

From: [Town Planning](#)
To: [TPC Enquiry](#)
Subject: Draft Amendment AM2026.01 6 Melrose Road Spreyton - Devonport City Council
Date: Wednesday, 29 April 2026 3:46:23 PM
Attachments: [image023.png](#)

Good afternoon,

Please note links below enclosing documentation regarding draft amendment AM2026.01 to rezone 6 Melrose Road, Spreyton, from Agriculture to General Residential zone for which the planning authority made a decision to certify on 27 April 2026.

Certified Draft Amendment in word and pdf

Certified Proposed zoning map - 6 Melrose Road.docx

Certified Proposed zoning map - 6 Melrose Road.pdf

- Minutes from Council Meeting - Minutes of Council Meeting 27 April 2026
AM2026.01 - 6 Melrose Road Spreyton.pdf
- TasWater response - TasWater Response to Planning Authority Referral of Planning Scheme Amendment, Council reference AM2026.01 - 704 - 2026-04-24
11_16_20Z.eml
- Council Report which includes application documentation and title documents -
Planners Report to Council AM2026.01 - 6 Melrose Road.pdf
- Greater Devonport Residential Growth Strategy 2021-2041|Devonport City Council -
Greater-Devonport-Residential-Growth-Strategy-2021-2041.pdf

Council will proceed to place the amendment on public exhibition for 28 days in accordance with section 40G of the *Land Use Planning and Approvals Act 1993*. Public Exhibition will commence Saturday 2 May 2026 in the Advocate Newspaper for a period of 28 days.

Council is currently holding payment of the \$382.00 TPC fee – please forward the invoice at your earliest convenience.

Kind regards

Jennifer



Town Planning

Devonport City Council

□ 137 Rooke Street, Devonport, TAS 7310

□ townplanning@devonport.tas.gov.au | www.devonport.tas.gov.au

□ +61 (3) 6424 0511



We lead with ambition for a thriving Devonport

DEDICATION|CHAMPION|PIONEER

How did I do? [Please complete this survey](#)

Disclaimer: This e-mail including all attachments is intended solely for the named addressee. It is confidential and may be subject to legal or other professional privilege. If you receive this email in error, please destroy any copies and contact us to advise you have received the communication. The unauthorised use, disclosure, copying or alteration of this message is strictly prohibited by law without the express permission of the original sender. Any views expressed in this communication are those of the individual sender, except where the sender specifically states them to be the view of the Devonport City Council. The Devonport Council reserves the right to monitor and record e-mail messages to and from this Council email address for the purposes of investigating or detecting any unauthorised usage of Council systems and ensuring effective operation.

4.1 AM2026.01 - 6 MELROSE ROAD, SPREYTON - AMEND THE DEVONPORT LOCAL PROVISIONS SCHEDULE BY REZONING LAND FROM AGRICULTURE ZONE TO GENERAL RESIDENTIAL ZONE

Author: **Carolyn Milnes, Senior Town Planner**

Endorser: **Kylie Lunson, Executive Manager**

RECOMMENDATION

That Council:

- agree to certify amendment AM2026.01 to the Devonport Local Provisions Schedule for the land at 6 Melrose Road, Spreyton (CT 13288/2) to:
 - a. rezone 6 Melrose Road, Spreyton (CT 13288/2) from Agriculture to General Residential;
 - b. advise the Tasmanian Planning Commission that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*; and
 - c. place Amendment AM2026.01 on public exhibition for 28 days in accordance with section 40G of the *Land Use Planning and Approvals Act 1993*.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

2.1 Council's Planning Scheme facilitates appropriate property use and development

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority, to determine whether to certify an amendment to the Devonport Local Provisions Schedule in accordance with section 38 of the *Land Use Planning and Approvals Act 1993* in regard to the following matter:

- rezone 6 Melrose Road, Spreyton (CT 13288/2) from Agriculture to General Residential;

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	6 Melrose Road, Spreyton (CT 13288/2)
Applicant/Owner:	M Distill, B Langworthy & S Langworthy
Proposal:	Rezone from Agriculture to General Residential
Existing Use:	Vacant land
Zoning:	Agriculture
Decision Due:	6 May 2026

SITE DESCRIPTION

The site is located at the junction of Sheffield Road and Tarleton Road and is also bound by Jowetts Lane to the east. The site shares a PID with the lot to the west, bound by Sheffield and Melrose Roads, however each has a separate title. The subject site has an area of 6.437ha and is a vacant lot.

