Equilibrium
Town
Planning

Section 37(1) & 40T(1) APPLICATION

JOINT SCHEME AMENDMENT
& DEVELOPMENT APPLICATION

1 Mackenzie Drive, Somerset
CT35887/1



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V2

March 2026

Seabrook Rezoning & Development Application

Theresia Williams
[redacted]

This statement has been prepared by Theresia Williams, urban and regional planner, Registered Planner

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EXECUTIVE SUMMARY

It is proposed to:

- Introduce a Site Specific Qualification to 1 Mackenzie Drive, Somerset, resulting in a modification to the General Residential use table for this site, allowing for the following as discretionary uses:
    - Storage use;
    - Vehicle Parking use; and
    - Manufacturing and Processing use, with the caveat that this is to be only for storage and vehicle parking, where associated with the adjacent Manufacturing and Processing use.

- Apply for a permit under S.40T(1) for a change of use and associated development for the same site for:
    - Storage and Vehicle Parking associated with the adjoining Manufacturing and Processing use.

The proposal seeks to:

- Resolve matters for a site that has ongoing challenges for development(s) that would usually be associated with the existing land zoning;

- Resolve flooding issues for the site, including off site implications;

- Recognise the role the site plays in providing a buffer between the General Industrial Zone and the nearby residential uses; and

- Provide suitable access from Mackenzie Drive whilst limiting the size of vehicles utilising that access.

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1. INTRODUCTION TO PROPOSAL

1.1. Site specific qualification, change of use and development

The proposed amendment seeks to introduce a Site Specific Qualification to 1 Mackenzie Drive. No modifications to overlays or other provisions over the site are proposed.

The development includes:

- parking for the 52 staff associated with the adjoining industrial use;
- storage for the adjoining industrial use;
- stormwater improvements; and
- replacement fence to match existing.

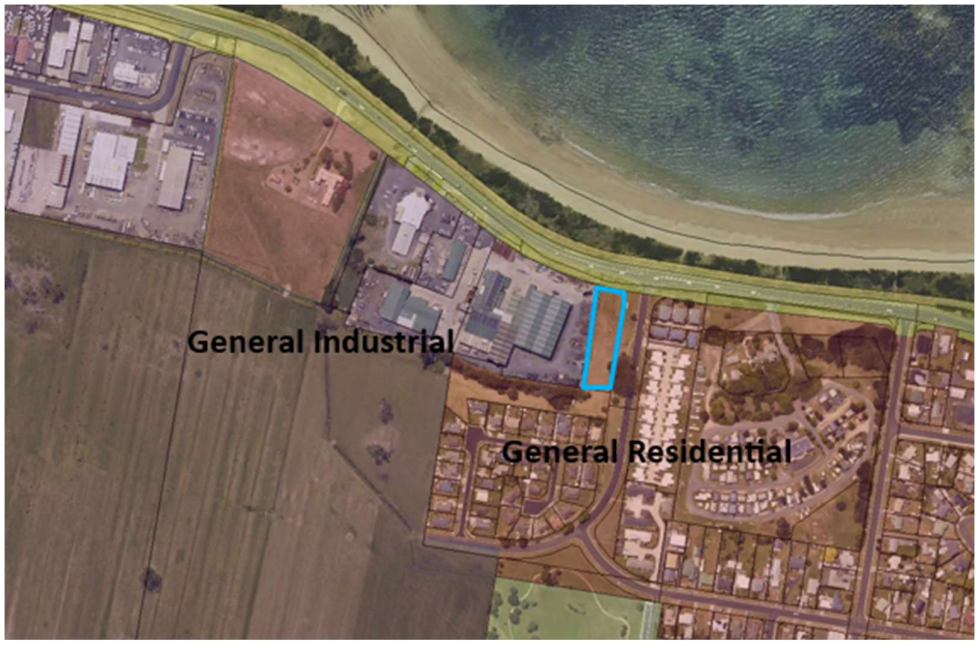


Figure 1 Subject site

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Table 1 Planning Overview

Element	Details		
Property	**Address**	**PID**	**Title**
	1 Mackenzie Drive, Somerset	7343401	CT135887/1
Land Area	3,236m^2		
Existing Use	Vacant		
Historic Use	Vacant		
Planning Instrument	Tasmanian Planning Scheme – Waratah Wynyard		
Existing Zone	General Residential		
Proposed zone	General Residential		
Current Overlays	Coastal Erosion Hazard Code		
Proposed Overlays	No change		
Existing Specific Area Plan	Nil		
Planning Directives	Nil applicable		

1.2. Draft Amendment

The draft amendment proposes a Site Specific Qualification, allowing for:

- Storage use;
- Vehicle Parking use; and
- Manufacturing and Processing use, with the caveat that this is to be only for storage and vehicle parking where associated with the adjacent Manufacturing and Processing use.

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2. SUBJECT SITE AND SURROUNDS

2.1. Site context

The subject site is located along the Bass Highway to the west of the Somerset township. The site is on the corner of the Bass Highway and Mackenzie Street, and is bordered to the west by the industrial area to the west of Somerset.



Figure 2 Site location (Image: Listmap)

The site has historically been vacant land. Recent explorations by the current landowner into developing the site for residential development were unsuccessful, due to the site-specific challenges, including flood risk.

The site is bordered by the Utilities Zone to the north (Bass Highway), the General Residential zone to the east and south, and the General Industrial zone to the west.

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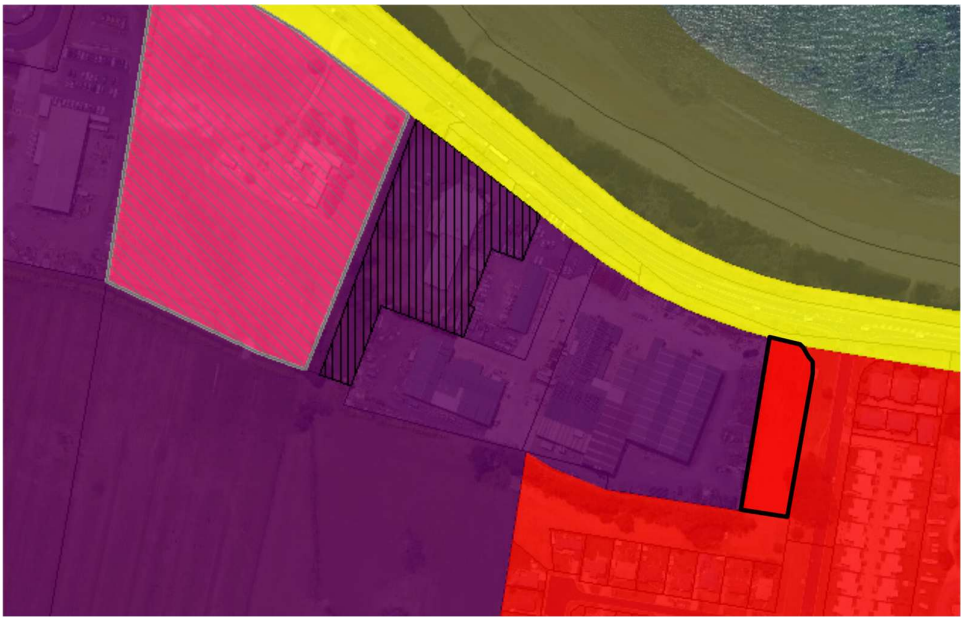


Figure 3 Land zonings. Also visible are the nearby SSQ's for 15275 Bass Highway and the PPZ for 15285 Bass Highway (Source: Listmap)

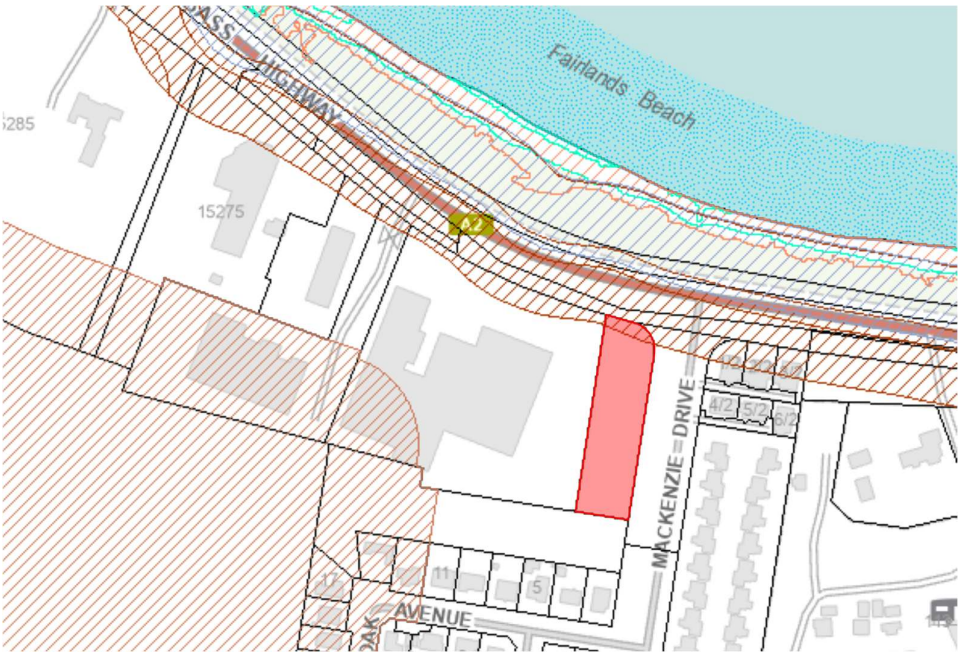


Figure 4 Scheme overlays, demonstrating the medium coastal erosion hazard band on the northern boundary of the site

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2.2. Site Photos

The following site photos are provided for context.



Figure 5 Subject site, from Mackenzie Drive. Area proposed for SSQ sits between the TasWater infrastructure and the Manufacturing and Processing use to the rear of the image. Mackenzie Drive in foreground, Bass Highway to the right.



Figure 6 Subject site, looking south from Bass Highway. Existing Manufacturing and Processing use to right of image. Proposal would result in in the existing fence as visible being relocated to the left of the image, adjacent to the TasWater infrastructure.

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Figure 7 Subject site, from Mackenzie Drive, looking nor-northwest towards the Bass Highway. Areas subject to flood risk and coastal erosion overlay visible in this image.



Figure 8 TasWater infrastructure located on roadside, to the east of boundary with the subject site.

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Figure 9 Existing Manufacturing and Processing use to the west of the subject site.



Figure 10 Subject site (foreground), existing Manufacturing and Processing use (middle and background). Area subject to flooding visible in image.



