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Section 37(1) APPLICATION

Rezoning

6 Melrose Road, Aberdeen

CT13288/2



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	V2
	February 2026
	Spreyton Rezoning Application
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This statement has been prepared by Theresa Williams, urban and regional planner, Registered Planner	

EXECUTIVE SUMMARY

It is proposed to rezone the land at CT13288/2 known as 6 Melrose Road, Aberdeen, to General Residential, in keeping with the adjoining land use. The site is currently zoned as Agriculture.

The proposed rezoning seeks to:

- Extend the existing General Residential zone out to the existing physical and logical barrier of Tarleton Road;
- Provide for the opportunity to develop the site to assist in addressing the shortfall of General Residential land within the Devonport Municipal area;
- Remove the Natural Assets – priority vegetation overlay from the site; and
- Apply the Natural Assets – waterway and coastal protection area overlay as existing.

This submission is intended to demonstrate that:

- The site is not appropriate for agricultural use or zoning;
- The General Residential zone is appropriate for this site;
- The existing provisions within the General Residential Zone are sufficient to appropriately manage the use and development of the site;
- The proposal furthers the Objectives of the Resource Management and Planning system as set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*; and
- The proposed amendment will provide for land uses on the site which are compatible with that underlying zoning.

1. INTRODUCTION TO PROPOSAL

1.1. Rezone from Agriculture Zone to General Residential Zone

The proposed amendment seeks to rezone the land from Agriculture to General Residential. The proposal does not seek to amend any overlays or provisions over the site, outside the automatic adjustments that occur with a change in zoning as proposed.



Figure 1 Aerial photo of land proposed for rezoning (boundaries approximate- Listmap)

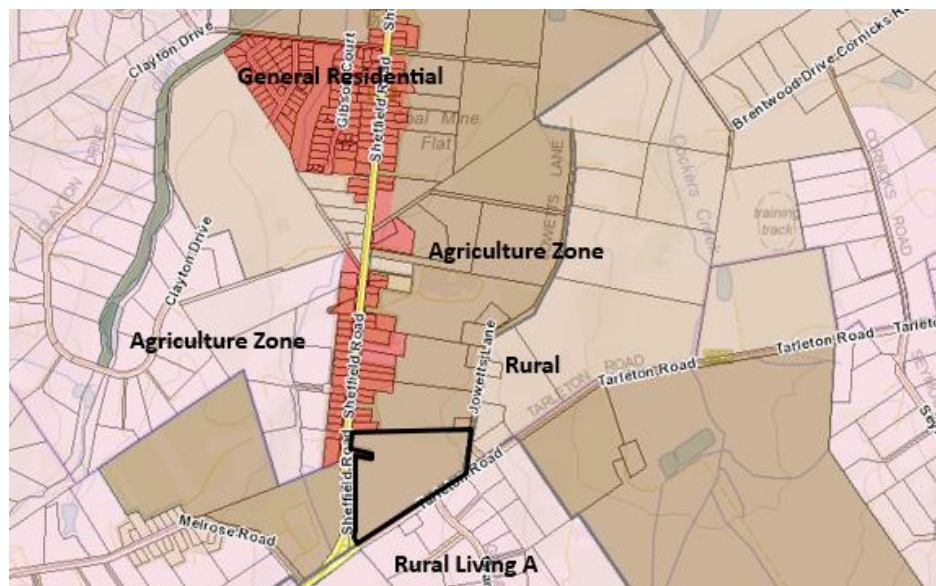


Figure 2 Land to be rezoned from Agriculture to General Residential (Listmap)

Table 1 Planning Overview

Element	Details		
Property	Address	PID	Title
	6 Melrose Road, Aberdeen	2259091	CT13288/2
Land Area	6.36ha		
Existing Use	No current use		
Historic Use	Orchard and grazing		
Planning Instrument	Tasmanian Planning Scheme - Devonport		
Existing Zone	Agriculture Zone		
Proposed zone	General Residential		
Current Overlays	Bushfire Prone Areas Natural Assets Code (waterway and coastal protection area)		
Proposed Overlays	No change		
Existing Specific Area Plan	Nil		
Planning Directives	Nil applicable		

1.2. Draft Amendment

The draft amendment is limited to the proposed change in land zoning. No other changes are proposed.

2. SUBJECT SITE AND SURROUNDS

2.1. Site context

The subject site is located at the southern end of Sheffield Road, at the intersection with Tarleton Road. The site is situated to the south of the Devonport township, at the border of three municipalities, Devonport, Latrobe and Kentish.

The property is bordered to the north and west by a mix of land within the General Residential and Agriculture zones, to the east by land within the Rural zone and to the south and the extended area by land in the Rural Living Zone A.

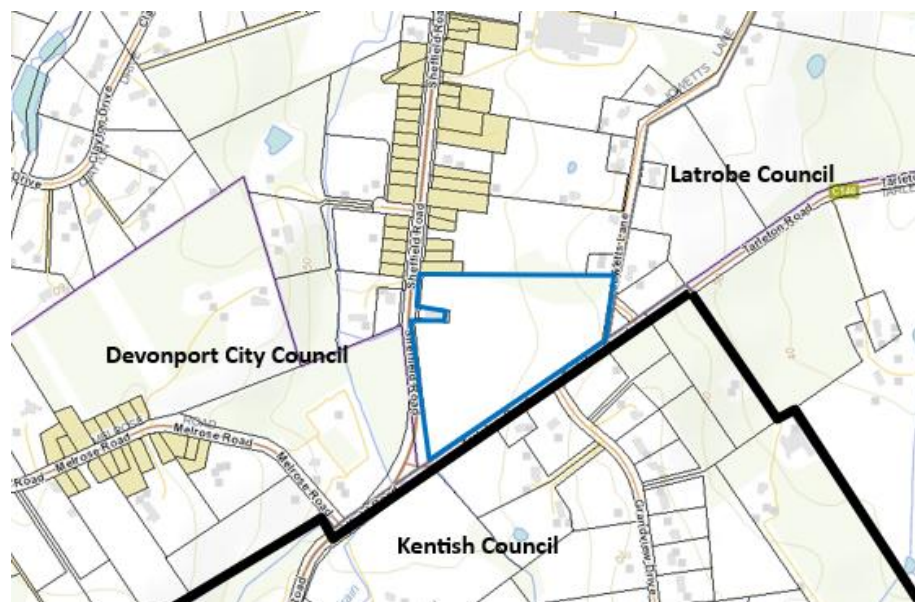


Figure 3 Municipal boundaries (Source: ListMap)