PAGE 2

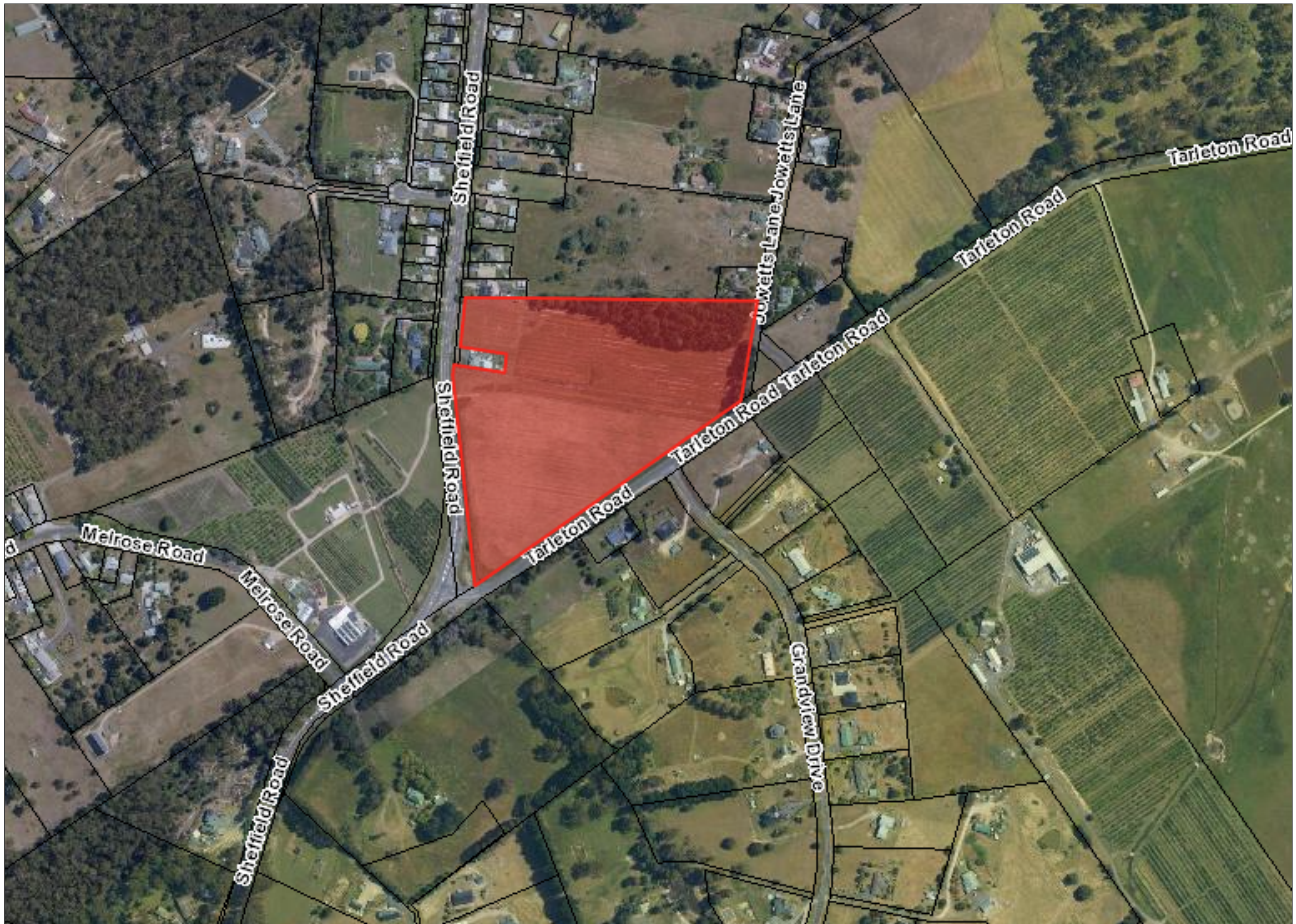


Figure 2 – Aerial view of subject site and surrounding area (Source: ListMap)

CURRENT ZONING

The site is currently zoned Agriculture, as shown in Figure 3. It is proposed it be rezoned to General Residential. Figure 4 shows the zoning of the surrounding area which includes a mix of General Residential, Rural Living, Agriculture, Rural, Environmental Management and Utilities.

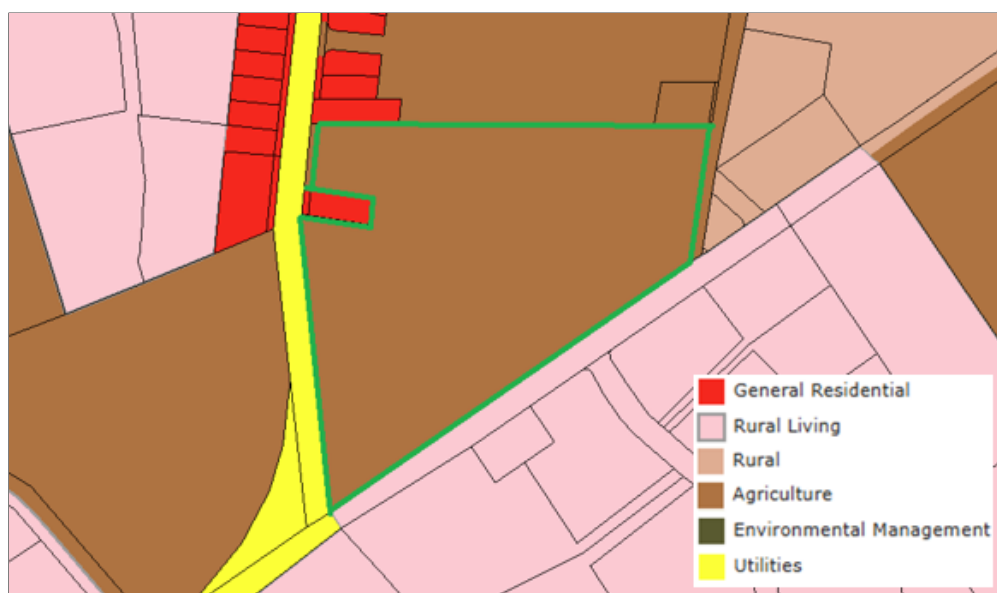


Figure 3 - Zoning Map for site (Source: ListMap)