Figure 11 Existing intersection of Mackenzie Drive and Bass Highway.

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2.3. Services

The site is within the sewer and water serviced lands and as such is capable of being fully serviced, albeit not necessary for the proposed development.

Stormwater management on the site requires sensitive design solutions, due to the nature of the proposed development, with nonpermeable surfaces, and the existing nature of the site. This is discussed in further detail in Appendix D.

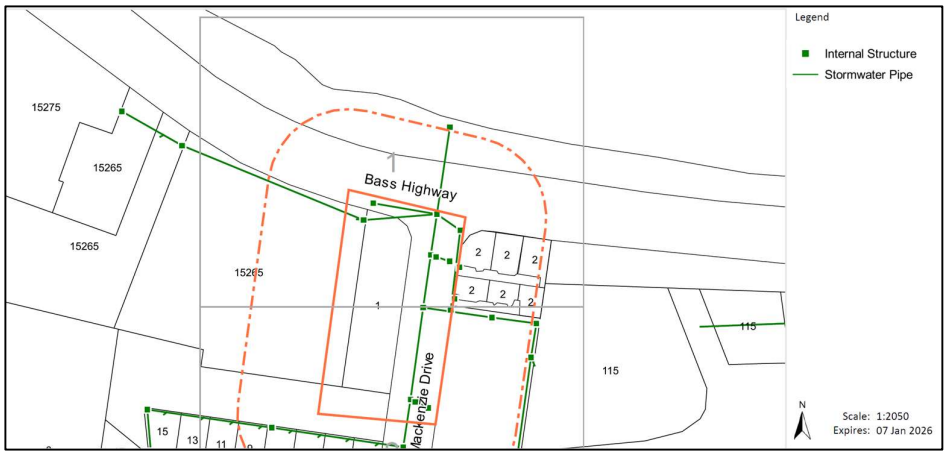


Figure 12 Existing stormwater infrastructure in vicinity



Figure 13 Existing sewer and water mains in proximity to the site

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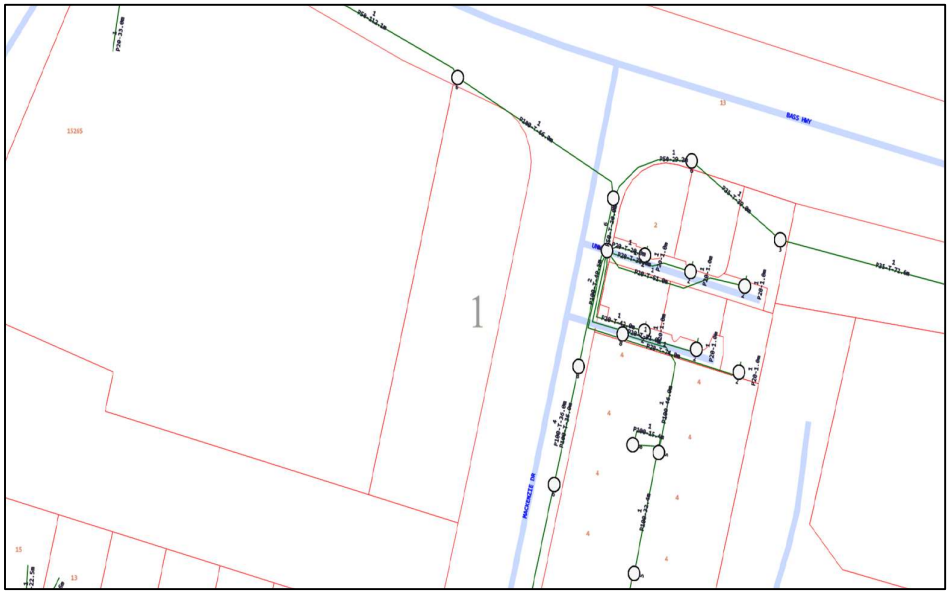


Figure 14 Existing NBN Co infrastructure

Access is proposed to be via Mackenzie Street, rather than the Bass Highway. The access and manoeuvrability design for the proposal is intended to deliberately limit access from this location and use of 1 Mackenzie Drive to lighter vehicles, protecting residential amenity in the area. Larger vehicles would continue to access the site from the existing Bass Highway licensed access.



Figure 15 Existing access to main site from Bass Highway. No change to access proposed. Development would result in separation of heavy vehicles from light, with light vehicles transferring to the new access at Mackenzie Drive.

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2.4. Natural values

The site has long been cleared of any significant vegetation, native or otherwise. There are currently exotic grass species growing on the site. There are no identified natural values of any sort.

The proposed scheme amendment does not have any significant implications.

2.5. Aboriginal heritage

An online Aboriginal Heritage Property Search has been completed (attached as Appendix E and has not identified "any registered Aboriginal relics or apparent risk of impacting Aboriginal relics". It is considered that this assessment is sufficient due to the lor risk in the area. The Unanticipated Discovery Plan process would be implemented as standard at all times for on site works.

2.6. Potential hazards

2.6.1. Flood risk

The site is known to be exposed to flood risk, particularly when high tides and heavy rainfall events coincide. The C12.0 Flood Prone Areas Code is applicable and addressed below. The proposal is supported by a specialist assessment demonstrating that a tolerable risk is able to be maintained.

The proposed amendment was partially triggered by the flood risk, after an application for residential development of the subject site was withdrawn due to the lack of ability to resolve the issue.

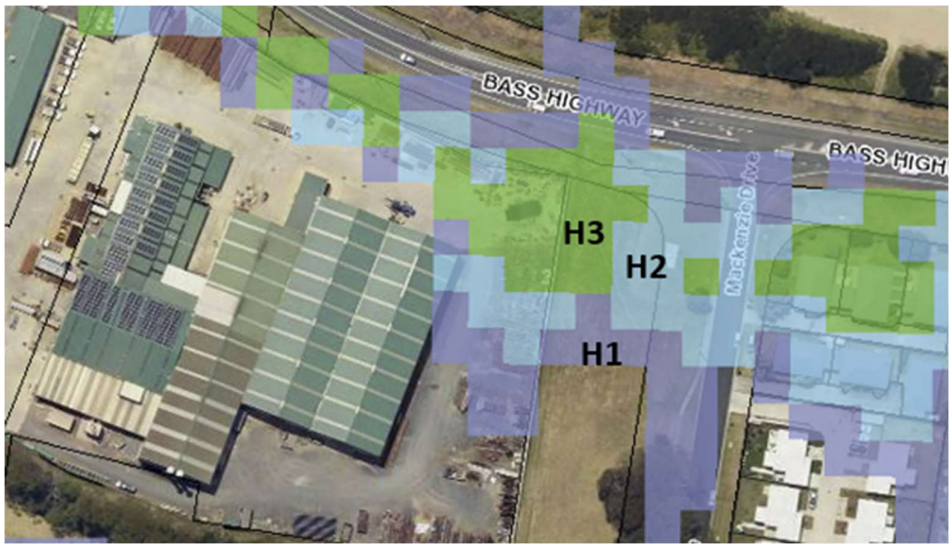


Figure 16 Statewide flood hazard mapping (1.0% AEP hazard overland flooding - climate change)

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2.6.2. Coastal erosion hazard

The site is impacted by the coastal erosion hazard overlay. The Code is addressed below.



Figure 17 Coastal erosion hazard – medium impacts the northern tip of the site.

Coastal erosion, as defined by the Tasmanian Planning Scheme, requires the recession of the coastline due to the elements or sea level rise. For that to occur on this site, the Bass Highway would need to erode. The shoreline on the oceanside of the Bass Highway at this point is protected by established vegetation and an ongoing maintenance regime by State Growth and Waratah Wynyard Council for the protection of major assets such as the Bass Highway.

Given the existing situation and the proposed uses, the proposal is considered to be able to maintain a tolerable risk under C10.6.1-(P1) without any additional hazard reduction or risk management measures. The Code is addressed in further detail below.

3. PLANNING CONTEXT

3.1. Adjoining Municipalities

The site is approximately 1.7km west of the closest Municipal boundary, shared with Burnie City Council. The land in between is dominated by residential properties, associated recreational spaces and the township of Somerset. The municipal border is formed by the Cam River.

The main consideration in relation to a scheme modification and the adjoining Burnie Municipal area is that of the general supply of residential and industrial

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lands. This is considered in more detail under the discussion of the relevant strategies.

3.2. Zone Comparison and Exploration of Alternatives

The proposed scheme amendment would provide for a broader range of uses than usually possible within the General Residential zone, whilst protecting the amenity of the existing residential users beyond that which rezoning the site to General Industrial would provide.

The most obvious alternative is the rezoning of 1 Mackenzie Drive to General Industrial, to accord with the land to the west of the site.

The applicant would not be averse to this outcome. This approach was not chosen by the applicant due to their intention to provide greater protection to the nearby residents through limiting the potential use of this land, thus providing a buffer between the two land zonings. The release of the Statewide Industrial Land Supply concludes that Waratah Wynyard currently has a surplus of industrial land (p.8, *Statewide Industrial Land Study*), further reducing the appeal of an application for rezoning.

Additional consideration was given to the adjoining Utilities zone. This zoning would also allow for consideration of Storage and Vehicle Parking land uses. It would however introduce additional land uses (e.g. Transport Depot and Distribution, Recycling and Waste Disposal) that have the potential to impact on nearby residents. It would also bring with it the risk that a planning authority may determine that the proposed development is subservient to the existing Manufacturing and Processing Use, rather than a stand alone Storage or Vehicle Parking use and as such Prohibited from consideration.

The Light Industrial zone would be another option, acting as a buffer between the General Industrial zone and the General Residential zone. This would provide for Storage and Manufacturing & Processing uses as permitted, whilst allowing consideration of Vehicle Parking as discretionary. Again, the applicant would not be averse to this option. Ultimately this was also dismissed in favour of the Site Specific Qualification due to the lack of contiguous zoning and the introduction of potential alternative uses that would retain the potential to reduce residential amenity in the area.

It would also be possible to leave the site with no zoning changes. As demonstrated by recent exploration(s) for residential development of the site, this results in a significant portion of the site being unusable for any habitable building, which encompasses the majority of the uses possible in the General Residential zone.

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A Specific Area Plan or Particular Purpose Zone are not considered to be the correct application of the relevant mechanism under current circumstances and therefore dismissed.

The wider area (image below) may be suitable for consideration into the future for an alternative zone (eg Commercial Zone), or other alternatives. This is a matter for the local planning authority in future reviews of the area and strategic planning across the Cradle Coast region and is not considered as part of this proposal. The proposal does not restrict this type of strategic review into the future.