The site has in the past been utilised for orchards. When this use became unviable, additional crops and grazing uses were attempted. As detailed in the attached agricultural assessment, the site was found to be unsuitable for either use.

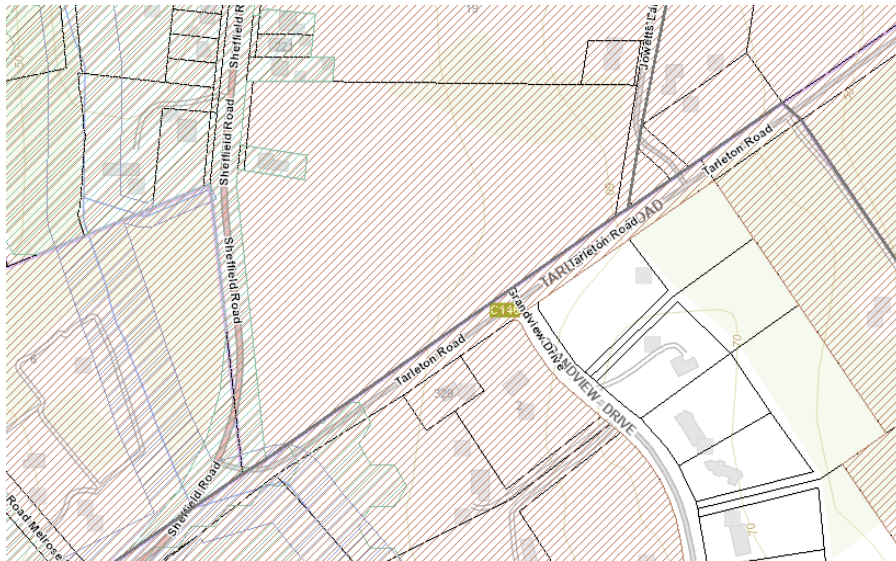


Figure 4 Scheme overlays, demonstrating the bushfire prone areas and waterway overlay currently applicable to the site. (Source: ListMap).

2.2. Site Photos

The following site photos are provided for context.



Figure 5 Site, from Tarlton Road, viewing west-nor-west across site. Existing dwelling and Spreydon Cider Co visible.



Figure 6 Adjoining dwelling (229 Sheffield Road), existing access from Sheffield Road.



Figure 7 Panoramic image of site. Taken from north western corner. Intersection of Sheffield and Tarleton Road on right side.



Figure 8 Existing man-made drain on site

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Figure 9 Spreyton Cider Co, across Sheffield Road. Foreground of image shows the area of this site that is not able to be irrigated or farmed intensively, forming a buffer between the orchard operations and residential uses.

2.3. Services

The site is within the sewer and water serviced lands and as such is capable of being fully serviced, subject to the developer at that point in time providing suitable infrastructure.

Stormwater management on the site at the point of development will require design solutions sensitive to the geography of the land. The existing drainage channels across the site, including the front boundary with Sheffield Road, will need to be taken into account.

Access for future development could be provided from Sheffield Road with excellent site distances and speeds already set for residential use. Secondary access may be available from Tarleton Road, should a traffic impact assessment of a proposed design indicate it to be appropriate, however it is not necessary for successful development of the site.

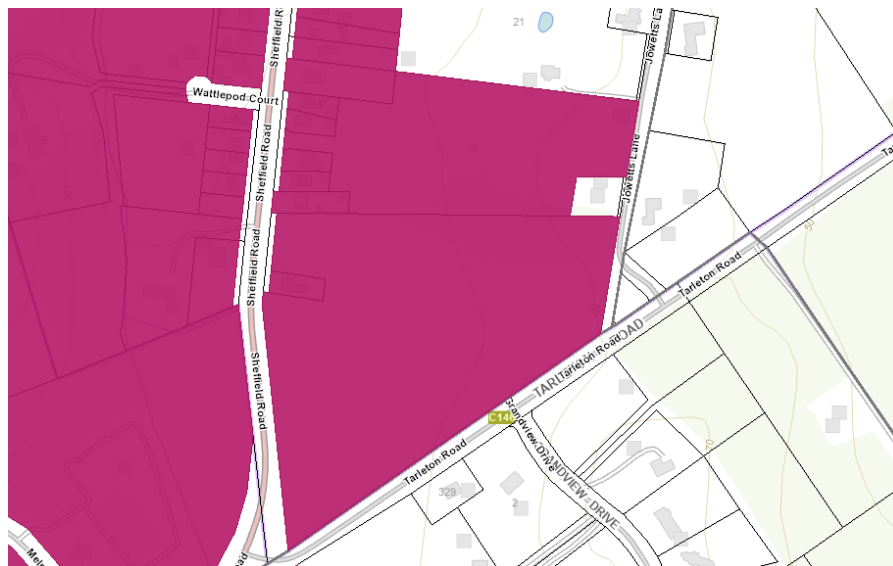


Figure 10 Sewer serviced land (Source: ListMap)

