

Planning Report

Rezoning outside of the Urban Growth Boundary, insertion of a Specific Area Plan and 4 lot (plus balance) subdivision.

471 Cambridge Road, Mornington, and 528 & 540 Pass Road, Cambridge

For Mornington Park Estate Pty Ltd
February 2026

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VERSION CONTROL					
Version	Description	Author		Reviewer	
1.0	Draft Planning Report	PC	07/11/24	MC	07/11/2024
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Executive Summary

This report has been prepared in support of a Section 40T application under the *Land Use Planning and Approvals Act 1993* for a proposed amendment to the *Clarence Local Provisions Schedule*. The application is to be lodged with the Clarence Planning Authority for assessment.

Section 40T of the *Land Use Planning and Assessment Act 1993* allows for a request to be made to a planning authority to amend a planning scheme administered by it.

The subject site is 471 Cambridge Road, Mornington and 528 & 540 Pass Road, Cambridge, at the corner of Cambridge and Pass Roads. The site consists of three titles CT 184647/1, CT 184647/2, & CT 184647/3.

The site is currently zoned Rural Living B and is subject to Bushfire-prone Areas, Flood-prone Hazard Areas, Landslip Hazard (Low), the Obstacle Limitation Area, and Waterway and Coastal Protection Area overlays. The site is outside the Urban Growth Boundary under the Southern Tasmania Regional Land Use Strategy.

The proposed scheme amendment involves re-zoning the site from Rural Living B to General Residential, Local Business and Open Space with a Specific Area Plan applied to the site to facilitate a regional park, medium-density residential development, and local services development. It is proposed to remove the Waterway and Coastal Protection Area overlay based on the findings of a Natural Values Report. The proposal will rely on provision SRD2.12 of the regional land use strategy which enables rezoning outside the Urban Growth Boundary under certain circumstances.

The site is affected by overland flow paths which cross the site and need to be engineered to assist with existing downstream flooding.

The project is to support the future development of housing typologies that have been successful in other states, whereby dwelling yield is higher density but balanced by larger public open space and dwellings are serviced by rear access lanes, allowing low trafficked/low parking streets. The proposal has also maximised dwellings overlooking the central park which will also act as a regional park location for Council.

The Southern Tasmania Regional Land Use Strategy forecasting is significantly out of date and recent forecasts show there has been and will continue to be a much stronger population growth rate and a wider range of household types. To meet the needs of a growing population in Clarence and a demand for a wider range of housing products in suitable locations, more land supply and housing diversity is required.

1. Background

The Urban Growth Boundary (UGB) is spatially defined in the Southern Tasmanian Regional Land Use Strategy 2010-2035 (STRLUS) and was primarily established for the purpose of setting a physical extent for the 20-year supply of residential land in the greater metropolitan area. Additionally, the purpose of the UGB is to include land for other urban functions (i.e. commercial and industrial development) as well as pockets of open space and recreational land that assist in providing urban amenity.

The STRLUS is one of three regional land use strategies for Tasmania, providing strategic direction for the southern area of the state which encompasses twelve local government municipalities, including Clarence (the municipal area of the subject site). The purpose of the Strategy is to provide a linkage between the objectives of Tasmania's Resource Management and Planning System as outlined in Schedule 1 of the *Land Use Planning and Approvals Act 1993* (LUPAA); the State Policies established under the *State Policies and Projects Act 1993*; and Tasmanian Planning Policies within the current interim and future Tasmanian planning schemes.

The aim of the STRLUS is to deliver sustainable settlements integrated with services and infrastructure, that are complemented by built and open space environments. The STRLUS and all other regional land use strategies are currently implemented in the land use planning system through statutory zoning and planning provisions in interim planning schemes. The regional land use strategies are given legal effect through Section 5A of LUPAA.

On 17 May 2023, the Minister for Planning declared an amended Southern Tasmania Regional Land Use Strategy (STRLUS) in accordance with section 5A(4) of the Land Use Planning and Approvals Act 1993. The amendments made to the STRLUS included additional sites within the Urban Growth Boundary (UGB) and an amendment to regional policy SRD 2.12.

The amendment to Regional Policy SRD 2.12 enables Councils and the Tasmanian Planning Commission greater flexibility in considering the planning merit of proposals to rezone land for urban purposes which are outside, but immediately adjacent to, the UGB.