In conclusion, the proposed mechanism is considered to have sufficient protections for the surrounding uses and land zonings and will operate effectively and cohesively to provide a practical and sensitive development of the site, whilst providing additional options in response to the site limitations (i.e. flooding risk).

As such, potential alternatives are dismissed.

3.3. Potential Land Use Conflict

The subject site sits between the General Residential land of Somerset and the General Industrial land along the Bass Highway in this area. This includes approximately 30ha of vacant General Industrial land.

The land immediately to the east and south is fully developed for residential purposes.

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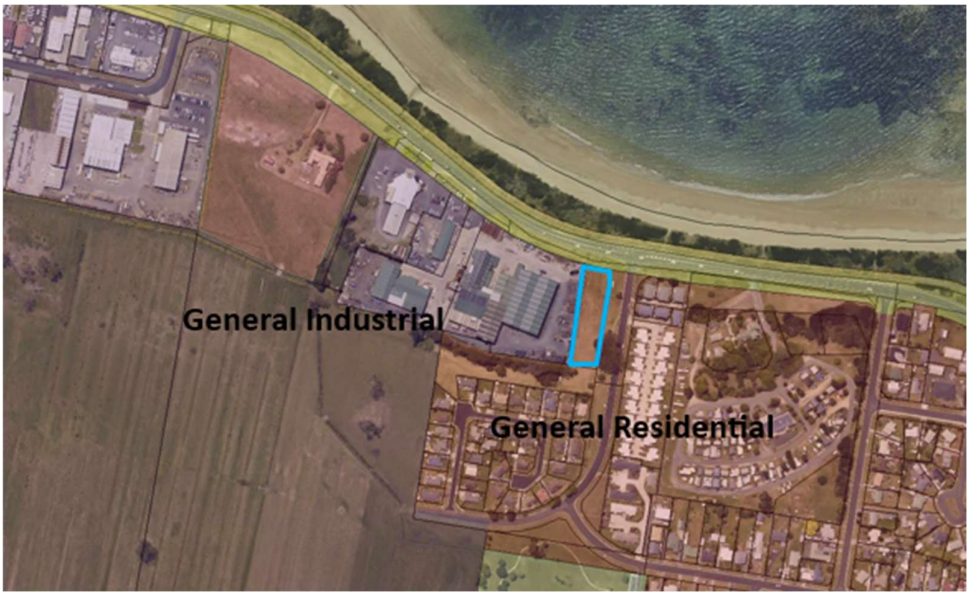


Figure 18 Subject site and surrounding land uses

The area provides for transition between industrial and residential uses. The proposal is intended to treat these with sensitivity, resulting in the potential for a buffer between the two zones, both in terms of emissions (e.g. noise) and amenity (e.g. screening and landscaping).

It is not considered that the proposed zoning or development would result in any significant land use conflict.

3.4. Application of Codes

The site is currently subject to the C10.0 Coastal Erosion Hazard Code. It is not intended to modify the application of codes to the site in any way.

3.5. Waratah Wynyard Local Provisions Schedule

The proposal would result in a modification to the LPS in the form of an SSQ. No other changes are proposed.

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4. STRATEGIC CONSIDERATION

4.1. Contents of LPSs

Matters for consideration are listed under section 32 of LUPAA.

The table below provides a response to each provision.

Section 32 LUPAA – Contents of LPSs	
S32(1)	The proposal applies only to the Waratah Wynyard Municipal area.
S32(2)	The amendment has been prepared in keeping with the remainder of the LPS: (a) the proposal applies to the Waratah Wynyard municipal area. (b) The proposal is for the addition of an SSQ. (c) The proposal includes a modification to the mapping to reflect the proposed SSQ. (d) An SSQ is proposed. (e) The proposal is for a modification to the zoning maps that apply to the particular land in the form of an addition of an SSQ. (f) An SSQ is proposed. (g) No land is proposed for transfer to public purposes. (h) The proposal is for a change of zoning. (i) No SPP provisions are proposed to be overridden. (j) The proposal is for a modification to the LPS. (k) No additional provisions are proposed. (l) No additional provisions are proposed.
S32(3)	The amendment proposes an SSQ.
S32(4)	The site is subject to flood risk. It is also located at the border of the industrial and residential areas. Development opportunities on the site are restricted due to these environmental and spatial factors. The proposed provisions would result in additional opportunities for the site that are sensitive to these environmental and spatial qualities. The proposal is in accordance with S32(4)(b).
S32(5)	No change to the standard structure is proposed.
S32(6)	The proposal is intended to be in the form required.

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S32(7)	No interaction.

4.2. Section 34 LPS Criteria

Section 34 provides for the criteria to be met by a relevant planning instrument, including amendments to that instrument.

The table below provides a response to each subclause.

Section 34 LUPAA – LPS Criteria	
S34(1)	Noted.
S34(2)(a)	The proposal is for an SSQ. No other alterations are proposed.
S34(2)(b)	Accordance with s32 is reviewed above.
S34(2)(c)	
Part 1(a)	The proposal is intended to increase the opportunities for appropriate development of this site. The site is within a fully serviced area and no natural values are to be impacted. Development would require the management of stormwater, as would be the case for any site.
Part 1(b)	The proposed modification would provide for utilisation of land in a manner that is appropriate for the site, given the existing infrastructure, adjoining uses and risks.
Part 1(c)	The standard public notification period(s) would be required.
Part 1(d)	The proposal is intended to facilitate economic development on a site that is currently restricted due to environmental and spatial limitations.
Part 1(e)	Standard statutory processes would be followed.
Part 2(a)	The proposed rezoning is intended to be in keeping with the *Cradle Coast Regional Land Use Planning Strategy*. Full consideration of this strategy is provided in Appendix B.
Part 2(b)	The proposal is intended to operate within the established system of planning instruments.
Part 2(c)	Flood risk and stormwater management are the main considerations for this site. These are required to be assessed under the C12.0 Code and the engineering

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	review by the local planning authority for any development application.
Part 2(d)	The proposal does not impact the potential for integration.
Part 2(e)	The proposal is intended to utilise the existing consolidated assessment process.
Part 2(f)	No impact.
Part 2(g)	No impact.
Part 2(h)	The existing infrastructure would be able to be logically utilised and / or upgraded.
Part 2(i)	Land capability is not applicable.
S34(2)(d)	**State Policy on the Protection of Agricultural Land 2009 (PAL)** No impact. The site is not agricultural land. **State Coastal Policy 1996 (revised 2003 and 2009)** The site is within the area captured by the Policy. The proposal will not result in the modification of any natural coastal processes, flora or fauna or other coastal values. The proposal will have the potential to improve water quality in the stormwater of the area, thus achieving 1.1.5. Any buildings would be subject to planning controls as per 1.1.10. The proposal identifies the flood risk and responds accordingly as per 1.4.1. Transport would utilise existing transport routes as per 2.5. No public access or safety would be compromised (2.6). It is considered that the proposal is in keeping with the State Coastal Policy. **State Policy for Water Quality Management 1997** The State Policy for Water Quality Management 1997 applies to all surface water, including coastal waters and ground waters.

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	The proposed amendment seeks to provide additional opportunity for development of the site. Future development, whether the development outlined in this proposal or other, would be required to address drainage and servicing of the site, in accordance with current legislation. The proposal is considered to be consistent with the State Policy for Water Quality Management. **National Environment and Protection Measures** Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPMs) is taken to be a State Policy. The proposed amendment and development does not relate to any issues covered under the NEPMs and the proposal is thus considered to comply. **Gas Pipelines Act** No interaction.
S34(2)(da)	The Minister made the TPPs in 2025, with a buffer period before they take effect on 1 July 2026. This allows current assessments to adjust to the new policies, and relevant areas have been addressed ahead of their implementation. <u>Settlement</u> Limited impact. The proposal would result in the retention of the General Residential zoning whilst providing opportunity for complementary though alternative development. <u>Environmental values</u> There are no specific environmental values on the site. 1.2: The site contains man-made drainage channels. Any development would be required to be completed with sensitivity to these and in accordance with the requirements of the stormwater authority.

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	<u>Environmental hazards</u> These are limited to flooding for this site. The site is identified as Hazard Level 1, 2 and 3 in the 1% AEP Hazard Overland Flooding (Climate change) mapping. The intention of the SSQ is to designate an alternative use of the site that is compatible with this flood hazard risk level, in keeping with 3.3.3 (2), (4), (5) & (8).  *Figure 19 1% AEP Hazard Overland Flooding (climate change)* <u>Sustainable Economic Development</u> The proposal is intended to provide for the opportunity to support an existing economic activity, where residential use of the site may not be practicable. This is considered to be in accordance with 4.6.3(3), (5) and (7). <u>Physical Infrastructure</u> The site is able to be fully serviced. The proposal would utilise existing roads. <u>Cultural heritage</u> No impact. <u>Planning processes</u> The proposal is required to follow all statutory planning processes, to support the Strategies identified.

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S34(2)(e)	***Cradle Coast Regional Land Use Strategy*** A full assessment is provided as Appendix B. ***Statewide Industrial Land Study*** The site appears to be mentioned in passing on page 19 of the SILS, stating that "limited sewer and water servicing, particularly in the western Somerset area". This appears to be the only mention of this site, with the remainder focusing on the industrial land in the Burnie and Wivenhoe areas, or the Wynyard (Burnie) airport sites. Burnie and Waratah Wynyard have differing situations in the SILS. The proposal is not intending to alter the area of land in industrial zoning, and as such it is put forward that the proposal is in keeping with the SLIS.
S34(2)(f)	The Waratah Wynyard Council 10 Year Corporate Strategic Plan is the applicable document. The proposal is in keeping with Strategies 5.1.2 and 5.1.3.
S34(2)(g)	There is no direct interaction with the adjoining municipal areas outside of the supply of industrial land.
S34(2)(h)	No impact.

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5. 40T APPLICATION

5.1. Tasmanian Planning Scheme – Waratah Wynyard

Table 2 Planning Scheme Discretions

Clause	Comment
8.3.1 A1 / P1	**Discretionary uses – hours of operation**
8.3.1 A4 / P4	**Impact on amenity**
8.5.1 A4 / P4	**Fencing for non-dwelling development**
8.5.1 A5 /P5	**Outdoor storage areas**
C3.5.1 A1/P1	**Traffic generation**
C10.6.1 A1/P1	**Works in medium coastal erosion area**
C12.5.1 A1/P1	**Uses within a flood prone hazard area**
C12.6.1 A1/P1	**Works within a flood prone hazard area**

The site is located in the General Residential zone within the Tasmanian Planning Scheme – Waratah Wynyard (the planning scheme). The use(s) proposed would be discretionary. This assessment incorporates all elements, covering whether the proposal would be considered as Storage, Vehicle Parking or development as subservient to the Manufacturing and Processing use (parking and storage only), to allow for variations in application of the use classifications.