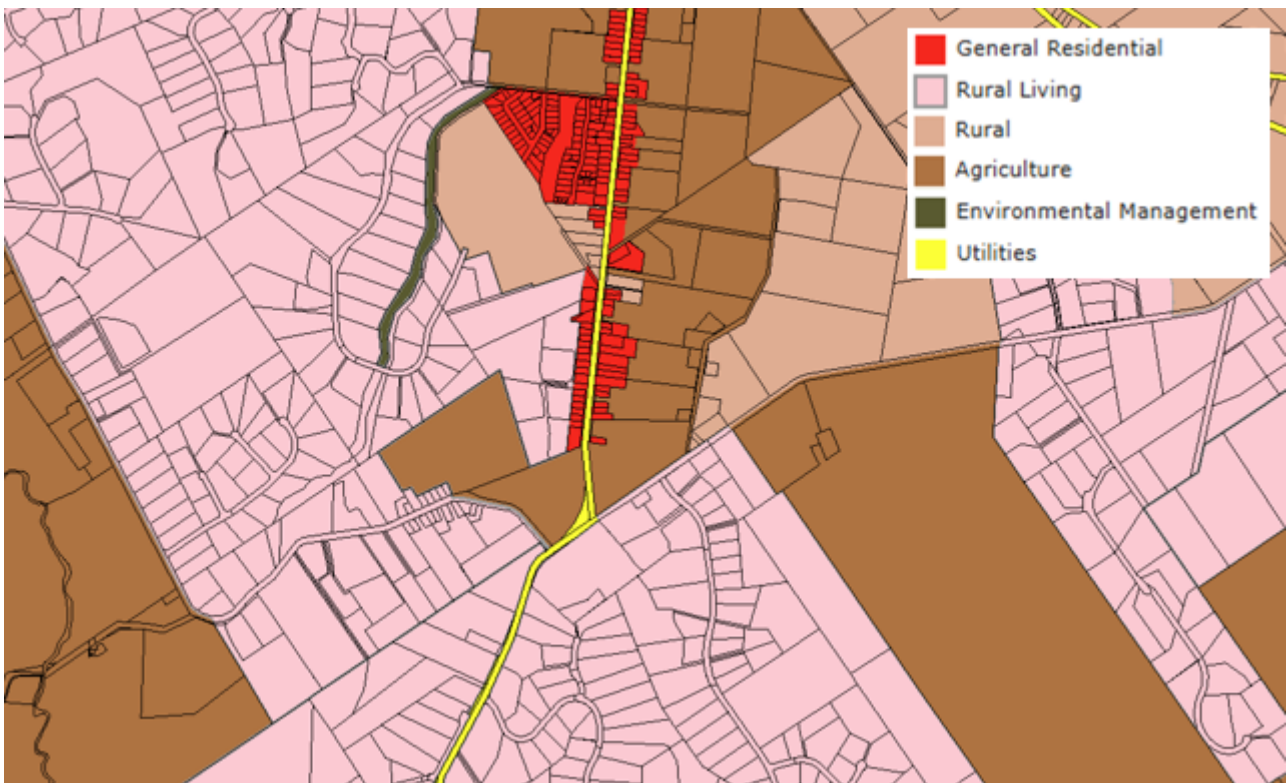


Figure 4 - Zoning Map of surrounding area (Source: ListMap)

The zone purpose and use table for the existing and proposed zones are reproduced below along with the applicable mapped code overlays.

21.0 AGRICULTURE ZONE

The purpose of the Agriculture Zone is:

21.1.1 To provide for the use or development of land for agricultural use.

21.1.2 To protect land for the use or development of agricultural use by minimising:

- (a) conflict with or interference from non-agricultural uses;
- (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
- (c) use of land for non-agricultural use in irrigation districts.

21.1.3 To provide for use or development that supports the use of the land for agricultural use.

The use table for the zone is as follows:

21.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If:

	(a) on land other than prime agricultural land; or (b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.
Utilities	If for minor utilities.
Permitted	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Discretionary	
Bulky Goods Sales	If: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscape supplier; or (c) a timber yard.
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If for: (a) the manufacturing of agricultural equipment; or (b) the processing of materials from Extractive Industry.

Research and Development	
Residential	If: (a) not restricted by an existing agreement under section 71 of the Act; and (b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) grain storage; (d) a liquid, solid or gas fuel depot; or (e) a woodyard.
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

8.0 GENERAL RESIDENTIAL ZONE

The intent of the General Residential Zone is:

- 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.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 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.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The use table for the zone is as follows:

8.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values	

Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
Permitted	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

C7.0 NATURAL ASSETS CODE

The intent of the code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

The waterway and coastal protection area overlay currently applies to the site as shown in Figure 5 however, the priority vegetation area overlay (PVA) has not been applied due to the Agriculture zoning which stipulates that the PVA not be applied.

Figure 6 shows priority vegetation area overlay on surrounding lots.



Figure 5 - Waterway and Coastal Protection Area (Source: ListMap)



Figure 6 – Priority Vegetation Area (Source: ListMap)

No changes are proposed to the waterway and coastal protection area overlay.

A natural values assessment of the site has been carried out and determined that there is no priority vegetation present. The vegetation in the north-eastern corner is predominantly a stand of radiata pine with a row of eucalypt plantation along the boundary. The report

states that, 'the narrow band of eucalypts along the eastern boundary could possibly be attributed to damp sclerophyll forest but is of limited size (<0.1 ha) and is narrow and has been left as agricultural land.'