2. Site Location and Context

The subject site is located at 471 Cambridge Road, Mornington and 528 & 540 Pass Road, Cambridge (CT 184647/1, CT 184647/2 & CT 184647/3); hereafter known as the site (Figure 1.2). The site is located immediately east of the Urban Growth Boundary which encompasses the existing urban settlement in Mornington. It is in a key location between Cambridge and Rosny Park and is adjacent to General Residential land and urban areas in Clarence (Figure 1.1). The subject site has an area of approximately 5.756 ha.

The site benefits from proximity to existing services and infrastructure within the settlement of Mornington, immediately to the west, as well as proximity to adjoining local centres in Warrane, Rosny Park, and is close to Cambridge. The site is less than 5km from Rosny Park and is less than 10km from the Hobart CBD.

Title information is included in Appendix A.



Table 01 - Titles Subject to Amendment

Address	Title Reference	Area (m ²)	Owner
471 CAMBRIDGE RD	PID: 9617971 CT: 184647/1	21,250	MORNINGTON PARK ESTATE PTY LTD
540 PASS RD	PID: 9143841 CT: 184647/2	19,560	MORNINGTON PARK ESTATE PTY LTD
528 PASS RD	PID: 9154361 CT: 184647/3	16,770	MORNINGTON PARK ESTATE PTY LTD

The site accommodates two dwellings and a number of sheds. There is some regrowth vegetation in the southern corner of the site, particularly on the rear of 528 and 540 Pass Road.

The site is relatively level at the Pass and Cambridge Road frontages but becomes steeper in the southeastern corner of the site. There is an open swale that runs diagonally across the site and terminates in a headwall on the northwestern corner of the site where it joins a culvert under Cambridge Road.

There are water and sewer mains in Cambridge Road and a water main in Pass Road, but no services cross the site.



Figure 1.1: Subject Site outlined in red (Source LISTmap, accessed 27.07.23)

2.1 The Local Area

Mornington comprises a mix of urban land uses and development. The urban areas of Mornington sit between the Tasman Highway to the north which follows the southern edge of the Meehan range, over undulating land which then rises to a shorter ridge at the south, comprising Knopwood Hill. Mornington is bound to the east by rural residential lots off Pass Road, and to the west by Cambridge Road, separating the locality from Warrane.

Residences within Warrane are located in northern and western sections separated by the South Arm Highway. The centre of Mornington is predominately industrial, and there are large vegetated areas to the south.

The Mornington community is served by parks, and a college, benefiting from proximity to Warrane and Rosny Park, which supplies higher order activity centre functions. There are a significant number of businesses within Mornington including Australia Post, landscaping suppliers, signwriters, panel beaters and building contractors yards; all typical of an industrial estate. The area also includes the Mornington Waste Transfer Station, and a Quarry.

The area is well served by public transport which provides linkages across the Principal Activity Centres of Hobart City and Rosny Park.

Mornington is situated within the Clarence City Council municipal area and has a population of approximately 2,469 as of the 2021 census. An outline of the site relative to key facilities within the locality can be seen in Figure 1.2.