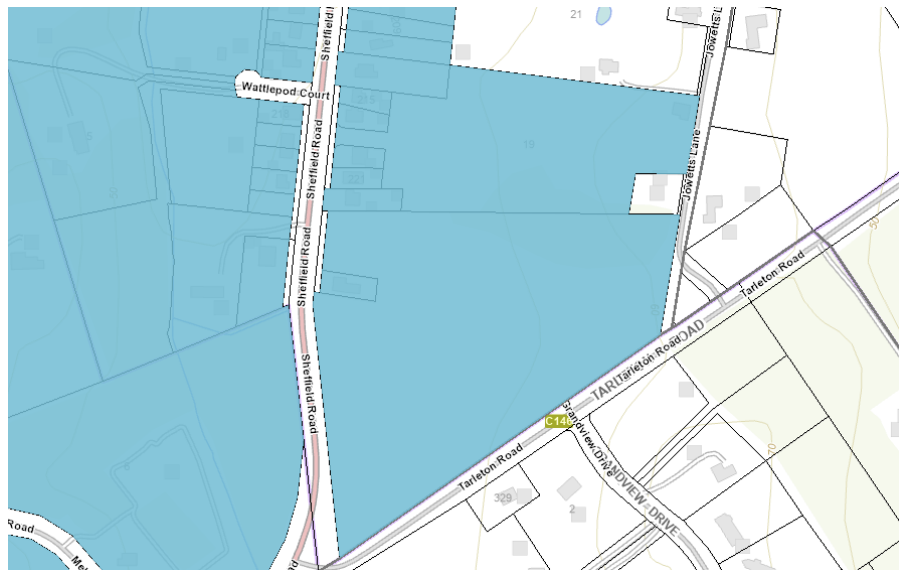


Figure 11 Water serviced land (Source:ListMap)

2.4. Natural values

The site contains existing mature pine plantation. There is no significant native vegetation on the site and no threatened flora or fauna identified in the state mapping. The application is supported by a natural values assessment.

There are currently exotic species growing on the site. There are no identified natural values of any sort, outside of the need to manage nearby drainage with sensitivity.

The proposed scheme amendment does not have any significant implications, given the lack of natural values on the site.

2.5. Aboriginal heritage

An online Aboriginal Heritage Property Search has been completed (attached as Appendix F. Records show identified Aboriginal Heritage to the west of the site. No records are available for the development area. Any future development will need to be sensitive to such heritage.

2.6. Potential hazards

There are no identified natural hazards outside the bushfire overlay. The site is considered to be of sufficient size and dimensions that an appropriate design can be resolved as part of any future subdivision, whilst accommodating the Bushfire Code.

3. PLANNING CONTEXT

3.1. Adjoining Municipalities

The site sits on the borders of the Devonport Municipality with Kentish and Latrobe Municipal areas, with the borders formed by Jowett's Lane and Tarleton Road.

The main consideration in relation to the proposed scheme modification for this site and the adjoining Municipal areas is that of the general supply of residential and agricultural lands. This is considered in more detail under the discussion of the *Cradle Coast Regional Land Use Strategy*.

3.2. Zone Comparison and Exploration of Alternatives

The proposed scheme amendment would provide for additional residential land in a municipality with an identified shortfall, on a site that can no longer sustain agricultural activities.

The most obvious alternative zonings are those adjoining the site, being Rural Living A and the Rural Zone.

3.2.1. Rural Living A

Under the Section 8A Guidelines, the Rural Living Zone A was initially designed to be applied to land that was within the pre-existing Rural Living Zone, unless it was consistent with the regional land use strategy or supported by additional strategic analysis (RLZ2). The site was not within the Rural Living Zone under the interim scheme. Both the Greater Devonport Residential Land Strategy and the CCRLUS are discussed in further detail below.

The site is not limited in services, nor are there significant natural value restrictions (discussed further below).

In summary, the site is identified in the Greater Devonport Residential Strategy for rezoning away from agricultural purposes to assist with residential supply in the Devonport municipality.

3.2.2. Rural Zone

The Rural Zone is intended for a range of uses that may require a rural location. Were this site to be transferred to the Rural Zone, a number of the current issues would remain, namely the restrictions on the site

as a result of the nearby residential uses. It is not considered to be an appropriate zoning of the subject land.

In conclusion, the proposed mechanism is considered to have sufficient protections for the surrounding uses, including existing agricultural activities, and land zonings and will operate effectively and cohesively to provide for the future practical and sensitive development of the site.

As such, potential alternatives are dismissed.

3.3. Potential Land Use Conflict

The subject site sits at the end point of the residential areas in Devonport. This land to the north remains in agricultural zoning, although production is limited (refer p.14 Appendix D) until approximately 600m north, due to site specific constraints, including the proximity of existing dwellings, limited access and slope. This land, including that which remains in agricultural production, has all been identified for further exploration for General Residential zoning.

The Devonport Municipality contains a number of areas where General Residential land sits alongside Agricultural land without any buffers (e.g. Caroline St / Upper Drew St, Cameray St / Autumn Drive) . On this site, the remaining land (barring that to the north) is protected by the existing road infrastructure from the majority of potential land use conflict. The land to the west, across Sheffield Road, currently contains an existing apple orchard and associated business operations. This site already directly adjoins land within the General Residential zoning. In addition, the portion of that site closest to the subject land are limited to hand watering or are unsuitable for orchard production and serve to provide greater amenity to the public facing portions of the cider business.

This issue is discussed in more detail in Appendices B and C.

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

3.4. Application of Codes

The site is currently subject to the:

- C7.0 Natural Assets Code – Waterway and Coastal Protection Area
A small portion in the south western corner of the property sits within this area and is proposed to be retained.
Consideration has been given to the inclusion of the onsite drainage channel into the overlay area. Given that this channel is not a natural

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channel, and no natural vegetation values have been found on the site, this consideration has been dismissed.

Sufficient consideration will be provided under stormwater management to ensure that this area is sensitively managed in any future subdivision of the site.