The following examines the relevant provisions of the Scheme with respect to the proposed development.

5.1.1 Zone Purpose Statements

General Residential Zone

The proposed development is within the Site Specific Qualifications proposed. It could be categorized as either:

- Standard alone new use for Vehicle Parking and Storage land uses; or

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- Subservient to the existing Manufacturing and Processing use class (parking and storage only).

Both alternatives have been explored in this assessment.

The purpose of this zone is addressed as follows:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

The proposed development is not for residential use or development.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

The proposed development is intended to utilise the existing infrastructure available, including the service and transport infrastructure. It would also result in efficient use of the land that has otherwise proven to be challenging to develop for residential purposes.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

The use would serve the existing business adjoining the site, serving the north west community. The proposed land uses under the SSQ would ensure that amenity was preserved off site.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

No visitor accommodation is proposed.

The application is consistent with the purpose of the General Residential zone.

5.1.2 Use Standards

The site is proposed to be utilised for staff parking and outdoor storage. This could be classified either as stand alone Vehicle Parking and Storage use,

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or alternatively as Manufacturing and Processing under 6.2.5 (depending on interpretation). Both have been reviewed below.

Clause	Comment
8.3 Use Standards	
8.3.1 Discretionary uses	
A1	Hours of operation would sit outside the listed hours. The proposal relies on assessment under the performance criteria.
P1	The use of the site would be limited to parking and storage. These would not result in emissions from the site. Lighting would be limited to security lighting only and baffled to protect nearby residences. The majority of the vehicle movements would be within business hours. The proposal is accompanied by a TIA reviewing the traffic impacts of the development. No unreasonable loss of amenity to adjacent sensitive uses is expected.
A2	No lighting is proposed, excluding security lighting. Complies.
A3	The development area is not intended for use by commercial vehicles. This parking area is intended for staff access only. Heavy vehicle access for storage is intended to utilise the existing access from the Bass Highway. Complies.
A4	No acceptable solution.
P4	The uses proposed would be discretionary under the SSQ. These uses are intended to limit the activities on the site to those with low impact, being limited to staff vehicle movements and onsite storage. The area would be fenced and screened and would present visually as an extension of the existing use to the west, whilst retaining the extended road verge as a visual buffer and further setback from residential users. The use is needed for the existing business, whilst also providing a solution to the development restrictions on the site as a result of flood risk.

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8.3.2 Visitor Accommodation	
A1-A2	N/A

5.1.3 Development Standards for Buildings and Works

Clause	Comment
8.4 Development Standards for Dwellings	
8.4.1-8.4.8	N/A No dwellings proposed.
8.5 Development Standards for Non-dwellings	
8.5.1 Non-dwelling development	
A1	N/A No building is proposed.
A2	N/A No building is proposed.
A3	N/A No building is proposed.
A4	No acceptable solution. Relies on assessment under performance criteria.
P4	The proposal includes a fence along the two road frontages. It is noted that no building is proposed and as a result, on a technicality it can be argued that this provision is not relevant. It has been reviewed regardless, due to the interaction with the nearby residential uses. The proposed fence would match the existing fencing for the Manufacturing and Processing use to the west of the site. It would visually separate the site from the nearby residential uses with very little visual change to the existing situation. The opposite side of the road includes an extensive solid paling fence that runs for almost the full length of the road.

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	The fence as proposed is considered to be compatible with the existing fences in the street and will not alter passive surveillance from the existing situation.  *Figure 20 Existing fence on Manufacturing and Processing use to west*  *Figure 21 Existing fencing along Mackenzie Drive.*
A5	Outdoor storage is proposed. This storage is to be screened by fencing, in compliance with (a). The storage areas are clearly delineated as separate from the parking areas in compliance with (b).
A6	None of the listed systems are proposed. Complies.
8.5.2 Non-residential garages and carports	
A1-A2	N/A

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The proposed development is considered to provide for development which is fully in keeping with the provisions of the General Residential Zone with the proposed SSQ.

5.1.4 Code Assessment

Relevant Codes are commented on below.

- *C1.0 Signs Code*

  No signage is proposed.

- *C2.0 Parking and Sustainable Transport Code*

  The proposed development is to include parking. A Traffic Impact Assessment has been completed and is attached as Appendix C.

  The proposal includes 73 new parking spaces, including 2 accessible car parking spaces.

Clause	Comment
C2.5.1 A1	The development includes 73 new parking spaces. As per Section 5.2 of the TIA attached, the three alternatives for use classes have been considered. • Storage use would require 26 spaces • Vehicle parking has no requirement • Manufacturing and Processing would require 56 spaces The proposed 73 spaces ensures compliance for any of the potential land uses.
C2.5.2 A1	No bicycle spaces are proposed. There is an excess of vehicle parking spaces and as such, the site is capable of providing the number of spaces detailed, if the proposal is assessed as Manufacturing and Processing. Section 5.3 of the TIA provides further comment. Complies.
C2.5.3 A1	None required.

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C2.5.4 A1	No additional floor area is proposed. Complies.
C2.5.5 A1	Not applicable.
C2.6.1 A1	Complies with Acceptable Solution as per Section 4.3 of the TIA, with the area to be constructed with a mix of asphalt and hardstand.
C2.6.2 A1	A1.1 Complies with the required standards as per Section 4.4 of the TIA. A1.2 Two spaces provided. Refer Section 4.5 of the TIA.
C2.6.3 A1	One access is proposed, from Mackenzie Drive. Complies with A1(a). Refer to Section 4.1 of the TIA.
C2.6.4 A1	Not applicable.
C2.6.5 A1	A1.1 A marked pedestrian pathway through the site is proposed, with appropriate separation. Details are provided at Section 4.7 of the TIA. A1.2 The site is relatively flat, and the required gradient is achieved as demonstrated in Section 4.7 of the TIA.
C2.6.6	Not applicable.
C2.6.7	Not applicable.
C2.6.8	No provisions provided for this land zoning.
C2.7	Not applicable.

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- *C3.0 Road and Railway Assets Code*

  The proposal includes a new access and traffic is expected to exceed the amounts in Table C3.1. Traffic will be able to enter and leave in a forward direction.

Clause	Comment
C3.5.1 A1	No new access is proposed from the Bass Highway. The proposal will likely reduce traffic at the existing access point onto the highway, transferring the staff cars to Mackenzie Drive. Traffic will enter and leave the site in a forward direction. The proposal will increase traffic by more than the amounts in Table C3.1 and as such the performance criteria is applicable.
P1	The proposal is accompanied by a TIA addressing this provision in Section C3.5.1. It is intended that the traffic is redistributed, rather than increased. The traffic that is redistributed to Mackenzie Drive is light vehicle traffic only (staff cars) and the design reflects this, thus restricting heavier vehicles from utilising this new access.
C3.6.1 A1	No new buildings for sensitive uses are proposed.

- *C10.0 Coastal Erosion Hazard Code*

  A small portion of the development area sits within the medium coastal erosion hazard band.

  If the proposal is assessed as Manufacturing and Processing use, it would be exempt from this Code under C10.4.1(b).

  If assessed as Storage and Vehicle Parking, the Code is applicable.

Clause	Comment
C10.5.1	Not applicable. There are no high risk areas on the site.
C10.5.2	Not applicable. Site is considered to be within an urban zone.

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C10.5.3	Not applicable. No hazardous materials are to be stored on the site, and as such no critical, hazardous or vulnerable uses are proposed.
C10.5.4	Not applicable.
C10.6.1 A1	No acceptable solution. Performance criteria is applicable.
P1	P1.1 The works proposed are not for a critical, hazardous or vulnerable use. A tolerable risk is necessary for the works to proceed. The site is not an actively mobile landform, as is clearly evident when the site is viewed. There is no risk of coastal erosion, due to the presence of the Bass Highway. The Bass Highway in this location is well protected by established vegetation to the north. It is likely that the works proposed to upgrade stormwater for the site will reduce the risk of erosion in the area, including underneath the Bass Highway, through better management of stormwater. It is not considered reasonable, based on site observation and the existing development and the Bass Highway, to require a coastal erosion hazard report to address this provision, given the site is already well protected and not on an actively mobile landform. P1.2 The works will be located behind the Bass Highway and will include flood management works in the form of stormwater upgrades. This will reduce the potential for interaction between the coastal erosion risk and the flood risks on the site, thus achieving (a) and (b). There are no actively mobile landforms on the site. The uses proposed can manage risk without any special or additional measures. It is not considered reasonable, based on site observation and the existing development and the Bass Highway, to require a coastal erosion hazard report to address this provision.

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C10.6.2	Not applicable. No coastal protection works are proposed.
C10.6.3	Not applicable.

- *C12.0 Flood-Prone Areas Hazard Code*

The site is impacted by this Code, being prone to flooding as per historical evidence and Statewide Flood Hazard Mapping. As such, an assessment has been conducted by a suitably qualified person under C12.2.3.

Clause	Comment
C12.5.1 A1	No acceptable solution. Performance criteria applicable.
P1	No habitable structures are proposed. Complies with P1.
C12.5.2	Not applicable. With no storage of dangerous chemicals intended for the site, no critical, hazardous or vulnerable uses are proposed.
C12.6.1 A1	No acceptable solution. Performance criteria applicable.
P1	P1.1 The proposal is accompanied by a supporting report by a suitably qualified person. In summary, the proposal will maintain a tolerable risk from flood due to the type of development and the fact that the stormwater upgrades on the site will reduce the flood risk for the site (and adjoining properties including the highway). P1.2 The supporting report provided demonstrates that the works proposed, including stormwater upgrades will not cause or contribute to flood and can maintain a tolerable risk level. Complies with P1.1 and P1.2.

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5.1.5 Waratah Wynyard Local Provisions Schedule

No additional comments.

7. PLANNING DIRECTIVES

No current planning directives impact upon this proposal.

8. CONCLUSION

The proposed rezoning seeks to introduce a Site Specific Qualification to 1 Mackenzie Drive and apply for a permit for a new use and development of this site.

The SSQ and development would result in:

- Resolution of matters for a site that has ongoing challenges for development(s) that would usually be associated with the existing land zoning;
- Resolution of flooding issues for the site, including off site implications;
- Recognising the role the site plays in providing a buffer between the General Industrial Zone and the nearby residential uses; and
- Providing suitable access from Mackenzie Drive whilst limiting the size of vehicles utilising that access.

