational purposes. It makes not only economic sense but is also a better outcome for the community if future recreational development is centred at the one location. Given the surrounding residential zoning and use, combined with the fact the site is now held in private ownership, the zoning is appropriate to allow for future residential development. The site is connected to full reticulated services with capacity to cater for additional development in the future.

Based on all the supporting information provided in this report, it is submitted that there is sufficient justification to support the case for the proposed rezoning amendment

**Appendix A.** Title Information



Lot 20 (1-1-8) Thomas Archer Pur (52/87c)

T.N. 1/8 TN

DIAGRAM FROM ACTUAL SURVEY

TOWN OF CAMPBELL TOWN



SEC. G.

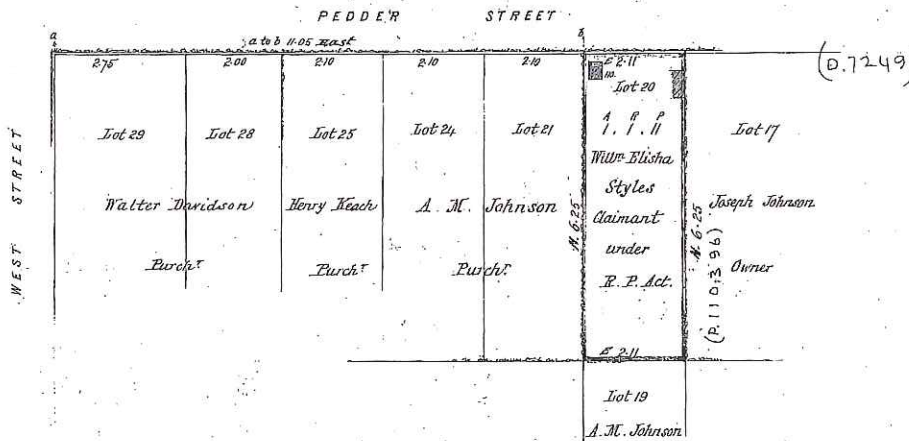
III-814 LT

Scale . 2 chains to an inch.

REGISTERED NUMBER

92353

Nº OF APPLICATION 2334



Date of Instructions

Survey commenced

Survey finished

Error of close 1 in

Plotted by

Finally examined by

Entered on General Plan by

Office Examination

Report

I James Wootley Surveyor General under the Real Property Act, do hereby declare that the land herein delineated has been surveyed in accordance with the Regulations of the Surveyor General, and that the measurements are correct for the purposes of the Real Property Act.

J. Wootley  
Oct. 31<sup>st</sup> 1880

May be acted upon

Acted upon

**Commercial Project Delivery** ABN 51 921 459 008

PO Box 210 Newstead 7250

1/47A Brisbane Street, Launceston, 7250


**Document Status**

Author: Chloe Lyne

Version: 1

Date: 18.11.19

## Submission to Planning Authority Notice

Council Planning Permit No.	PLN-19-0228	Council notice date	25/11/2019
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2019/01735-NMC	Date of response	2/12/2019
TasWater Contact	David Boyle	Phone No.	6345 6323
<b>Response issued to</b>			
Council name	NORTHERN MIDLANDS COUNCIL		
Contact details	Planning@nmc.tas.gov.au		
<b>Development details</b>			
Address	12 PEDDER ST, CAMPBELL TOWN	Property ID (PID)	6204530
Description of development	Draft Amendment 07/2019 Rezoning from Recreation to General Residential		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Commercial Project Delivery	Report		Nov. 2019
<b>Conditions</b>			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56S(2) TasWater makes the following submission(s):			
1. TasWater does not object and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.			
<b>Advice</b>			
<b>Declaration</b>			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
<b>Authorised by</b>			
 <b>Jason Taylor</b> Development Assessment Manager			
<b>TasWater Contact Details</b>			
Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		