- **C13.0 Bushfire Prone Areas Code**
No change is proposed to this overlay.
The application is for the rezoning of a piece of land that has no particular barriers to being subdivided in accordance with the Code, with sufficient room for buffers where they may be required.

The proposed rezoning requires that the C7.0 Natural Assets Code – Priority Vegetation Overlay should be considered for application to the site (or part thereof). The report provided as Appendix E concludes that none of the vegetation on the site meets the requirements for protection and as such, it is not proposed to apply this overlay.

Table 2 Scheme review – Application of Codes

Reference	Interaction & comment
C1.0 Signs Code	Neither the existing nor the proposed zone provides significant capacity for signage. Any such signage would be subject to assessment under the Code at that point in time. Given the development potential of the site, this is not considered to be a significant change.
C2.0 Parking & Sustainable Transport Code	This Code would remain applicable. The future subdivision and development of the site would likely require design input from a qualified traffic engineer to demonstrate compliance. Given the existing speed limit(s) and sight distances, it was not considered to be necessary to have a traffic engineer make an assessment of the proposed rezoning.
C3.0 Roads and Railway Assets Code	This Code would remain applicable and would be assessed at the point of development. Again, due to the existing speed limits and sight distances available, it was not considered necessary to undertake a review by a traffic engineer for the rezoning.
C4.0 Electricity Transmission Infrastructure Protection Code	No change.
C5.0 Telecommunications Code	No change.
C6.0 Local Historic Heritage Code	

The site is not impacted by this Code, regardless of the zone.

C7.0 Natural Assets Code

The site is not currently subject to the Natural Assets Code – Priority Vegetation Overlay due to the land zoning.

The south western corner of the site is subject to the Waterway & Coastal Protection Overlay in accordance with the Waterway and Coastal Protection Area Guidance Map. No change is proposed.

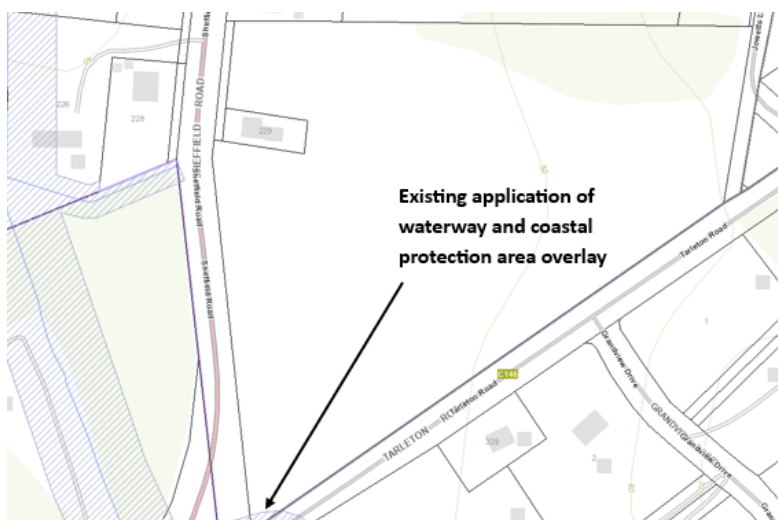


Figure 12 Natural Assets Code - Waterway and Coastal Protection Area Overlay



Figure 13 Discussion area for priority vegetation overlay (TASVEG 5.0)

The majority of the vegetation on the site is pine plantation along the northern and eastern boundaries. There is some remnant native vegetation within the area. The remainder of the site contains exotic grasses.



Figure 14 Existing exotic grasses and mature pine plantation. Image taken from western border of the site, looking towards the north eastern corner



Figure 15 Existing drainage and vegetation on the site. Image taken from the western border of the site looking towards the eastern border.

Some native vegetation is dotted within and along the edge of the pine plantation, as indicated by TASVEG 5.0.

A site-specific natural values report has been provided, demonstrating that the vegetation on the site does not meet the requirements for protection under the Code.

It is submitted that the priority vegetation overlay is not applied to the site, rather than have this study repeated into the future at the point of subdivision and development.

C8.0 Scenic Protection Code

C8.0 Scenic Protection Code is not applicable to either the existing or the proposed land zoning.

C9.0 Attenuation Code

The application of this Code would remain unchanged as per C9.2.

C10.0 Coastal Erosion Hazard Code

The site is not identified as subject to coastal erosion risk.

C11.0 Coastal Inundation Hazard Code

The site is not identified as subject to coastal inundation risk.

C12.0 Flood-Prone Areas Hazard Code

The site contains areas that are subject to 1.0 Percent AEP Hazard Overland Flooding (Climate Change) H1 and a very small area of H2.

These areas will need to be taken into account in any future subdivision design. No modifications to the overlays are considered necessary.



Figure 16 1.0% AEP Hazard Overland Flood Mapping (Climate Change).

C13.0 Bushfire Prone Areas Code

The site and surrounds are identified as being a bushfire prone area. Future subdivision of the site will need to account for this risk in the layout and design.

Given the amount of space available, there is no reason to consider that the requirements of the Code could not be achieved by sensitive subdivision design.