Based on the assessments within this report, it is demonstrated that the application of the SSQ and proposed development is appropriate. This submission demonstrates:

- the application of the proposed SSQ would be appropriate for this site;
- the current provisions within the General Residential zone and applicable overlays are sufficient to appropriately manage the use and development of the site with the addition of the SSQ;
- the proposal furthers the Objectives and Resource Management and Planning System as set out in the *Land Use Planning and Approvals Act 1993;* and
- the proposed amendment will provide for land uses on the site which are compatible with the underlying zoning.

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RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
35887	1
EDITION	DATE OF ISSUE
2	08-Sept-2022

SEARCH DATE : 03-Dec-2025
SEARCH TIME : 10.39 am

DESCRIPTION OF LAND

Town of SOMERSET
Lot 1 on Diagram 35887
Derivation : Part of 5A-1R-37Ps. (Section I) Gtd. to D. Gilmour
Prior CT 4470/35

SCHEDULE 1

A300121 & M942014 DIRECTOR OF HOUSING Registered 08-Sept-2022 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
A199244 AGREEMENT creating Fencing Covenant
A101967 FENCING CONDITION in Transfer
B982331 PROCLAMATION under Section 52A of the Roads and Jetties Act 1935 Registered 07-Nov-1996 at noon

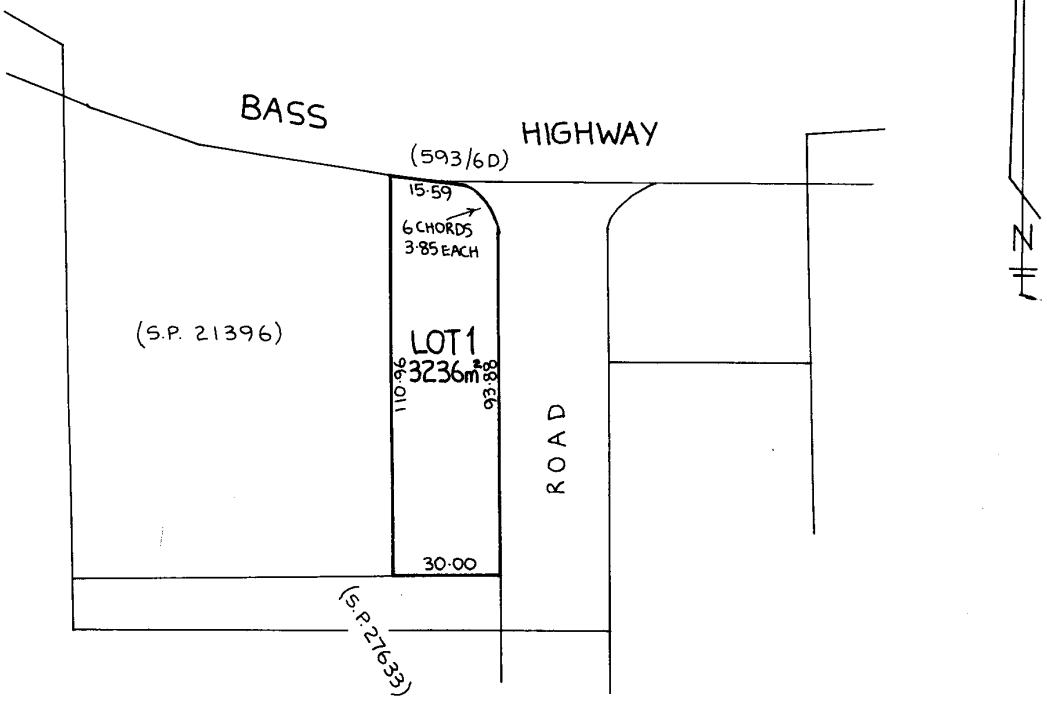
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

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OWNER FOLIO REFERENCE C.T. 4062/15 GRANTEE	**PLAN OF TITLE** LOCATION TOWN OF SOMERSET FIRST SURVEY PLAN No. COMPILED BY LTO SCALE 1: 1250 LENGTHS IN METRES	Registered Number D35887 APPROVED 05 JAN 1998 Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 127 (4045-21)	LAST UPI No FPH34	LAST PLAN No.
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		

NEW PLAN
REDRAWN FOR OFFICE CONVENIENCE



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APPENDIX B COMPLIANCE WITH THE CRADLE COAST REGIONAL LAND USE STRATEGY

Table 1 Compliance with the Cradle Coast Regional Land Use Strategy

Implementation		
CCRLUS Reference		**Comment**
1.1	Purpose of the Strategy	The CCRLUS is intended as "a framework for the future – an outline for what is desired and a description of intended future conditions. The Strategy does not define definitive actions for how to deliver the intended result – rather it expresses the principles and policies against which all future proposals for process and prescriptions for land use planning are to be considered….the Strategy is not a regulatory instrument for the purpose of individual use and development decisions." The proposed scheme amendment does not introduce any conflict with the underpinning Purpose of the Strategy.
1.2	Structure of the Strategy	The structure of the CCRLUS was developed to recognise the complex interactions between the different factors within land use planning. The proposed scheme amendment is a relatively simple modification. The application addresses matters within each of these five policy groupings (Implementing the Framework, Wise Use of Resources, Support for Economic Activity, Places for People and Planned Provision for Infrastructure).
1.3	Statutory status	The CCRLUS was declared by the Minister under LUPAA. The proposed amendment does not modify or impact on the statutory function of the CCRLUS, as declared.
1.4	Strategic Outcomes	The proposed scheme amendment does not modify the underlying strategic justification of the CCRLUS as referenced in 1.4.
1.5	Principles for Implementation	The proposed scheme amendment does not propose any modification of the standard tests within the Scheme or legislation for these Principles of Implementation.
	(a) All levels of government, industry and the community work collaboratively, share responsibility and are accountable for sustainable use	This application for scheme amendment and development will go through the standard statutory processes, as will any application for development lodged on the land at a later date.
	(b) Strategies, policies and decisions for land use are integrated across all levels of government, industry and the community.	The proposed scheme amendment will be required to follow the statutory process, integrating the required levels of government into the decision-making process. Community and industry are also involved through the public notification period.
	(c) Land is a limited, non-renewable resource and is not wasted.	The proposed scheme amendment recognises the potential for this site to provide for a wider range of land uses than is currently possible. Given the site is restricted for development of standard uses provided for under the current zoning,

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		it would be an efficient use of resources to amend the provisions applicable to the site and provide for those alternative uses.
	(d) Facilitate use and development	The proposal is intended to facilitate development options which have little to no potential adverse impacts on natural, economic or social systems. The proposal would allow for the retention of the use in the area. This site effectively serves as part of the industrial land supply within Burnie, despite being in the WWC area. The area is not clearly considered in the SGS Statewide Industrial Land Study. Burnie has an identified shortfall of industrial land and the use cannot be relocated into the main industrial areas of Burnie.
	(e) Improve the liveability and sustainability of communities	The land uses provided for within the proposed amendment continue to allow for the primary residential use of the subject land if required, as well as allowing for the existing residential uses in the area to continue without detrimental impacts on liveability or sustainability. The uses proposed under the SSQ would be low impact (visually or otherwise), and would retain the buffer between existing residential uses and industrial uses. The uses would not preclude the change of use of the area to residential development into the future.
	(f) Land and resources are consumed at a rate sufficient to meet social and economic needs of the present generation without compromise to the ability of future generations to also meet their own needs.	This is the founding principle of sustainability. The scheme amendment proposal intends to modify the potential uses on the site, allowing for utilisation of land that currently is not able to sit in a natural state due to being in an urban area, but is also not able to be utilised in an efficient manner. The proposed development and scheme amendment would broaden the potential uses on land which is already converted from any natural resource measure. There are no natural resources located on this site that have the capacity to meet the needs of future generations, outside the provision of land, whether this be for the purpose of residential development, industry, or service management (eg stormwater). The proposed modifications would allow for any of these to occur.
	(g) Decisions and choices are informed by science and expert knowledge.	Where appropriate, the proposal is accompanied by additional expert information.
	(h) Consider the complete and cumulative effect of past, present and likely future use and development on the health or carrying capacity of a natural or human system.	The site is within a highly developed and modified area. The potential impacts considered centre mostly around traffic changes and ensuring appropriate interaction with the waterway(s).
	(i) Where there are threats of serious or irreversible social, economic or environmental damage the lack of scientific certainty is not to be used as a reason for postponing measures to prevent harm or degradation.	The scheme amendment neither proposes nor results inadvertently / indirectly in the relaxation of any tests designed to prevent harm or degradation within the Scheme.

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	(j) Decisions are responsive to changing economic, environmental and social circumstance	The proposal is intended to provide additional capacity as appropriate when considering the nature of this site.
	(k) Principles and policies are reviewed for possible correction, replacement or repeal where negative unintended consequences are identified.	The CCRLUS has been through a minor review since its introduction and is currently undergoing the first major review. The draft of this major review may be available at the time of final assessment of this proposed scheme amendment.
	(l) Maintain and enhance state, national and internal connectedness and competitiveness.	The potential interactions in this matter are limited. The site is best suited to a use which services the local community, without significant impact on the broader aspects listed.
	(m) Assessment processes and decision criteria are specific, measurable, reasonable, robust and attainable	The proposed scheme amendment does not modify the assessment process for the spatial area to which the proposal applies. Any future development on the impacted area will be subject to the standard assessment provisions.
	(n) Market based mechanisms and incentives are used as an alternative to regulatory control wherever feasible	Market based mechanisms would be allowed to dictate the future use of the site within the proposed amendment (i.e. residential or other use). No future impact would occur.
	(o) Decisions and actions provide for broad community involvement on issues which affect them.	This particular proposal relies on multiple layers of community involvement through: • Landowner consents; • Council (as planning authority) processes; and • Public notification. Additional public involvement, as well as the involvement of adjoining landowners where applicable, and State Growth will be incorporated under the legislation for future change in use of the land.
1.6	Coordination	Noted.
1.7	Continuous improvement	The proposed scheme amendment does not modify any of these listed requirements in order to continue implementation of the CCRLUS.
1.8	Monitoring and review	This application, along with the recent and upcoming assessments of other scheme amendments, will contribute to the next review of the CCRLUS, whether the amendments are approved or rejected.