It is deemed that the PVA should not be applied to the site given the lack of priority vegetation as defined by the State Planning Provisions.

C13.0 BUSHFIRE-PRONE AREAS CODE

The purpose of the Code is:

C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

The bushfire-prone area overlay applies to the entire site as shown in Figure 7. No changes are proposed in this regard.



Figure 7 - Bushfire-Prone Area (Source: ListMap)

No other codes apply to the site.

There are no specific area plans, site-specific qualifications or particular purpose zones applicable to the site.

PROPOSED AMENDMENT

The applicant proposes to amend the Devonport Local Provisions Schedule (LPS) maps by rezoning the site from Agriculture to General Residential. No other changes are proposed.

The amended zoning map is appended to this report as **Attachment 1** and the full application can also be viewed as **Attachment 3**.

STATUTORY REQUIREMENTS

In accordance with section 38 of the *Land Use Planning and Approvals Act, 1993 (LUPAA)*, before deciding whether to prepare a draft amendment to a Local Provisions Schedule

(LPS) the Planning Authority must be satisfied that such a draft amendment of an LPS will meet the LPS criteria, as outlined in section 34 of LUPAA.

An assessment against the LPS criteria is appended to this report as **Attachment 2**.

It is noted that the proposed amendment relates only to alterations to the mapping of the LPS and therefore does not diminish the appropriateness of the provisions which have been shown to meet the criteria through their adoption in October 2020.

In addition to the assessment of the LUPAA requirements, the draft amendment requires consistency with the Section 8A Guidelines for LPS zone and code application. The guidelines for application of the Agriculture and General Residential zones are reproduced below.

AGRICULTURE ZONE

Zone Application Guidelines	
AZ 1	The spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, while also having regard to: (a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which: (i) incorporates more recent or detailed analysis or mapping; (ii) better aligns with on-ground features; or (iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and where appropriate, may be demonstrated in a report by a suitably qualified person, and is consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; (b) any other relevant data sets; and (c) any other strategic planning undertaken at a local or regional level consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.
AZ 2	Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.
AZ 3	Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to: (a) existing land uses on the title and surrounding land;

	(b) whether the title is isolated from other agricultural land; (c) current ownership and whether the land is utilised in conjunction with other agricultural land; (d) the agricultural potential of the land; and (e) any analysis or mapping undertaken at a local or regional level consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.	
AZ 4	The 'Potential Agricultural Land Initial Analysis' layer may assist in making judgements on the spatial application of Agriculture Zone, including, but not limited to: (a) any titles that have or have not been included in the 'Land Potential Suitable for the Agriculture Zone' layer, including titles that are surrounded by land mapped as part of the LIST layer; (b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3; (c) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and (d) larger titles or those with extensive areas of native vegetation cover.	
AZ 5	Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.	
AZ 6	Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if: (a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning; (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone; (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or (e) it can be demonstrated that: (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone; (ii) there are significant constraints to agricultural use occurring on the land; or (iii) the Agriculture Zone is otherwise not appropriate for the land.	
AZ 7	Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if:	

- (a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
- (b) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land used in conjunction with land mapped as suitable for the Agriculture Zone;
- (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or
- (d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and

having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.

Note: Further details on the Agricultural Land Mapping Project can be found in the *Agricultural Land Mapping Project: Background Report, April 2017*, including the methodology used in generating the 'Land Potentially Suitable for Agriculture Zone' and the 'Potential Agricultural Land Initial Analysis' layers. The Background Report is available on the Department of Justice, Tasmanian planning reform website (www.justice.tas.gov.au/tasmanian_planning_reform).

The subject site is currently zoned Agriculture, having been zoned Rural and Rural Resource under the 1984 and 2013 planning schemes respectively. The zone guidelines state that, 'the spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST...' The subject site is mapped as potentially constrained (Criteria 3) meaning It has an area less than the minimum areas identified for the Enterprise Suitability Cluster and is also adjoining land zoned for residential purposes. Figure 8 shows the Land Potentially Suitable for Agriculture Zone mapping.

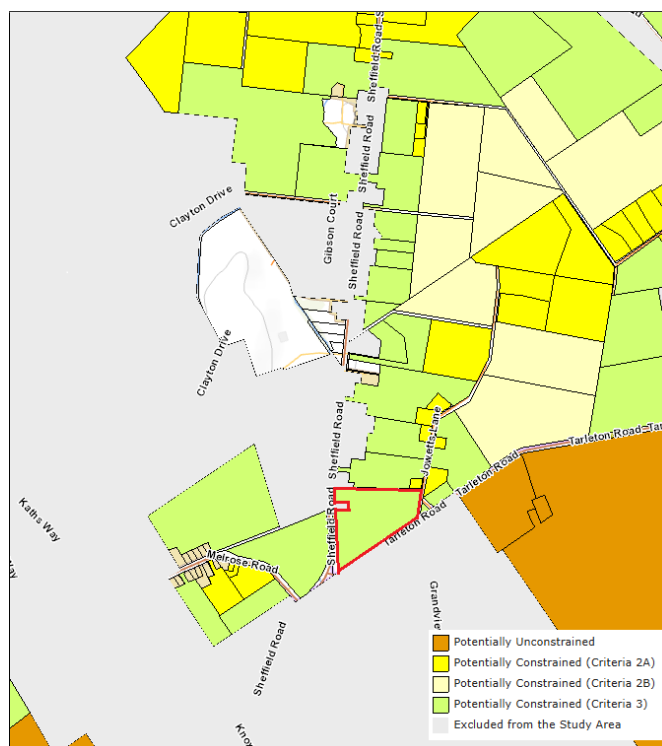


Figure 8 - Land Potentially Suitable for Agriculture Zone mapping (Source: ListMap)

The whole area of land adjacent to Sheffield Road, prior to its intersection with Tarleton Road, is shown to be constrained.