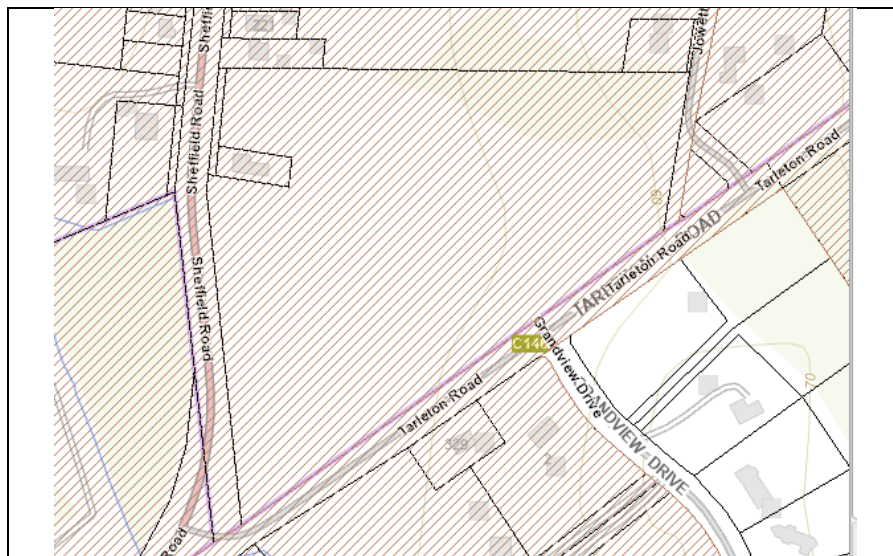


Figure 17 Bushfire prone areas code overlay

C14.0 Potentially Contaminated Land Code

There is no know history of contamination on the land.

C15.0 Landslip Hazard Code

The site is not identified as being subject to landslip hazard risk.

C16.0 Safeguarding of Airports Code

The site is not within the airport obstacle limitation area nor the airport noise exposure area.

3.5. Devonport Local Provisions Schedule

The proposal would result in a modification to the LPS mapping. No other changes are proposed.

4. STRATEGIC CONSIDERATION

4.1. Contents of LPSs

Matters for consideration are listed under section 32 of LUPAA.

The table below provides each subclause, followed by a responding statement.

Section 32 LUPAA – Contents of LPSs	
S32(1)	<i>An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.</i>
The proposal applies only to the Devonport Municipal area.	
S32(2)	<i>An LPS-</i> <i>(a) must specify the municipal area to which its provisions apply; and</i> <i>(b) must contain a provision that the SPPs require to be included in an LPS; and</i> <i>(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and</i> <i>(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme; and</i> <i>(e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and</i> <i>(f) must not contain a provision that is inconsistent with a provision of section 11 or 12; and</i> <i>(g) may designate land as being reserved for public purposes; and</i> <i>(h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter; and</i> <i>(i) may, if permitted to do so by the SPPs, override a provision of the SPPs; and</i> <i>(j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and</i> <i>(k) may, subject to this Act, include any other provision that-</i> <i>(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and</i>

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	(ii) <i>is permitted by the SPPs to be included in an LPS; and</i> (l) <i>must not contain a provision that the SPPs specify must not be contained in an LPS.</i>
The amendment has been prepared in keeping with the remainder of the LPS: (a) the proposal applies to the Devonport municipal area. (b) The proposal is for a modification to the mapping. No additional provisions are proposed to be changed. (c) The proposal includes a modification to the mapping, as per the attachment to this report. (d) The proposal is for a modification to the land mapping /zoning, as provided for in section 11. (e) The proposal is for a modification to the zoning maps that apply to the particular land. (f) No new provisions are 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)	<i>Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –</i> <i>(a) A particular purpose zone, being a group of provisions consisting of –</i> <i>(i) A zone that is particular to an area of land; and</i> <i>(ii) The provisions that are to apply in relation to that zone; or</i> <i>(b) A specific area plan, being a plan consisting of –</i> <i>(i) A map or overlay that delineates a particular area of land; and</i> <i>(ii) The provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions of the SPPs; or</i> <i>(c) A site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.</i>

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The amendment does not propose a PPZ, SAP or SSQ.	
S32(4)	<i>An LPS may only include a provision referred to in subsection (3) in relation to an area of land if – (a) A use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or (b) The area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.</i>
The amendment does not propose a PPZ, SAP or SSQ.	
S32(5)	<i>An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.</i>
No change to the structure is proposed.	
S32(6)	A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.
No provisions are proposed.	
S32(7)	A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.
No provisions are proposed.	

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 each subclause, followed by a responding statement.

Section 34 LUPAA – LPS Criteria	
S34(1)	<i>In this section – Relevant planning instrument means a draft LPS, an LPS, a draft amendment of an LPS and an amendment of an LPS.</i>
<i>S34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument:</i>	
S34(2)(a)	<i>contains all the provisions that the SPPs specify must be contained in an LPS; and</i>

The proposal is for a modification to the land use zoning. No other alterations are proposed.	
S34(2)(b)	<i>is in accordance with s32; and</i>
Accordance with s32 is reviewed above.	
S34(2)(c)	<i>furtheres the objectives set out in Schedule 1; and</i>
Schedule 1 includes Parts 1 and 2.	
<i>Part 1 – Objectives of the Resource Management and Planning System of Tasmania.</i> <i>1 The objectives of the resource management and planning system of Tasmania are –</i> <i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i> The proposal is for conversion of land from one intended use to another. The site is within the fully serviced areas for sewer and water and the accompanying natural values assessment provides evidence that no natural values will be negatively impacted by the proposed rezoning. Future subdivision would require adequate management of stormwater, as would be the case for any site. In this situation, it is necessary to take into account both the possible loss of farmland due to the conversion and the effects that new uses of the land might bring as development occurs. The included agricultural assessment concludes that: <i>“The subject property is severely constrained for ... agricultural land use activity due to the small size of available land, low land capability, lack of access to irrigation water, presence of residential dwellings in close proximity to all boundaries and does not form part of a contiguous larger area of agricultural land”</i> <i>“The subject property has a negligible level of local and regional agricultural significance.”</i> The site is also identified in the <i>Greater Devonport Residential Growth Strategy 2021-2041</i> (discussed below) as having potential for future transfer from agricultural to residential zoning(s). The proposed rezoning would provide for appropriate residential development of land which is contiguous with existing residential areas, without the loss of natural values or agricultural capacity.	