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1.9	Public Engagement	The statutory engagement processes will be required if the amendment is initiated.
Wise Use of Resources		
2.1	Context	Whilst the site has long been converted from the natural state, the proposal must be considered for its interaction between development, and remnant vegetation / habitat, as well as water management.
2.2	Land Use Outcomes for Wise Use of Resources	The proposal is intended to provide for optimum use of land and resources, through: • Utilising land which is not appropriate for other activities; • Utilising land which has the ability to manage stormwater appropriately; and • Opening opportunity for additional land uses on land that has been converted from natural state. The outcomes of 2.2 are achieved.
Changing Climate		
2.3a	Promote outcomes which reduce carbon emissions and increase energy efficiency in a manner consistent with and appropriate to furthering declared Commonwealth and State Policies and targets.	The proposal is intended to allow development within a fully serviced area.
2.3b	Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, health care, retail and personal services and social and recreation facilities, including – i. A greater mix and less dispersal or segregation in the nature and distribution of land use; ii. Provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socialising clustered at readily accessible locations;	The boundaries of the proposal are within the existing urban serviced land, including the Bass Highway.  *Figure 1 Water serviced land*

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	iii. Improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options; iv. Increase in urban densities for residential and commercial use; v. Location of employment opportunities within a greater number of centres and at a rate commensurate with local need; vi. Minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations.	 *Figure 2 Sewer serviced land* The amendment would provide opportunity for consolidation of existing urban densities, without the loss of additional land that could be utilised for other purposes (eg agriculture) or natural areas.
2.3c	Facilitate opportunity for resource processing, manufacturing and utility development in locations which minimise distances for freight transport, energy distribution and journey to work.	The proposed amendment would provide opportunity for supporting services for these listed uses in a manner that is appropriate for an area that is in close proximity to residential use. The alternative would be to relocate the use in the Burnie industrial area, where there is an identified shortfall in industrial land, or the Burnie airport industrial area, thus increasing travel times and freight transport.
2.3d	Promote energy efficient urban places and facilitate energy efficient buildings through design and construction requirements for subdivision layout, building disposition and the use of materials and landscaping which maximise solar access and natural lighting, natural heating, cooling and ventilation, and the use of low energy and recovered materials, energy and resources.	The proposed scheme amendment is intended to ensure that the site can be redeveloped without negatively impacting adjoining properties. If the scheme amendment were not to go ahead, the site would likely sit vacant, with few opportunities for this site to be repurposed within the current land zoning due to site specific challenges, reducing the efficient utilisation of this space.
2.3e	Facilitate non-carbon energy alternatives, renewable energy and energy recovery projects which enhance transition to a carbon-neutral society, including – i. stand-alone commercial scale installations in locations where there will be an acceptable level of impact on cultural, economic and natural resource values and on the amenity of designated sensitive use areas	The area is currently connected to the standard power supply, which, at its core, relies on carbon neutral hydro electric energy. The site also has capacity for extension of the solar installation existing on the adjoining use (eg shaded parking and storage areas).

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	ii. installations forming a directly associated and subservient part of a use or development iii. domestic scale installations in all locations.	
2.3f	Facilitate carbon capture and storage	There are limited opportunities for carbon capture and storage of any type on this site, regardless of the existing zoning or proposed scheme amendment. The proposed changes will not alter this.
2.3g	Apply sound risk management practices	The proposal does not alter the application of any risk management practices for the site. The main potential risks are, and will remain, traffic, stormwater / water management and a low risk of bushfire.
Water Management		
The quality of waterways and wetlands is considered within C7.0 Natural Assets Code (TPS), as well as the development provisions of the land zoning. Under the current land zoning, the amendment proposed, or rezoning to General Industrial, none of the provisions of the C7.0 Natural Assets Code Overlay apply to development on the site.		
2.4a	Use catchments as the ecological and hydrological unit of meaningful scale for planning and land management	This site can be seen as a potential for excellent WSUD, with the potential for inclusion of onsite stormwater retention if it would be beneficial to the area, particularly at the point of development and increase in non-permeable surfaces. This would be particularly beneficial on this site for the management of the existing stormwater / flood issue on the site and adjoining properties. The proposed development includes design(s) to address this matter.
2.4b	Identify the surface water and ground water features, hydrological function, and natural features and areas necessary for the ecological and hydrological integrity of catchments	Whilst there are stormwater channels on the site, there are no natural water sources. Any future development of the site would be required to manage onsite stormwater as required by the planning provisions. Designs have been included with the development proposal. It is noted that previous development proposals for sensitive uses have found this challenging due to resolve due to the type of development proposed under the existing applicable provisions. The proposed amendment would broaden the uses available on the site, allowing a wider range of solutions for the site.
2.4c	Require catchments, natural water courses and water bodies be adequately buffered against likelihood for resource development, economic activity, utilities and settlement to have adverse effect on- i. existing and known likely drinking water supplies ii. surface water, ground water, and water bodies susceptible to impact due to	Scheme amendment of this site has no potential to impact (i) or (iii). Redevelopment, regardless of scheme amendment, will be required to be cognisant of (ii), particularly management of stormwater on the site and the interaction with the road to the north. This can be managed on site through standard procedures through a development application.

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	extraction water or the addition of nutrients, sediments and pollutants iii. hydrological function of water, including its chemical and physical properties and its biological interaction with the environment.	
2.4d	Limit modification of natural drainage systems, including change in channel alignment and in the nature of the stream beds and flow rates.	The amendment does not propose modification of any natural drainage systems, with the drainage systems, such as they are on the site, not being natural. Any modification of these into the future would be required to be designed and approved to the satisfaction of the stormwater authority at that point.
2.4e	Impact on water quality by runoff from adjacent use or development	The amendment would not impact (e). The proposed development would have the potential to improve the current situation, with onsite stormwater detention reducing flooding.
2.4d [sic]	Promote sustainable water use practices including water harvesting and recycling such as Water Sensitive Urban Design for stormwater and waste water.	The proposed amendment does not directly impact the sustainability of the water use practices on the site. The proposed development does provide and allow for upgrades to the site which may include WSUD.
2.4e [sic]	Require retention and rehabilitation of native vegetation within riparian and foreshore areas	There is no valuable vegetation on the site.
2.4f	Require urban… land use or development incorporate measures… in accordance with the Tasmanian State Policy on Water Quality Management 1997 and Tasmanian State Stormwater Strategy 2010	The planning scheme is structured to ensure that all future development on this site would comply with these requirements. In addition, the Tasmanian State Policy on Water Quality Management is addressed in further detail in this document.
Land		
2.5a	Recognise land is an irreplaceable and exhaustible resource	The proposal intends to maximise utilisation of land that is currently underutilized, without the loss of land that is valuable for other purposes.
2.5b	Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social benefit for the region's communities at least cost to natural values.	The site has already been converted from natural values, as is visible from site inspection. The current zoning provides for restricted opportunity for economic or social benefit from development, due to site specific challenges. The proposed amendment would provide for alternative use of land with greater economic and social benefit.
2.5c	Identify land for:	The site is not suitable for i or ii.

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	i. Protection and conservation; ii. Primary production; iii. Economic activity; iv. Settlement; v. Community, transport and utility infrastructure; vi. Tourism and recreation.	The site has potential for use within the bounds of iii through vi within the land zoning provisions. The proposed amendment is intended to broaden the scope of what is possible in response to iii. The proposed scheme amendment is intended to allow for flexibility to adapt between land uses, dependent on demand.
2.6	Land Use Policies for Air	The proposed scheme amendment would result in capacity for development that is required to comply with a - c.
2.7	Conservation	The spatial application of the proposed scheme amendment has no potential to impact on natural or conservation values. Natural processes ie stormwater would be required to be managed as part of any future development of the site.
2.8	Coastal Management	The site sits along the extensively developed north west coast line. The subject land sits within an area that is already developed, thus not expanding linear development further in accordance with a. No new areas of intact coastal environment would be developed, no areas of high natural values would be impacted, in accordance with b and d. The area is mapped as at risk from coastal erosion hazard. For this to occur, the Bass Highway would need to erode, or the stormwater / flood issue in the area would need to remain unaddressed, exacerbating the risk to the Bass Highway. The proposal includes a stormwater and floodwater management upgrade, thus reducing the risk of coastal hazard to the site and the established state infrastructure to the north. The uses proposed to be made possible are those which are able to rapidly adapt in times of a large stormwater event, thus the risk is minimal. The proposal is in keeping with c. The proposal is intended to provide for more opportunity for development within an established settlement in accordance with e.
2.9	Land Use Policies for Cultural and Historic Heritage	The proposed scheme amendment does not impact the application of the C6.0 Local Historic Heritage Code. The application of the Aboriginal Heritage Act 1975 is not impacted by this proposal. This is consistent with the outcomes sought by 2.9.

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Support for Economic Activity		
3.1	Context	Noted.
3.2	Land Use Outcomes to Support Economic Activity	The spatial application of zones provide opportunity to continue to support economic development consistent with the outcomes sought by 3.2. This proposed scheme amendment encourages the redevelopment of the site for economic activity allowing for use to occur complementary to the surrounding land uses.
3.3 Economic Activity and Jobs		
3.3.1	Economic Activity	As per the supporting report, the land is restricted in the provision of the economic activity for which it is zoned (residential). The proposal would provide for an alternative, should the market demand.
3.3.1a	Facilitate supply of employment land in all settlement areas for industrial, business and institutional use including in residential locations.	The proposed amendment would provide for a broader range of employment opportunities on the site.
3.3.1b	Recognise the implication of enhanced capacity in digital communication to diminish location dependencies for economic activity and provide the Region with competitive equality and opportunity for new business ventures in non-traditional sites.	No impact.
3.3.1c	Ensure locations for employment use accommodate new forms and changing patterns of economic activity	The proposal would provide for additional opportunity for economic activity, to support an existing activity.
3.3.1d	Promote provision of employment land in locations where – i. Land is physically capable of development; ii. Transport access and utilities can be provided at reasonable economic, social and environmental cost; iii. There is access to resource, energy, communication and workforce; iv. Sufficient separation can be provided to buffer impact on natural values, economic resources and adjoining settlement	This site is serviced and accessible for transport and utilities. Separation can be provided to the existing residential settlement area(s).

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3.3.1e	Protect designated economic activity and employment lands against intrusion by alternate forms of use or development	The proposed scheme amendment would provide for more flexible use of the land in a manner that is compatible with the existing economic activity to the west and the residential activity to the east and south.
3.3.1f	Indicate necessary infrastructure must be planned or available and protected to support current and forecast employment needs	The site is able to be fully serviced.
3.3.1g	Convert employment land to non-employment use only where – i. the land is not required for the employment purpose for which it is designated; or ii. the land is incapable of effective use for employment purposes over the long-term; and iii. conversion will not adversely affect the overall efficiency of other employment land in the vicinity; iv. there is a need for the conversion; and v. the land is suitable for the proposed alternative purpose	It is not proposed to convert the land away from employment use.
3.3.2	Natural Bio-Resource Production	The proposal does not impact Bio-resource production.
3.3.3	Agricultural Production	The site is not suitable for agricultural production, regardless of zoning, nor do any of the existing or proposed scheme provisions result in potential impact on agricultural activity on another site.
3.3.4	Mineral, Construction Aggregate and Stone Resource Construction	The site and scheme amendment do not interact with any areas of mineral or resource extraction.
3.3.5	Sustainable Tourism	No interaction.
	a. facilitate tourism operations and facilities in locates that –	No interaction.