AZ 6 of the Guidelines reads as follows:

Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:

- a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;*
- b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;*
- c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;*
- d) for the identification, provision or protection of strategically important uses that require an alternate zone; or*
- e) it can be demonstrated that:*
 - i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
 - ii) there are significant constraints to agricultural use occurring on the land; or*
 - iii) the Agriculture Zone is otherwise not appropriate for the land.*

Council's strategic analysis contained within the *Greater Devonport Residential Growth Strategy 2021-2041* supports criteria a) to consider a zoning other than Agriculture.

Council endorsed the *Greater Devonport Residential Growth Strategy 2021-2041 (GDRGS)* in June 2022. The strategy identifies that existing residential land supply is a critical issue within the municipality with a forward supply of between 2.8 and 4.1 years identified. Since the report was endorsed, the supply has changed marginally, due in part to the rezoning of the Devonport Showground to Residential, along with another smaller parcel of land, and as the number of dwellings constructed per year has fallen slightly. The result is an increase in forward supply to between 2.9 and 5.1 years as at 30 June 2025, which remains well below the minimum 15-year supply endorsed by the GDRGS.

Council's Residential Growth Strategy includes mapping which identifies areas deemed to be suitable for residential zoning. Sheffield Road has been identified as a future investigation area as shown in Figure 9.

Criteria e) is supported by the applicant's Agricultural Assessment, prepared by pinion Advisory which concludes that the property has negligible local or regional agricultural significance, is severely constrained for current and future agricultural use due to the small size of the lot, low land capability, lack of access to irrigation water, proximity to dwellings and as it does not form part of a larger, contiguous area of agricultural land. No adjacent lots are used for agricultural purposes.

Figure 10 shows the land capability for the site as class 5 which is land unsuited to cropping and has limitations to grazing. Given the size of the lot the Agricultural Assessment states that a maximum of six cows could be run on the site, resulting in a return of less than \$5000 per year.

In light of the above it is deemed that an alternative zoning is appropriate.

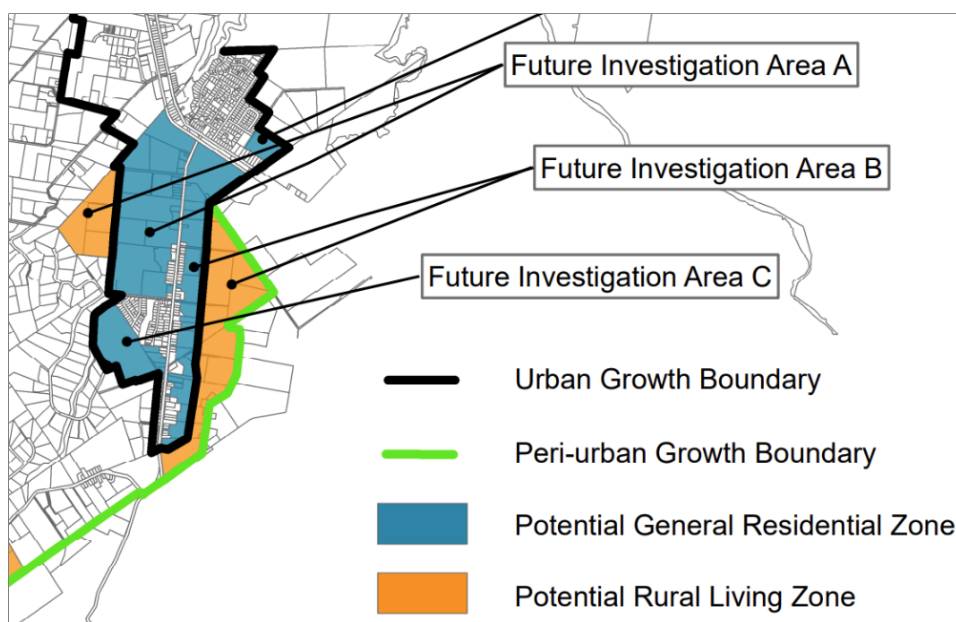


Figure 9 - Future investigation areas for Residential zoning along Sheffield Main Road
(Source: Greater Devonport Residential Growth Strategy 2021-2041)

