



2 October 2026

Michael Hogan (Chair)
C/- Karen Fyfe
Tasmanian Planning Commission
tpc@planning.tas.gov.au

Dear Mr Hogan

**Tasmanian Planning Scheme, Devonport - Draft amendment AM 2026-01
Rezone 6 Melrose Road, Spreyton from Agriculture to General Residential
Response to Commission Direction**

In response to your direction, dated 2 September 2026 in regard to the above draft amendment, please find attached a joint submission from Devonport City Council and Equilibrium Town Planning, on behalf of the applicants.

Yours sincerely

Matthew Atkins
CEO

Enquiry Officer: Carolyn Milnes
Email: townplanning@devonport.tas.gov.au



28 September 2026

Michael Hogan
C/- Karen Fyfe
Tasmanian Planning Commission

By email: tpc@planning.tas.gov.au

Devonport City Council
C/- Carolyn Milnes

By email: cmilnes@devonport.tas.gov.au
townplaning@devonport.tas.gov.au

Dear Mr Hogan,

TASMANIAN PLANNING SCHEME, DEVONPORT
Draft amendment AM 2026-01
Rezone 6 Melrose Road, Spreyton from Agriculture to General Residential

In response to the directions given by communication dated 2 September 2026, we provide the following joint submission:

1. Production and potential attenuation area:

- The cidery produces, on average, 1,100L/day over a five day week. There is no production on weekends, and no intention to expand to that effect.
- The Victorian standards as provided by the Commission require that for a cidery producing between 2,000L - 5,000L per day, the attenuation distance is 250m, and beyond 5,000L per day, it increases to 500m. Where a cidery may be producing less than 2,000L per day, no separation distances are specified and EPA Victoria, "recommends there is no visible discharge of dust or emissions of odours offensive to the senses of human beings, beyond the boundary of the premises."

The current, and intended ongoing, operations, sit significantly below the trigger within the Victoria standards for a specified separation distance. It is unfortunate that the C9.0 Attenuation Code does not reflect this trigger point.

The requirement then becomes the "...visible discharge of dust or emissions of odours offensive to the senses of human beings, beyond the boundary of the premises".

As demonstrated by many years of operation, there are no visible discharges of dust or emissions of odours offensive to the senses of human beings on the site, let alone beyond the boundary of the premises. Site inspection confirms this situation, and Devonport City Council further confirmed this by there being no record of complaints from nearby neighbours of such emissions throughout the long standing operation of the cidery.

There is merit in the LPS being amended to show an attenuation area as an overlay map, as allowed for under the Attenuation Code, in that it deals specifically with the subject site, rather than utilising generic distances. As stated in the Code, where an overlay map exists and there is an inconsistency "...between the relevant attenuation distance shown in Tables C9.1 or C9.2, and an attenuation area shown on an overlay map in the relevant Local Provisions Schedule, the distance shown on the map applies." This demonstrates that the overlay map is intended to be a more precise means of dealing with any potential conflicts.

It is therefore proposed that in order to reflect the intention of the standards underpinning the C9.0 Attenuation Code, an attenuation area be placed on the site, up to the "boundary of the premises". This would ensure the joint protection of the existing use, as well as the amenity of the neighbouring properties.

- The proposed area covers approximately 100m from the processing shed, up to the limits of the property boundaries.

Extension of the attenuation area beyond the property boundaries was considered and rejected, as it would place onerous requirements upon other land owners, including those within adjoining municipalities, where there is a demonstrated lack of need for these protections for either party.

Extension of the attenuation area to cover the entire land title was also considered and dismissed as unnecessary overreach in this situation.



Figure 1 Draft attenuation area to cover approximately 100m from the main shed (location of processing) up to the property boundaries

Council's Environmental Health Officers agree with this position, given there have been no complaints recorded against the property and, from experience, cider manufacturing is not known to result in offensive emissions of odours nor visible discharge of dust.

Should you have any questions, please do not hesitate to contact me at theresia@eqtownplanning.com.au or on 0409 793 803.

Regards,



Theresia Williams
Principal Planner