A detailed submission has also been made in response to applicable strategic documents, including the CCRLUS and *Greater Devonport Residential Growth Strategy 2021-2041*.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

The expansion of the General Residential zoning in this area would provide for necessary land for residential development without compromising air, land or water values. The land is marked as fully serviceable for sewer and water and contains sufficient space that stormwater can be managed appropriately, including consideration of an increase in non-permeable surfaces and onsite detention, as required for future development, thus improving the current propensity for waterlogging and risk of road overflow in heavy events.

A detailed submission has also been made in response to applicable strategic documents, including the CCRLUS and *Greater Devonport Residential Growth Strategy 2021-2041*.

It is considered that the site would provide for the fair, orderly and sustainable provision of residential land whilst protecting air, land and water.

(c) the encourage public involvement in resource management and planning; and

Any amendment initiated by the planning authority is required to be placed on public exhibition in keeping with the prescribed public involvement in the planning process.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

The proposed rezoning is intended to reallocate land that is currently underutilised into a zone that will maximise economic development as far as is possible, whilst remaining in keeping with paragraphs (a), (b) and (c).

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

The statutory assessment process ensures that different spheres of Government, as well as the community and applicable industry is involved within the planning process.

Part 2 – Objectives of the Planning Process Established by this Act

2 The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this schedule-

(a) to require sound strategic planning and co-ordinated action by State and local government; and

The proposed rezoning is intended to be in keeping with the *Cradle Coast Regional Land Use Planning Strategy* and the *Greater Devonport Residential Growth Strategy 2021-2041*.

Full consideration of the two strategies is provided later in this report.

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and

The planning scheme amendment process is part of the operation of the planning instruments available. The proposal is thus assessed against all applicable provisions.

(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

The application is accompanied by natural values and agricultural assessments of the site and surrounds. Any future development will be required to provide sewer, water and appropriate stormwater. The expansion of the General Residential zone in an area that is contiguous with adjoining land ensures that residential use occurs without creating additional transport demands (eg ribbon development or isolated settlements).

(d) the required land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

The proposal does not affect the ability to meet this objective.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and

The proposal is for a rezoning only. Future development would be subject to the statutory assessment process.

(f) to promote the healthier and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and

The proposal is not considered to conflict with this provision. The proposal would result in residential lots within an established and developed area of the Devonport Municipality, with access to services, schools, health services and retail centres.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

None identified on the site.

(h) to protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and

The proposal would provide for the logical utilisation of existing infrastructure.

(i) to provide a planning framework which fully considers land capability.

The site was considered under the *Greater Devonport Residential Growth Strategy 2021-2041*, and a site specific agricultural assessment undertaken. Large scale mapping allocates Class 5 to the majority of the site, with a small pocket of Class 4 in the south western corner.

Site specific assessment concludes that the entire site is within Class 5 and has negligible local and regional agricultural significance. The site is identified as severely constrained for current or future agricultural use.

A detailed submission has also been made in response to applicable strategic documents, including the CCRLUS and *Greater Devonport Residential Growth*

Strategy 2021-2041, with specific consideration of the proposed rezoning and the interactions with adjacent agricultural activity.

S34(2)(d) *Is consistent with each State Policy; and*

State Policy on the Protection of Agricultural Land 2009 (PAL)

The site has been assessed in detail in relation to the PAL Policy, as per the attached site specific assessment, and Appendices B and C.

State Coastal Policy 1996 (revised 2003 and 2009)

The site is over 2.5km from the high water mark. As such, it is considered to comply 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.

The proposed amendment seeks to rezone land from Agriculture to General Residential, for future subdivision. Future development 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

TasGas infrastructure is located along the western side of Sheffield Road. Any subdivision design or onsite works would need to consider interactions with the pipeline and include negotiations with TasGas.

S34(2)(da)	<i>Satisfies the relevant criteria in relation to the TPPs</i>
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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.

1.0 Settlement

1.1 Growth

Submission: The Devonport Municipal area has a clearly identified shortfall of residential land as per the *Greater Devonport Residential Growth Strategy*. The proposal would provide for a contribution towards the preferred 15 year supply, in keeping with 1.1.3(1) and 1.1.3(3), 1.1.3(4).

The location would provide for use of an under-utilised parcel of land where existing infrastructure is available and integrating with existing transport networks (1.1.3(2)(a), (b)&(c).

There would be no significant environmental hazards. Bushfire risk would be managed through subdivision design, which would also go some way towards managing the interaction with the agricultural land to the north (1.1.3(2)(d) as a result of the required buffer areas.

1.2 Liveability

Submission: The future subdivision design would allow for the utilisation of the unique characteristics of the area to provide for liveable residential development.

1.3 Social Infrastructure

Submission: The rezoning would allow for the site to be developed to provide for residential land where there is an identified shortfall in keeping with 1.3.3(1).

1.4 Settlement types

Submission: The proposal would allow for residential development in keeping with the intent of the *Greater Devonport Residential Growth Strategy*, providing for serviced land without expanding linear coastal development (1.4.3(2)). No rural towns or villages would be impacted (1.4.3(4)). The proposal is not intended to allocate land for rural residential use or development, as per 1.4.3(5).

1.5 Housing

Submission: The proposal would result in the supply of land for housing that can be easily integrated with existing infrastructure as per 1.5.3(10) and assist with meeting the projected housing demand (1.5.3(2)).

1.6 Design

Submission: The rezoning would provide capacity for development that could contribute to the Objectives and Strategies within 1.6, being on a site that is connected to services and is able to utilise existing infrastructure, utilise land effectively and is responsive to the environment.

1.7 Development contributions

Submission: The landowner plays a key role in funding the development process by covering the expenses associated with a rezoning, instead of these being borne by the local government area. Where development occurs in this areas, such as through future subdivision, the responsibility to pay for infrastructure provision and any open space contributions will fall to the developer as per local government policies.