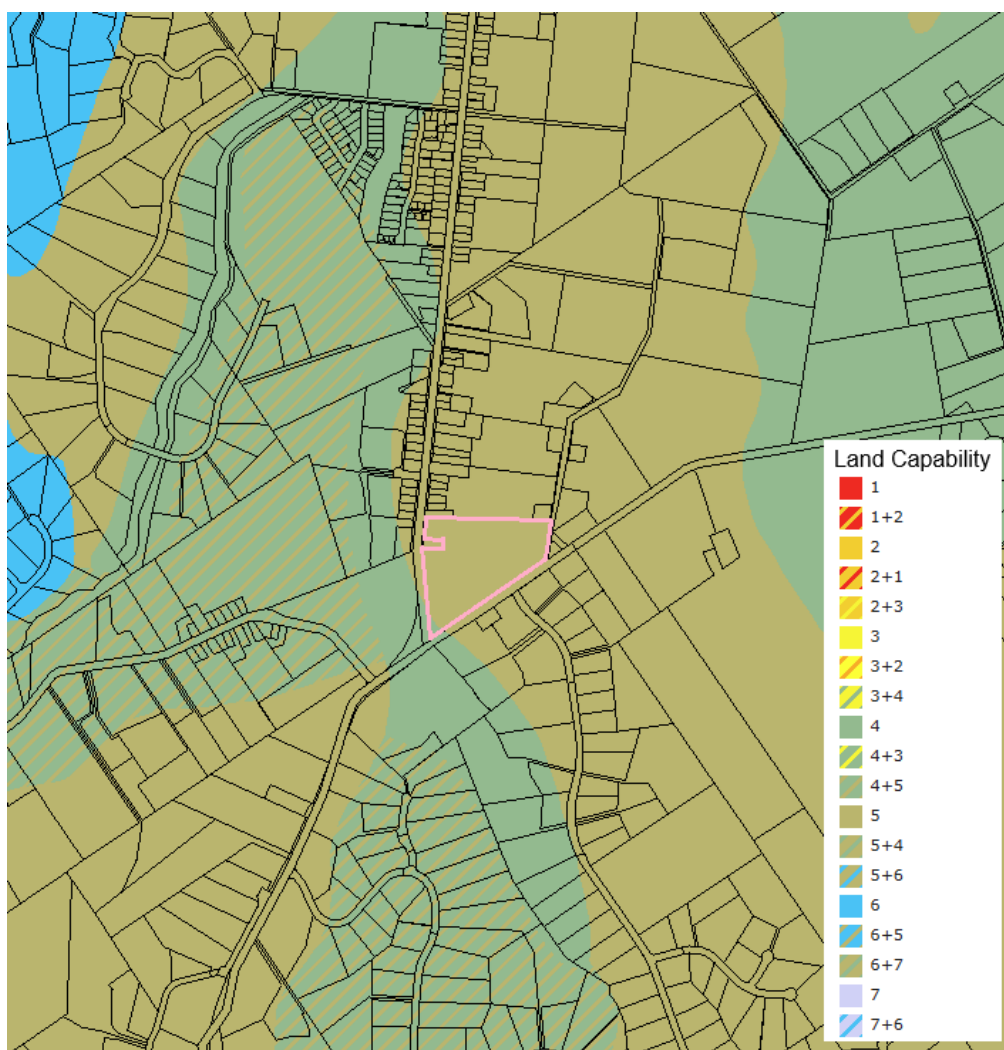


Figure 10 - Land Capability Mapping (Source: ListMap)

GENERAL RESIDENTIAL ZONE

Zone Application Guidelines	
GRZ 1	The General Residential Zone should be applied to the main urban residential areas within each municipal area which: (a) are not targeted for higher densities (see Inner Residential Zone); and (b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.
GRZ 2	The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if: (a) within the General Residential Zone in an interim planning scheme; (b) within an equivalent zone under a section 29 planning scheme; or (c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and (d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,
Note:	<i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i>
GRZ 3	The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.

As discussed, the land proposed to be zoned General Residential is currently zoned Agriculture. Prior to the introduction of the *State Policy on the Protection of Agricultural Land 2000* (PAL Policy) much of the land along Sheffield Road (over 125ha) was zoned Closed Residential and Reserved Residential.

A report, known as the Korlan Report, was commissioned by Council in 2001 in response to the introduction of the PAL Policy and resulted in large areas of land within the municipality, approximately 265ha, being rezoned to the Rural Zone, including all of the land surrounding Sheffield Road, much of which had been solely used for residential purposes.

At the time an average of 47 dwellings per year were being constructed and the population of Devonport had been expected to fall. It was predicted the population would be 21,269 in 1997 and there was estimated to be over 50 years supply of residential land. This, combined with the introduction of the PAL Policy, resulted in Council rezoning the land.

Generally the review looked at prime agricultural land, lots with a land capability of classes 1-3, however, the land in Spreyton was largely seen to have a land capability of classes 4 and 5. The number of orchards and resource processing facilities in the area were seen to be significant and therefore this land was also included in the study.

The final sentence of the Resource Planning and Development Commission (RPDC's) decision in regard to the resultant amendment states, '*...The conclusion that Rural zoning is correct also acknowledges that Council may need to revisit the Rural zoning, particularly*

at Spreyton and Eugenana to define Residential from Rural zoning in acknowledgement of the current residential use.'

The change to the Rural Zone resulted in limitations for the existing residential properties in the area with planning permission required for the majority of development proposed.

In 2009 Council initiated an amendment to revert the zoning of the existing residential properties fronting Sheffield Road to Closed Residential, as they had previously been. In the RPDC's decision the following was said:

"In the Delegates' view, the existing residential development along Sheffield Road represents an established residential node, albeit with minimal supporting services, and notwithstanding its RURAL zoning it is highly unlikely to revert to any other character. That being so, there is merit in providing for appropriate growth in depth and consolidation of this residential node, which at present is largely 'ribbon development', especially if that growth encourages the establishment of additional service facilities."