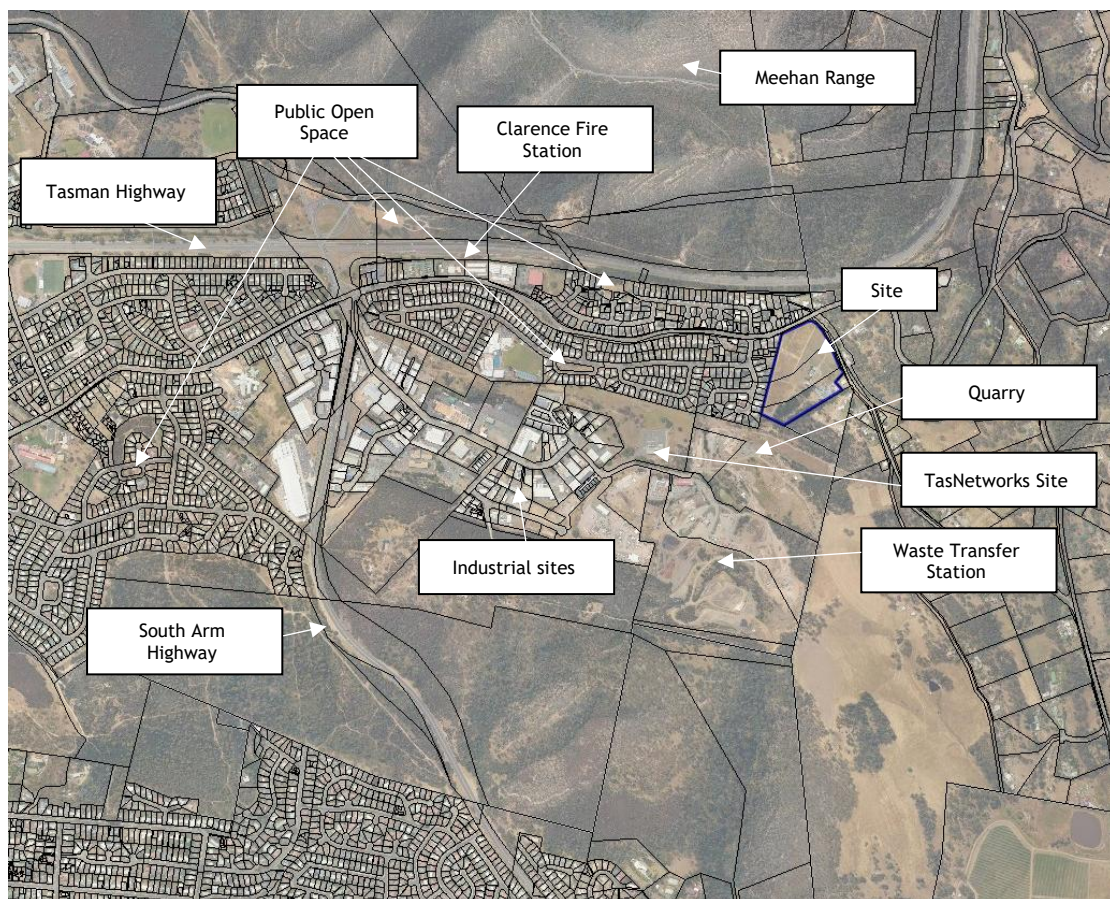


Figure 1.2: Subject Site and Surrounding Area (Source LISTmap, accessed 27.07.23)

2.2 Current Zone and Overlays

The subject site is zoned Rural Living (B) under the *Tasmanian Planning Scheme - Clarence*. To the immediate west and north of the site land is zoned General Residential, with land to the east zoned Rural Living. Land to the south is zoned Open Space, and beyond that General Industrial and Landscape Conservation (See Figure 2.1). Note that land to the further north is zoned Utilities which refers to the Tasman Highway.

The site is subject to five overlays: Where entirely covered by the Bushfire-prone area, and obstacle limitation area, and partially subject to a Waterway and coastal protection area (see Figure 2.2). The south of the site is also covered by the Landslip Hazard (see Figure 2.3) and areas in the north of the site covered by the Flood-prone areas overlay (see Figure 2.4). Adjoining sites are subject to the 'Potentially contaminated land' overlay although the subject site is not (see Figure 2.5).

Though not subject to an overlay, the site is within an attenuation area as determined by the nearby waste treatment and composting facilities (Morningside Park Waste Depot), water treatment facility (Hydrowater Treatment Facility), and quarry (Morningside Quarry). In addressing the potential impacts of these facilities a noise report has been obtained (see Appendix N)

There are no heritage-listed places on or adjoining the site.