2.0 Environmental Values

2.1 Biodiversity

Submission: The application documentation includes a natural assets assessment that demonstrates that there are no noteworthy biodiversity values over the site that should be protected.

2.2 Waterways, wetlands and estuaries

Submission: The site contains man-made drainage channels.

These are not proposed to be included in the waterways overlay, due to the fact that there are no vegetation values to be retained and these channels through the site are man made over historic agricultural use.

Any future development, including subdivision and stormwater design would be required to be completed with sensitivity to these channels as per the policies of the stormwater authority, in accordance with 2.2.3.

2.3 Geodiversity

Submission: There are no areas of high geoconservation value on the site.

2.4 Landscape Values

Submission: Neither the site nor the surrounds are mapped as having significant landscape value. The area is dominated by residential, rural living and working landscapes at the intersection of three local government areas.

2.5 Coasts

Submission: The proposal has no interaction with the coast outside of retaining development away from linear coastal development.

3.0 Environmental Hazards

3.1 Bushfire

Submission: the site would remain subject to the Bushfire Prone Areas Code and any future subdivision would be required to demonstrate compliance with the Code.

3.2 Landslip

Submission: No risk identified.

3.3 Flooding

Submission: The site includes area identified as Hazard level 1 in the 1% AEP Hazard Overland Flooding (climate change) mapping and a very small portion along the western boundary as Hazard Level 2. These areas are minor, and the overland flood risk will be required to be taken in account in the stormwater management for the site at the time of subdivision. The extent of the risk on this site is of a scale that is able to be managed and likely improved through design solutions at the point of subdivision in order to be in keeping with 3.3.3(2), (4), (5) and (8).

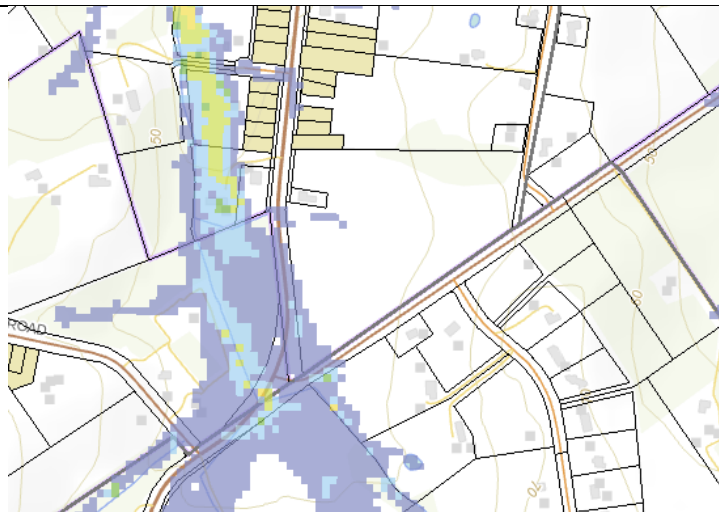


Figure 18 1% AEP Hazard Overland Flooding (climate change)

3.4 Coastal

Submission: Not applicable.

3.5 Contaminated air and land

Submission: There is no known contamination.

4.0 Sustainable Economic Development

4.1 Agriculture

Submission: The application is accompanied by an agricultural assessment that demonstrates that the land is not valuable agricultural land. There have been a number of attempts at different agricultural activities on the site, none of which have been successful. There is no irrigation water available (4.1.3(1)).

The assessment also concludes that the proposed rezoning would not result in fettering of agricultural land due to land use conflict (4.1.3(5)).

The site is identified in strategic planning documents as appropriate for future growth, with the site split into potential General Residential and potential Rural Living.

The first matter to consider in the change of land zoning is whether the change would fetter the agricultural land to the north or west. With this land to the north identified for future General Residential Zone, it cannot be concluded that fettering would occur over the

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long term. Over the shorter term, agricultural activities on the land to the north must already take into consideration the residences and adjoining land within the General Residential Zone, as is evidenced in the supporting agricultural assessment. The proposed change in zoning does not exacerbate this or further fetter this land to the north. The land to the west is already restricted due to site specific irrigation and drainage matters, providing a buffer to this subject site.



Figure 19 Existing fettering due to residential uses



Figure 20 Existing road buffers, with residential uses also loosely outlined. Residential buffer areas not marked.

The next matter to consider would be which alternative zone is appropriate. The *Greater Devonport Residential Growth Strategy* identifies this site as appropriate for consideration for two separate zonings, with the northern portion of the site to be considered for General Residential and the remainder as Rural Living. Land across

the road in the Latrobe and Kentish Municipal areas is within the Rural Living zone.

The land is able to be fully serviced, and there are no significant natural value restrictions on the land, as demonstrated in the supporting report. As such, it is submitted that General Residential zoning would be more appropriate than Rural Living (refer 3.2 of this report).

4.2 Timber Production

Submission: Not applicable. The site is not appropriate for timber production due to proximity of residential areas.

4.3 Extractive Industry

Submission: Not applicable.

4.4 Tourism

Submission: Not applicable, outside of the proximity to the Spreyton Cider Co across the road to the west. Transition of the subject land to residential would not hinder this existing business.

4.5 Renewable energy

Submission: Not applicable.

4.6 Industry

Submission: Not applicable.

4.7 Business and commercial

Submission: Not applicable.

4.8 Innovation and research

Submission: Not applicable.

5.0 Physical Infrastructure

Submission: The site is able to be fully serviced. Service provision would be required of the developer at the point of subdivision.

6.0 Cultural Heritage

Submission: The search undertaken for Aboriginal Cultural Heritage is provided with this documentation. No known heritage on the relevant portion of the site is identified. Any future development would need to employ standard care and respect.

7.0 Planning Processes

Submission: The proposed rezoning is required to follow all statutory planning processes, to support the Strategies identified.