These comments were taken from the decision for a previous application to rezone land to the west of Sheffield Main Road from Rural to Closed Residential (AM2007/04) which was approved by the Commission in 2008 and is now known as Gibson Court. The reiteration of these comments highlights the RPDC's thoughts regarding the merit in providing for appropriate growth in depth and consolidation of this residential node and its existing residential nature, as was also highlighted when the land was originally zoned Rural.

Since the Korlan Report of 2001 a number of factors have changed. The number of dwellings approved on average over a 5 year period has increased from 47 to 106 and the estimated population has increased from 21,269 in 1997 to 25,747 in 2020. In addition, the strength of the orchard industry has declined.

Council's most recent residential strategy, the *Greater Devonport Residential Growth Strategy 2021-2041*, has identified a need for an increase in the number of lots available within the municipality for residential development. Since the strategy was endorsed the number of 'development ready' lots available has increased from 520 to 541 which remains well below the endorsed 15-year supply.

The strategy is in keeping with the *Cradle Coast Regional Land Use Strategy 2010-2030* 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.'

Devonport's Residential Growth Strategy recognises that Devonport, East Devonport and Spreyton are currently the largest residential hubs within the municipality. It is reasonable, therefore, to grow these areas where possible.

While the subject site is shown both within the urban growth boundary and peri-urban growth boundary in Council's mapping, on further investigation it is deemed that the land is better suited to a General Residential Zoning, rather than Rural Living. The land can be serviced, with sewer and stormwater infrastructure running past the property on Sheffield Road and a water connection to the site. In addition, it is separated from neighbouring zones by well-established roads, and the majority of the surrounding land uses are residential, irrespective of the zoning of the land.

RURAL LIVING ZONE

Zone Application Guidelines	
RLZ 1	The Rural Living Zone should be applied to: (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or (b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.
RLZ 2	The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless: (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.
RLZ 3	The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on : (a) a reflection of the existing pattern and density of development within the rural living area; or (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.
RLZ 4	The Rural Living Zone should not be applied to land that: (a) is suitable and targeted for future greenfield urban development; (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

Given the fact that the subject site can be serviced and is adjacent to established General Residential lots, the Rural Living zone is not seen as being an appropriate zoning for the site. The land is suitable for greenfield urban development. Rezoning the land to Rural Living would result in approximately 6 residential lots. A General Residential zoning would likely result in more than 50 lots.

The lot does not meet the criteria for the Rural Living Zone.

The site complies with the Zone Application Guidelines for the General Residential Zone which is considered the most appropriate zone for the property.

The proposed amendment may generate the interest of adjoining landowners to also rezone their land to General Residential. Should this occur, it would further support the consolidation of land along Sheffield Road, reducing the ribbon development that is currently in place.

COMMUNITY ENGAGEMENT

The draft amendment must be placed on public exhibition for a period of 28 days in accordance with section 40G of the Act. During this time, people will have the opportunity to comment via representation made to Council. In accordance with section 40K of the Act, should any representations be received, a report must be provided to the Planning Commission regarding the merit of the representations and including any recommendations the Planning Authority sees fit.

FINANCIAL IMPLICATIONS

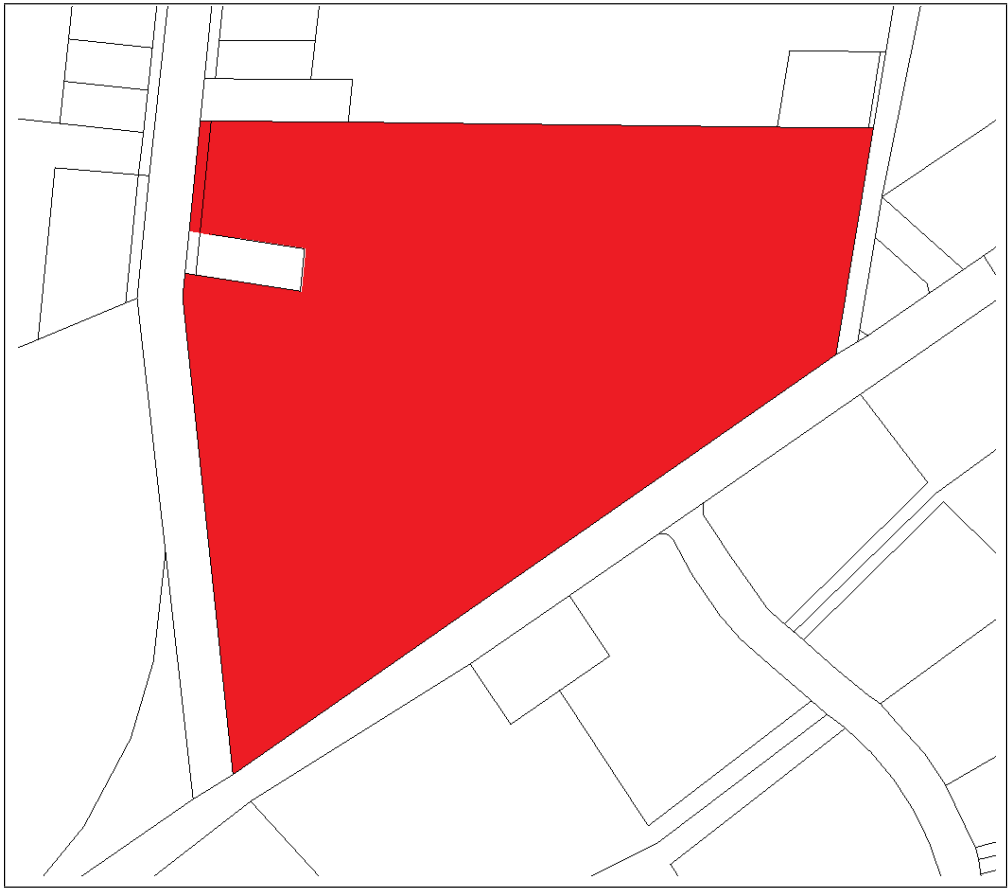
No negative financial implications are anticipated as a result of the proposed rezoning.