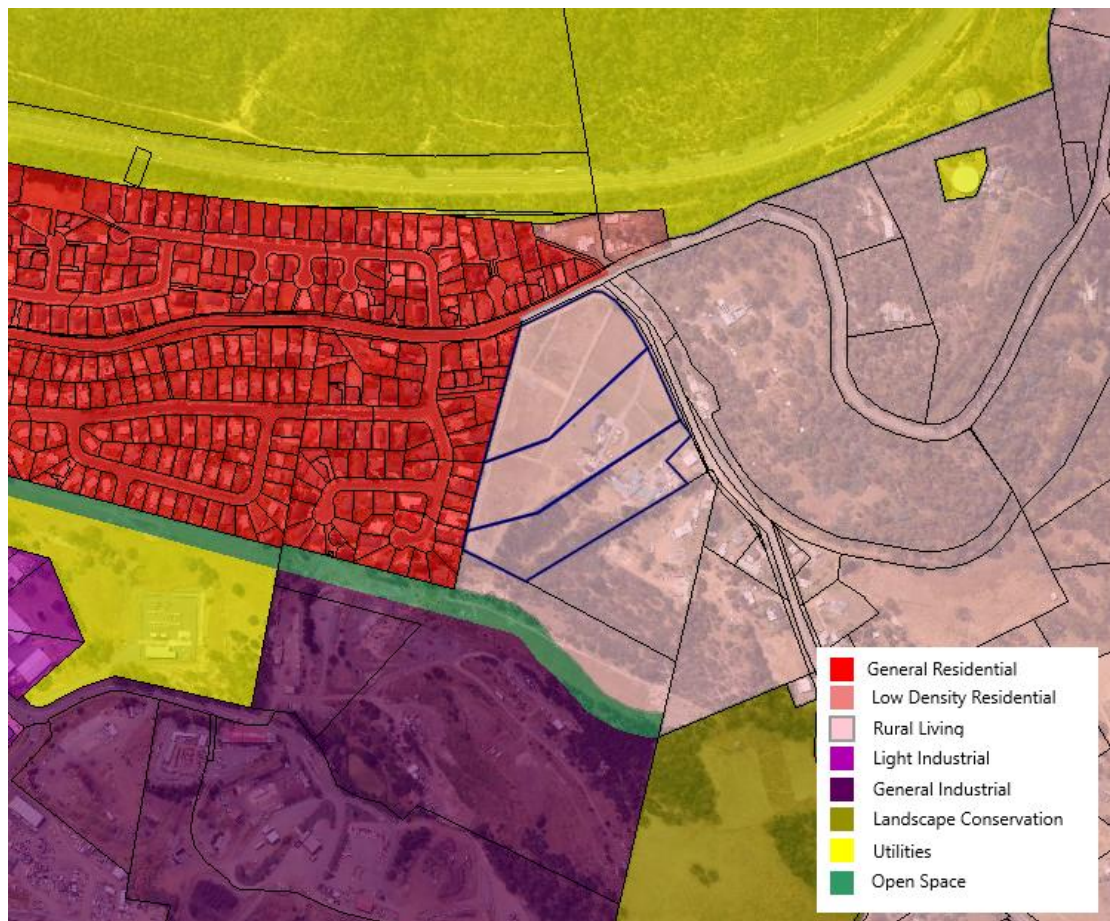


Figure 2.1: Zoning of the Subject Site and Surrounding Areas - (Source LISTmap, accessed 22.11.24)



Figure 2.2 (left): Extent of 'Waterway and Coastal Protections area' Overlay (Source LISTmap, accessed 05.06.23)