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	i. leverage attraction and uniqueness of authentic experience in natural and wild places, including iconic destinations ii. integrate with other economic activity, including agriculture and mining iii. capitalise on natural and cultural heritage and landscapes iv. provide choice and diversity in character, distribution and scale	
	b. protect attributes which attract and enhance tourism experience in the vicinity of designated tourist trails, identified points of interest and high value environmental, cultural and scenic sites	No interaction.
	c. promote nature based and cultural tourist-oriented development in conservation and natural value locations	No interaction.
	d. promote tourism incidental to resource, industrial and settlement activity	
	e. require tourist facilities are environmentally and socially sustainable with appropriate standards for transport, water supply and waste water infrastructure	No interaction.
	f. integrate tourist experience and infrastructure into settlement centres to support and reinforce economic function	No interaction.

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	g. avoid alienation and displacement of local communities and significant change in local character, function and identity	No interaction.
	h. ensure regulatory requirements and approval processes do not unduly direct or restrain the location, nature and flexibility of tourism operations and visitor accommodation	No interaction.
3.3.6	Visitor Accommodation	Minor interaction only. The existing zoning provides consideration for visitor accommodation, within restrictions. The proposed modifications do not alter this.
3.3.7	Energy Generation	Minor interaction only. Potential energy generation would be limited to a shade structure over the parking that may provide solar panels. This would be required to be assessed under the existing provisions of the General Residential zone, particularly clause 8.5.
3.3.8	Manufacturing and Processing	Minor interaction only. The proposed zoning would remove the capacity for Manufacturing and Processing. Under the current zoning, only limited operations would be possible due to the requirements under clause 21.3.1.
	a. recognise distinction between industry with an export focus and industry required to service and support local settlement areas	The associated business services both local and larger areas.
	b. cluster manufacturing, processing and bulk storage and handling in locations where there is clear advantage for industry though – i. availability of large suitable land sites ii. proximity to resource or workforce iii. secure access to available or planned transport and utility infrastructure iv. established pattern of industrial use v. reasonable ability to buffer against impact on other land uses	The proposed amendment and associated development is intended to take advantage of the existing available land adjoining the large site, where it is clear that this land is subject to significant restriction under the existing land zoning. The proposed mechanism is intended to manage (v), thus maintaining separation between the operations on the main site and the nearby residential uses.
	c. promote transport and storage activities in locations with access to strategic transport infrastructure and high productivity vehicle access freight corridors, including sea and air	The proposal includes development of storage. This would be in close proximity to the existing operation(s), and along a main transport and freight corridor, including access to the Bass Highway, Burnie Port and Wynyard airport.

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	ports, major road junctions and rail yards and avoid further dispersal onto new or under developed networks	
d.	enable new discrete sites only where there is a need for processing close to source or for significant separation from other activity	No new discrete site is proposed.
e.	rationalise and reduce fragmentation of existing industrial land locations to increase efficiency of use and to reduce impact on adjoining lands	The proposal does not intend to result in fragmentation of industrial land.
f.	provide land for service and support industries, including trade, construction and fabrication, maintenance, repair, distribution and transport in all settlement areas	The proposal would support the existing industry.
g.	segregate local service industries from large scale manufacturing, process and transport activities	No impact.
h.	locate new industrial land to avoid adverse impact on other land uses and natural or cultural values or high volume transport routes or facilities and buffer against encroachment	No new industrial land is proposed. The mechanism proposed is intended to utilise existing transport routes whilst buffering against encroachment upon the residential uses.
i.	restrict intrusion by development that may displace industry through competition for cheaper land or by use conflict, including for bulky good and large format retailing and recreation	Not applicable.
j.	promote small scale value adding industries that compliment primary production,	Not applicable.

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	including packing, processing, storage and tourism	
	k. promote on-site energy generation and waste recovery systems	The potential for these systems would be retained through the proposal and may include stormwater management and energy generation (e.g. solar panels on a roof / awning over the parking or storage uses. No roof is proposed at this point in time, however the provisions are sufficient to provide for assessment of such, should it be proposed.
	l. promote flexibility in development requirements to accommodate new forms of manufacturing and processing and change in existing arrangements	The proposed SSQ would provide for flexibility as detailed.
3.3.9	Business and Commercial Activity	Minimal interaction.
	a. facilitate convenient access in each settlement area to food and convenience goods, retailers and services	-
	b. promote the distribution of higher order retail goods and service 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	-
	c. 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.	-
	d. promote integration of neighbourhood retail and service provision into residential areas at	-

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	a scale, location and disposition suitable to service local need	
e.	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	-
f.	promote increased mix of land use, including for housing, within accessible business centres to encourage viability and vitality	-
g.	prevent linear commercial development	-
h.	prevent leakage of commercial and retail activities form preferred locations by restricting retail sales in other land use areas	-
i.	provide designated locations for bulky goods and large format retailing, including for vehicle, building and trade supply, and home improvement goods	-
j.	restrict sale of food, clothing and carry away consumables through bulky goods and large format retail outlets located outside town centres	-
k.	require proposals for major business or commercial development outside designated town centres be supported by need, absence of suitable of alternative sites and of potential for immediate, incremental or cumulative adverse affect on established town centres	

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	and the regional pattern of retail and service provision	
3.3.10	Micro-Enterprises	Not relevant.
Places for People – Livable and Sustainable Communities		
4.1	Context	The proposal is intended to be in keeping with the existing settlement, supporting employment within the Cradle Coast region.
4.2	Land Use Outcomes for Livable and Sustainable Communities	The proposal does not result in any modification to the settlement hierarchy. The site and proposal utilises existing services and infrastructure.
4.3.1	Urban Settlement Areas	
	a. promote established settlement areas as the focus for growth and development	The proposal is intended to support an established settlement area.
	b. promote optimum use of land capability and the capacity of available and planned infrastructure service	The site is able to be fully serviced by infrastructure.
	c. match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years, unless a contemporary land supply and demand analysis demonstrates that additional urban land should be made available to accommodate growth.	The proposal does not have any significant interaction with the provision of sufficient land for growth. The land would retain the ability to be utilised for residential purposes.
	d. accommodate growth and development for each of the centres identified in Table 4.3 through either – i. a *Stable Growth Strategy* which restricts new development to existing land supply	

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	within the designated urban boundary without priority for intensification; or ii. a *Contained Growth Strategy* which promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.	
	e. Notwithstanding the categorisation listed in Table 4.3, where a contemporary land supply and demand analysis indicates that additional land should be made available to accommodate growth, the designated growth scenario or settlement strategy may be varied where: i. The land supported urban consolidation or is contiguous to established urban areas; ii. The land will service any shortages identified in a land supply and demand analysis; iii. Growth is identified in any current local land use strategies or settlement structure plans endorsed by the Council;	As above.

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	iv. The land can be supplied with reticulated water, sewerage and stormwater services; v. Growth is aligned with the capacity of transport and road infrastructure and minimises impacts on the efficiency and safety of road and rail networks; vi. Regard is given to minimising the potential for land use conflicts; and vii. Regard is given to the accessibility to social infrastructure, such as health and educational facilities, and its capacity to provide for the intended growth.	
	f. provide a pattern of settlement which maintains – i. separated towns, villages and communities ii. visual and functional transitional space between each individual centre iii. absence of linear development or expansion aligned to coastline, ridgeline, or river or road frontage	As above.
	g. Implement structure plans and regulatory instruments for each centre which – i. identify arrangements for intensification through infill, redevelopment and conversion of vacant and under-	No change.

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	developed land, including for intensity of buildings and density of population ii. identify arrangements for the expansion of urban boundaries when – a. there is insufficient capacity within existing designated land to accommodate forecast growth b. areas of expansion are contiguous with established settlement areas c. sequence of release is progressive from established settlement areas and consistent with the capacity and orderly provision of infrastructure services d. compact urban form is retained iii. Embed opportunity for a mix of use and development within each centre sufficient to meet daily requirements for employment education, health care, retail, personal care and social and recreation activity. iv. Avoid encroachment or adverse impact on places of natural or cultural value within the designated urban boundary v. Avoid exclusion or restraint on areas significant for natural or cultural value, resource development or utilities in the vicinity of the designated urban boundary	No natural values are negatively impacted as per the site specific review.

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	vi. Minimise exposure of people and property to unacceptable levels of risk to health or safety	No people or property exposed to unacceptable levels of risk.
	vii. Promote active and healthy communities through arrangements for activity centres, public spaces and subdivision layout which facilitate walking and cycling	No change.
	viii. Buffer the interface between incompatible use or development	The proposal would provide a form of buffering between the industrial and residential land uses on adjoining sites.
	ix. Facilitate any agreed outcomes for future character	N/A
	x. Facilitate reduced carbon emission and improved energy efficiency through requirements for the orientation and placement of lots and buildings, access to solar energy and daylight, and the application of energy generation and efficiency technology and construction techniques	N/A
	xi. Acknowledge the transient and cyclic nature of resource-based activity etc.	N/A
	xii. Acknowledge the specialist role of centres such as etc.	N/A
4.3.2	Rural – Residential Settlement Areas	Not applicable.
	Rural residential is a legitimate housing option and should be located without: - Creation or increase in demand for inefficient infrastructure and service provision - Compromise for future urban settlements;	