CONCLUSION

The proposed changes to the Devonport Local Provisions Schedule mapping will allow for development of the site in keeping with the surrounding area and will ensure the zoning meets the intent of the Section 8A Guidelines for zone and code application. It will assist in providing much needed additional development ready land, increasing Devonport's residential land supply which is currently well below the 15 year supply requirement endorsed by the *Greater Devonport Residential Growth Strategy 2021-2041*.

ATTACHMENTS

1. Proposed zoning map AM2026.01 - 6 Melrose Road [**4.1.1** - 1 page]
2. LUPAA assessment - section 34 - 6 Melrose Road [**4.1.2** - 2 pages]
3. Application AM2026.01 - 6 Melrose Road [**4.1.3** - 137 pages]



 General Residential

AM2026.01- Assessment against the requirements of the Land Use Planning and Approvals Act 1993

Section 34 of the *Land Use and Planning Approvals Act 1993* states that:

(2) The LPS criteria to be met by a relevant planning instrument are that the instrument –

(a) contains all the provisions that the SPPs specify must be contained in an LPS;

Response: The proposed amendment does not alter any provisions that the SPPs specify must be contained in an LPS.

(a) is in accordance with section 32;

Response: The proposed amendment is in accordance with section 32 which specifies the requirements of an LPS. The LPS will remain unaltered except in relation to the spatial application of the SPPs. The proposed changes are in keeping with the Guidelines for zone and code application.

(b) furthers the objectives set out in Schedule 1;

Response: The amendment meets these objectives as it allows for sustainable use of the land by ensuring adjacent land uses are compatible. It will allow public involvement in resource management and planning through the statutory processes required. In addition, the proposal facilitates residential development and allows for sound strategic planning and coordinated action by State and Local Government.

(d) is consistent with each State policy;

Response:

State Coastal Policy, 1996 – The proposal is located more than 1km from the tidal area of the Mersey River and therefore the State Coastal Policy is not applicable.

State Policy on Water Quality Management, 1997 – Any water runoff from the site will be dealt with through the existing stormwater system.

State Policy on the Protection of Agricultural Land, 2009 – While the proposal involves land zoned Agriculture it has been demonstrated that it is not suitable for agricultural use and that its removal from the zone would not be detrimental. Residential uses are deemed to be more appropriate for the site.

(da) satisfies the relevant criteria in relation to the TPPs;

Response: The TPPs are due to come into effect on the 1st of July 2026. The proposal is in keeping with the TPPs, specifically by planning for growth of residential land through the consolidation of under-utilised land within an existing settlement and within an identified growth boundary.

(e) 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;

Response: The proposed amendment is consistent with the Cradle Coast Regional Land Use Strategy – *Living on the Coast* in that it ensures land is available for residential use in appropriate locations.

- (f) 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;**

Response: The proposal is in keeping with Strategy 2.1 of Council's Strategic Plan in that it supports the planning scheme to deliver appropriate property use and development.

- (g) 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;**

Response: The proposal will not negatively impact any adjacent municipal areas and is in keeping with the residential uses currently occurring on nearby lots.

- (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.**

Response: There will be no impact regarding the safety requirements set out in the Gas Safety Act, 2019.

- (2A) A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if –**

- (a) where the SPPs and the relevant regional land use strategy have not been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument is consistent with the TPPs, as in force before the relevant planning instrument is made; and**
- (b) whether or not the SPPs and the applicable regional land use strategy have been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3), as to the manner in which the TPPs are to be implemented into the LPSs.**

Response: The Tasmanian Planning Policies are yet to come into effect.

- (3) An amendment of an LPS, or a draft amendment of an LPS, is taken to meet the LPS criteria if the amendment of the LPS, or the draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.**

Response: The proposed amendments to the LPS will not result in the LPS ceasing to meet the LPS criteria.

4.1 AM2026.01 - 6 MELROSE ROAD, SPREYTON - AMEND THE DEVONPORT LOCAL PROVISIONS SCHEDULE BY REZONING LAND FROM AGRICULTURE ZONE TO GENERAL RESIDENTIAL ZONE

26/55 RESOLUTION

MOVED: Cr Martin OAM

SECONDED: Cr Moore

That Council:

- agree to certify amendment AM2026.01 to the Devonport Local Provisions Schedule for the land at 6 Melrose Road, Spreyton (CT 13288/2) to:
 - a. rezone 6 Melrose Road, Spreyton (CT 13288/2) from Agriculture to General Residential;
 - b. advise the Tasmanian Planning Commission that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*; and
 - c. place Amendment AM2026.01 on public exhibition for 28 days in accordance with section 40G of the *Land Use Planning and Approvals Act 1993*.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin OAM, Cr Moore, Cr Murphy, Cr Sheehan and Cr Viney

AGAINST: Nil

CARRIED 8 / 0