S34(2)(e)	<i>As far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates</i>
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The CCRLUS forms the regional land use strategy referred to in S34(2)(e). The CCRLUS is supported by the *Greater Devonport Residential Growth Strategy 2021-2041*. Both documents are reviewed, here in summary and in Appendices B and C in further detail, for exploration of compliance with S34(2)(e).

Cradle Coast Regional Land Use Strategy**Wise Use of Resources**

The land has little value in terms of resources for agricultural use as demonstrated in the land capability assessment. The site is able to be fully serviced and does not contain significant natural hazards.

Future subdivision has the capacity to manage stormwater and fire risk whilst maintaining sensitive interaction with the waterway(s) and agricultural activity.

The proposed land zoning would allow for the utilisation of land that currently sits unutilised and unable to be utilised within the existing land zoning.

Support for Economic Activity

The site is currently unviable for the economic activity for which it is zoned. The proposed change in land zoning and subdivision would contribute additional liveable lots to further support a liveable regional community. Economic activity would be limited to the minor impact these additional lots would provide. No significant economic activity would be lost, as demonstrated in the agricultural assessment accompanying the proposal.

Places for People – Liveable and Sustainable Communities

The proposal is intended to be in keeping with the growth scenario under the *Greater Devonport Residential Growth Strategy*, allowing for residential use that is fully supported by services, within an area identified for exploration for future development.

Land Use Policies for Managing Growth and Development

The proposed rezoning is within the existing settlement boundary and would provide connection through the existing network as well as appropriate

connection to infrastructure in accordance with demand and local strategy. The proposal would provide strategically planned expansion whilst retaining urban form and development that is contiguous with the established settlement area. The CCRLUS recognises the shortfall that currently exists in residential land supply. The proposed development would contribute to this supply, supporting the existing settlement, without meaningful loss of agricultural land.

Land Use Policies for Protecting People and Property

The greatest risk applicable to this site and future development is that of bushfire. The C13.0 Bushfire Prone Areas Code would be required to be addressed in detail in any subdivision design. Given the dimensions of the land, it can be reasonably concluded that it would be possible to provide a subdivision design that is able to comply with that Code.

Land Use Policies for Housing Land – Places to Live

The municipality currently has a significant shortfall in residential land supply. does not contain the intended 10-20 years of land supply in the proposed land zoning. The proposed rezoning would contribute to the resolution of this shortfall.

Planned Provision for Infrastructure – Support for Growth and Development

The proposed rezoning has the capacity to be serviced appropriately and utilise existing infrastructure without negative impact.

Greater Devonport Residential Growth Strategy 2021-2041

The GDRGS sits between the hierarchy of planning controls. A detailed review is provided as Appendix C.

In summary, the strategy identifies a significant shortfall in the supply of General Residential land, with supply currently identified at 2.8-4.1 years, well below that of the 15 year supply the Strategy speaks to.

This site is specifically identified in the Strategy for further exploration for expansion. The Strategy refers to the subject land in the mapping on Appendix B to the Strategy, flagging the site as appropriate for consideration of General Residential and Rural Living Zoning.

This application for rezoning includes consideration of each of these zones. The conclusion is that there is:

- Sufficient servicing on the site to accommodate General Residential zoning;

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- Sufficient access to the site to accommodate General Residential zoning; - Adjacent General Residential Zoning, and natural / manmade barriers that result in such a rezoning being contiguous with the adjoining residential areas; and - Sufficient barriers and existing fettering in place to allow for the entire site to transition to General Residential rather than a split zoning between Rural Living and General Residential.	
S34(2)(f)	<i>Has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates</i>
The <i>Devonport City Council Strategic Plan 2009-2030 (2023 update)</i> provides the overarching strategic intent for the Council area. <i>Goal 1 – Living Lightly on our Environment</i> The proposal will utilise existing resources and will include potential for WSUD in keeping with 1.3, 1.4 and 1.5. <i>Goal 2 – Building a Unique City</i> The proposed rezoning will support appropriate property use and development as per 2.1. <i>Goal 3 – Growing a Vibrant Economy</i> The rezoning will allow for contiguous residential development in keeping with 3.3. <i>Goal 4 – Building Quality of Life</i> The rezoning will provide for residential development with full access to existing supports, whilst taking steps towards addressing the housing shortfall. <i>Goal 5 – Practicing Excellence in Governance</i> The determination of this application for rezoning will be conducted in keeping with Council's statutory responsibilities as per 5.3.	
S34(2)(g)	<i>As far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates.</i>

The adjoining municipalities contain land within the Rural and Rural Living Zones. The interaction with these nearby zonings have been considered in the body of this report. No negative impacts will be triggered for the nearby rural uses, due to existing buffers and fettering. Tarleton Road forms an existing barrier that would be suitable for a change in land zoning from General Residential to Rural Living.

S34(2)(h)	<i>Has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.</i>
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TasGas infrastructure is located along the western side of Sheffield Road. Any subdivision design or onsite works would need to consider interactions with the pipeline and include negotiations with TasGas.



Figure 21 TasGas pipeline (red) and buffer area (beige)

5. CONCLUSION

The proposed rezoning seeks to rezone the subject land to General Residential, in keeping with the adjoining land.

The rezoning would result in:

- a contiguous area of General Residential land;
- the resolution of an unutilised parcel of land that is already fettered from agricultural or rural activities;
- an opportunity to develop the site in a manner which is in keeping with the surrounding land uses;
- removal of the priority vegetation area overlay due to the lack of valuable vegetation on the site; and
- application of the waterway and coastal protection area overlay over existing areas.

Based on the assessments within this report, it is demonstrated that the application of the General Residential Zone is appropriate. This submission demonstrates:

- the historic use of the site has ceased and there is no intention or capacity for it to be reinstated;
- the application of the General Residential zone is the appropriate zoning for this site;
- the current provisions within the General Residential zone and applicable overlay are sufficient to appropriately manage the use and development of the site;
- 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.