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	- Unreasonable risk to people or property; and - Unreasonable impact on resource development, natural and cultural values.	
4.3.3	Rural Land	Not applicable.
4.4	Protecting People and Property Land use planning is to direct the places where people live and work away from areas where there is an unacceptable level of risk for the health and safety of people, property and the environment from natural or man-made hazard.	The Tasmanian Planning Scheme provides for a range of codes concerned with protecting people and property from risk of landslides, bushfire, coastal inundation, coastal erosion, flooding and site contamination, amongst others. These would be applicable as is standard under the TPS. Most applicable to this site is that of the C12.0 Flood Prone Areas Code, which would be required to be addressed in detail in any development design. A detailed submission is provided in response to this code, but can be summarized as follows: - No sensitive use is proposed - The application is accompanied by supporting report(s) by suitably qualified persons concluding that the proposed stormwater works will reduce the flood risk for the site and adjoining properties; and - A tolerable risk is able to be maintained for the lifetime of the use and development as proposed.
	a. Recognise land exposed to future or enhanced risk is a valuable and strategic resource that should not be sterilized by unnecessarily excluding use or development	This is particularly applicable to this site, and the discussion over this proposal. The current zoning provides for very limited utilisation of the site due to the flood risk, in order to protect human life. The proposed SSQ allows for what is possible to remain possible (regardless of whether it would be financially viable or not due to mitigation works and restricted area for development), whilst allowing for consideration of other uses for the site, uses that are not as sensitive to flood risk and are able to be more responsive, should flooding occur.
	b. Establish the priority for risk management is to protect the lives of people, the economic value of buildings, the functional capacity of infrastructure and the integrity of natural systems	The proposal would result in the potential for development of this site in a manner which does not put people at risk, whilst allowing for economic activity on the site. The development would also result in an improvement to the stormwater management systems, thus improving, albeit indirectly, the natural systems in the area.
	c. Avoid new essential service, sensitive or inappropriately located use or development on undeveloped land exposed to or affected by a high level of an existing, likely future or enhanced risk, including from inundation and erosion by the sea, flooding, bushfire or landslip	No new essential service or sensitive use is proposed, or would be made possible under the proposal. Storage would not be able to include potentially contaminating materials, or storage of potentially contaminating materials in such a way that it may cause risk in the event of a flood.
	d. Limit opportunity for expansion of existing essential service, sensitive or inappropriately located use and development onto land	The proposed SSQ would not result in additional opportunity for essential service or sensitive use under the proposal. Storage would not be able to include potentially contaminating materials, or storage of potentially contaminating materials in such a way that it may cause risk in the event of a flood.

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	exposed to or affected by an existing, likely future or enhanced level of risk	
e.	Limit opportunity for redevelopment and intensification of existing essential service, sensitive or inappropriately located use or development on land exposed to or affected by an existing, likely future or enhanced level of risk unless the impact can be managed to be no greater or less than the existing situation	No essential service or sensitive use would be facilitated. Storage and parking are uses which could be relocated rapidly should this be required in a flood event.
f.	Promote guidelines and technical measures that which will assist to reduce impact of an existing, likely future or enhanced level of risk and make existing strategically significant places, uses, development and infrastructure assets less vulnerable, including provision for protection, accommodation and abatement, or retreat	Limited interaction.
g.	Require a hazard risk assessment for new or intensified use or development on land exposed to an existing, likely future or enhanced risk, such assessment to address the nature and severity of the hazard, the specific risk factors for the proposed use or development and the measures required to mitigate any risk having exceedance probability of greater than 1% at any time over the life of the development.	The planning scheme provides the Flood Code for this purpose.
h.	Ensure current and future landowners and occupiers are put on notice of the likelihood for a future or enhanced level of risk.	The current and future landowners are aware.

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	i. Are to incorporate appropriate arrangements in use and development for managing risk, including measures for avoidance, adaptation and mitigation, and for protection or retreat. In this regard- i. Reliance on the availability of emergency service response is not an acceptable measure to mitigate, manage or avoid risk; ii. Priority is to be given to risk protection measures which do not involve provision of hard engineered and structural defence systems; iii. Use or development will avoid need for future expenditure of public funds to ameliorate the impacts of increase in the level or exposure to risk; iv. Interference with or modification of natural processes must not occur in order to reduce risk.	The management plan for the site does not include reliance upon emergency services. No hard engineered responses are proposed, outside of the stormwater management system, which is standard in an urban area and is not a retaining wall or similar hard engineered response. No public funds would be required to manage the risk and no natural processes are proposed to be modified, with the stormwater on the site already significantly modified as per all urban areas.
	j. Should avoid use and development on lands where there is an unacceptable level of risk unless there is an established pattern of settlement or use and it is intended to allow for the continued viability of the established users and to address any significant social and economic hardships to the community that would result from strict adherence to the policies concerning use and development on hazard prone land, and provided –	An acceptable level of risk for the proposed uses has been established.

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	i. It is not intended to allow for new or intensified use or development; ii. There are no feasible opportunities for such development outside the hazard prone area; iii. The use or development is limited to uses which by their nature must locate on hazard prone land; iv. Development involves minor additions or passive non-structural works which do not exacerbate risk; v. The effects and risks to public safety are minor and can be addressed in accordance with endorsed standards for protection, mitigation or management vi. New hazards are not created and existing hazards are not exacerbated vii. No adverse environmental impact will result	
	k. Should not provide for use and development where there is an unacceptable level of risk for – i. Sensitive use or development including housing, hospital, community facilities or schools where there are threats to the safe evacuation of people as a result of a natural hazard or the failure of a hazard	None listed under (i) or (ii) are proposed. The materials to be stored on site are those which are usually stored outdoors on the main site, and their associated legislated requirements. If there is significant concern, a qualification under the SSQ is able to be added to ensure that storage in this area is not to include substances which are normally considered to pose a danger to public health, safety and the environment.

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	management measure or protection works ii. Strategic infrastructure and emergency service, the operation of which would be impaired in an emergency; iii. Uses associated with the disposal, manufacturing, treatment or storage of substances which are normally considered to pose a danger to public health, safety and the environment	
4.5	Facilitating access to business and community services	The proposal is intended to integrate with the existing land uses and businesses.
4.6	Housing Land – Places to Live	
	Land use planning processes- a. identify at all times the ability to accommodate forecast housing demand for a minimum future period of 10 years through either, or a combination of – i. infill, redevelopment or increased densities within each settlement area ii. on land designated for settlement growth and immediately available for residential development under the planning scheme b. Facilitate choice and diversity in location, form and type of housing to meet the economic, social, health and well-being requirements and preferences of all people	The proposal does not alter the potential of the land to be utilised for housing.

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	c. Direct development for new housing into locations where appropriate levels of employment, business, infrastructure and community service facilities are available or planned d. Promote higher dwelling density to optimize use of land and infrastructure and community service facilities e. Rationalise or remove opportunity for housing in locations where oversupply is identified, and in locations where access, servicing, safety or impact are unacceptable j. Require housing land is separated from and buffered against adverse effect from existing and potential adjacent non-residential use f. Provide land for housing development requirements which do not unreasonably or unnecessarily constrain – i. efficient use of land and infrastructure ii. housing market or supply iii. location of housing outside designated residential estates iv. tenure, including for public housing, rental and temporary accommodation v. accessibility and affordability vi. diversity in type, mix and density…	

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	vii. housing for the elderly, disadvantaged and disabled viii. orientation, configuration, design, materials and technologies ix. inclusion of housing in business and mixed use areas g. Facilitate housing forms which incorporate climate sensitive design, the use of low energy materials, reduction in waste and emissions and technologies which encourage efficient water and energy use h. Provide for housing in rural areas… N/A	
4.7	Healthy and Educated Communities	No impact.
4.8	Active Communities	No impact on the implementation of the Tasmanian Open Space Policy and Planning Framework 2010 or the Cradle Coast Regional Open Space Strategy 2009.
Planned Provision for Infrastructure		
5.1	Context	The proposal would utilise existing infrastructure, with upgrades to stormwater management..
5.2	Land Use Outcomes for Integrated Land Use and Infrastructure Planning	The proposed scheme amendment would result in the utilisation of existing infrastructure.
5.3 Integrated Land Use and Infrastructure Planning		
	Land use planning processes - a. are integrated and coordinated with strategies, policies and programs contained in or derived from the Tasmanian Infrastructure Strategy planning process	The proposed scheme amendment would result in the utilisation of existing land use planning processes.
	b. Recognise existing and planned infrastructure provision for services and utilities	The site has full access to services and utilities under both the current and proposed provisions. They are currently not utilised under the existing zoning due to flood risks.

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	c. Promote compact contained settlement areas to – i. assist climate change adaptation and mitigation measures ii. optimize investment in infrastructure provision	The proposed change in zoning would be located within established settlement area(s), in accordance with c.
	d. Direct new and intensified use or development to locations where there is available or planned infrastructure capacity and function appropriate to the need of communities and economic activity	The proposed change in zoning would result in supporting the redevelopment of the site and utilising existing infrastructure without exceeding current capacity. Currently, these services are not being utilised.
	e. Require the scale and sequence of growth and development be in accordance with arrangements for the provision of infrastructure	There are no known issues with services in this area.
	f. Require use or development optimize capacity and function in available and planned infrastructure services and utilities	
	g. Restrict use or development in locations where provision or upgrade in capacity or function of infrastructure services and utilities cannot be economically or sustainably provided	
	h. Recognise strategic and substantial infrastructure assets such as airports, railways, major roads and seaports as a distinct land use category.	The proposal would interact with the Bass Highway, local road network, Burnie Port and potentially the Burnie – Wynyard airport.
	i. Protect infrastructure assets, corridors, facilities sites and systems from use or development likely to create conflict or	There is no potential for negative impact, due to the protections provided within LUPAA and the Tasmanian Planning Scheme. A TIA has been provided for site specific assessment.

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	interference to the operational capacity, function or security of services and utilities including for road and rail corridors, airport and seaport land, energy generation and distribution corridors and water catchment and storage areas.	
	j. Minimise permit and assessment requirements for works involving replacement or improvement in the capacity function or safety of existing infrastructure	N/A.
	k. Limit use or development which has no need or reason to locate on land within an infrastructure corridor, facility or site	N/A.
	l. Promote infrastructure corridors, sites and facilities	N/A.
5.4 Transport Systems – moving freight and people		
5.4.1	Integrated Planning	The proposed scheme amendment would result in the utilisation of existing infrastructure. Any future development application would be subject to the standard provisions of the planning scheme in force at that time.
5.4.2	Sea Transport	The development is to support an existing business which may utilise the Burnie Port.
5.4.3	Air Transport	The development is to support an existing business which may utilise the Burnie Airport.
5.4.4	Road Transport	The proposal does not intend to change the application of the relevant codes or provisions within the Scheme. There is existing access to the existing road network. A TIA has been provided for the proposal. The development would result in separation of heavy from light vehicles for the site, without an additional access point to the State Growth road.
5.4.5	Rail Transport	Not applicable.
5.4.6	Active Transport	No impact.
5.5	Energy Systems – generation, distribution and supply	No impact.

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5.6	Supply of Water	The scheme amendment would provide the capacity for site redevelopment, which may include WSUD and potentially site-specific alternative water systems if appropriate.
5.7	Information Technology – moving data, information knowledge and services	No impact.
5.8	Policies for Waste Management	The scheme amendment would allow for site improvements outside those provided for existing potential land uses.
5.9	Community Services Land Use accommodates arrangements for community service facilities appropriate to meet the needs of the local and regional population.	No impact.

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