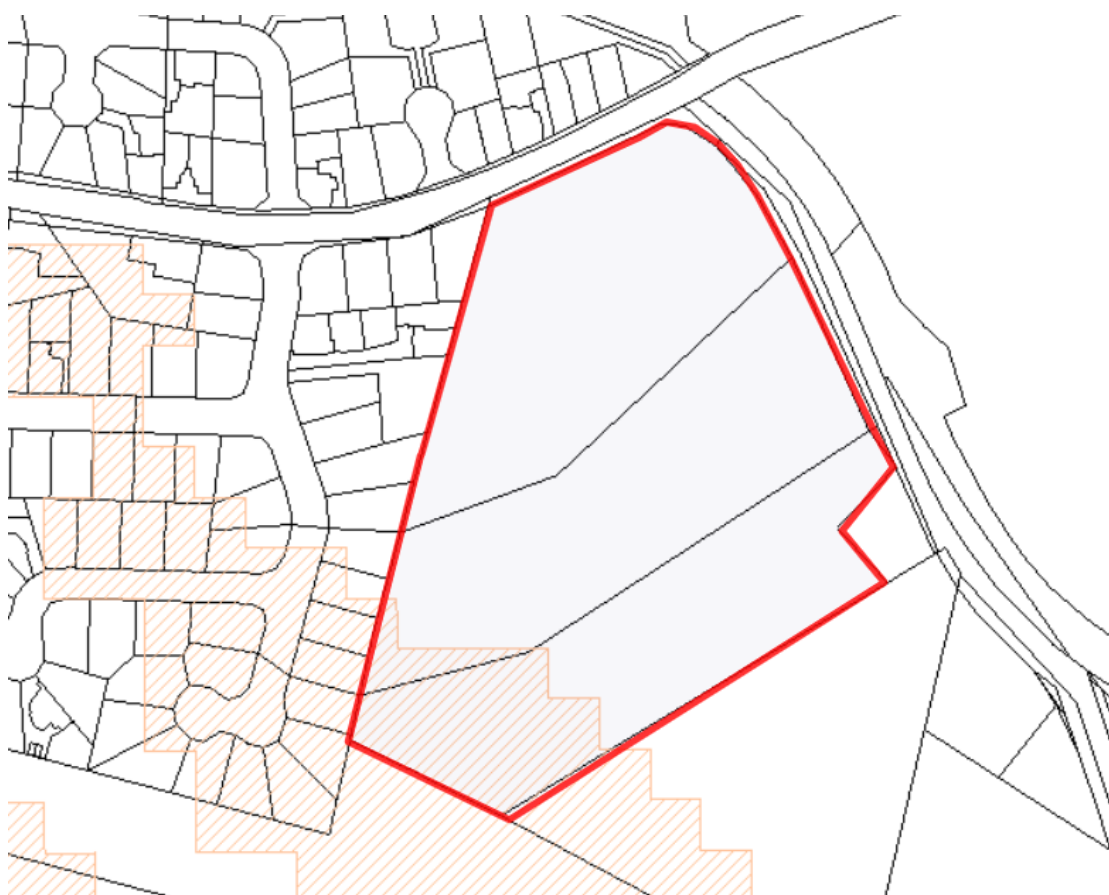


Figure 2.3: Extent of 'Landslip Hazard area' Overlay (Source LISTmap, accessed 27.7.23)



Figure 2.4 (left): Extent of 'Flood-prone areas overlay' Overlay (Source LISTmap, accessed 27.7.23)

Figure 2.5 (right): Extent of 'Potentially Contaminated Sites' Overlay (Source LISTmap, accessed 27.7.23)

2.3 Existing Infrastructure

Water

The site currently abuts two water supply zones. There is a DN200 main running down Pass Road, which is serviced by the Tunnel Hill Reservoir; and a DN150 main running down Cambridge Road serviced by the Mornington High Level Reservoir. Both zones have a similar operating pressure with a top water level of 164m.

TasWater advise that they would like the development to be serviced from the Mornington High Level Zone (CLW10) and have also stated that they would like a second connection to the development area to provide operational flexibility. This connection would not be required in the initial stages but needs to be allowed for as the development progresses.

Sewer

The site is serviced by a DN150 gravity sewer on the northern side of Cambridge Road. This pipe continues as DN150 until 400 Cambridge Road, where it increases to DN225 and continues all the way to the Rosny Sewage Treatment Plant (STP). TasWater modelling indicates that the network is currently undersized with spills at 5 locations between the development site and the STP. This increases to six locations when an additional 50 Equivalent Tenements (ET's) enter the system and seven locations when 75 or more ET's enter the system. TasWater modelled potential mitigation measures. It was found that 25 additional ET's could be accommodated before any augmentation would be required. However, at this point, approximately 770m of sewer would require upsizing to DN225.

Stormwater

The site is currently traversed from south to north with an open drain directing runoff to a DN525 culvert and headwall running under Cambridge Road. There are four different upstream catchments contributing to flow through the site. The existing downstream stormwater system is undersized to take the current 5% AEP runoff from the upstream catchment. It is also at minimum depth. It is proposed to augment the system by running a new DN900 pipe approximately 70m at 0.5% grade from the development site to the existing DN900 at 482 Cambridge Road.

An underground detention chamber, situated at the site's low point along Road 2, will manage runoff by discharging at a rate that does not exceed the current pre-development flow



contribution for the 5% AEP storm event. Rainfall events that exceed the piped network capacity (nominally those greater than the 5% AEP) will be managed via overland flow paths through the road network, directing excess water to Cambridge Road.

Details of the current and future subdivision are within the Subdivision Plan and Concept Services and Stormwater Reports (see Appendices F and R).

3. Planning Scheme Amendment

The amendment to *Tasmanian Planning Scheme - Clarence* is to:

- Rezone the land from Rural Living (B) to General Residential, Local Business and Open Space;
- Include a Specific Area Plan that controls use, development and subdivision on the site; and
- Remove the Waterway and Coastal Protection Overlay from the site.

The amendment allows for a development of the site to facilitate an overall site masterplan (Figure 3.1)

The rezoning is outside the Urban Growth Boundary under the Southern Tasmania Regional Land Use Strategy and thus consideration under policy SRD 2.12 of that strategy is required.



Figure 3.1: Site Masterplan (see Appendix B for a high resolution drawing)

3.1 Rezoning

It is proposed to rezone the land from Rural Living B to General Residential, Local Business, and Open Space. The zoning composition is to facilitate a masterplan for the site which is shown below in Figure 3.2.

Residential areas are rezoned to the 'General Residential', shop top housing is rezoned to 'Local Business', the public open space area is rezoned to 'Open Space'.

The rezoning of the site to largely General Residential is consistent with the zone structure of the local area in that the proposal will be an extension of the existing General Residential zone to the west and north.

A copy of the proposed zoning map is attached in Appendix K.

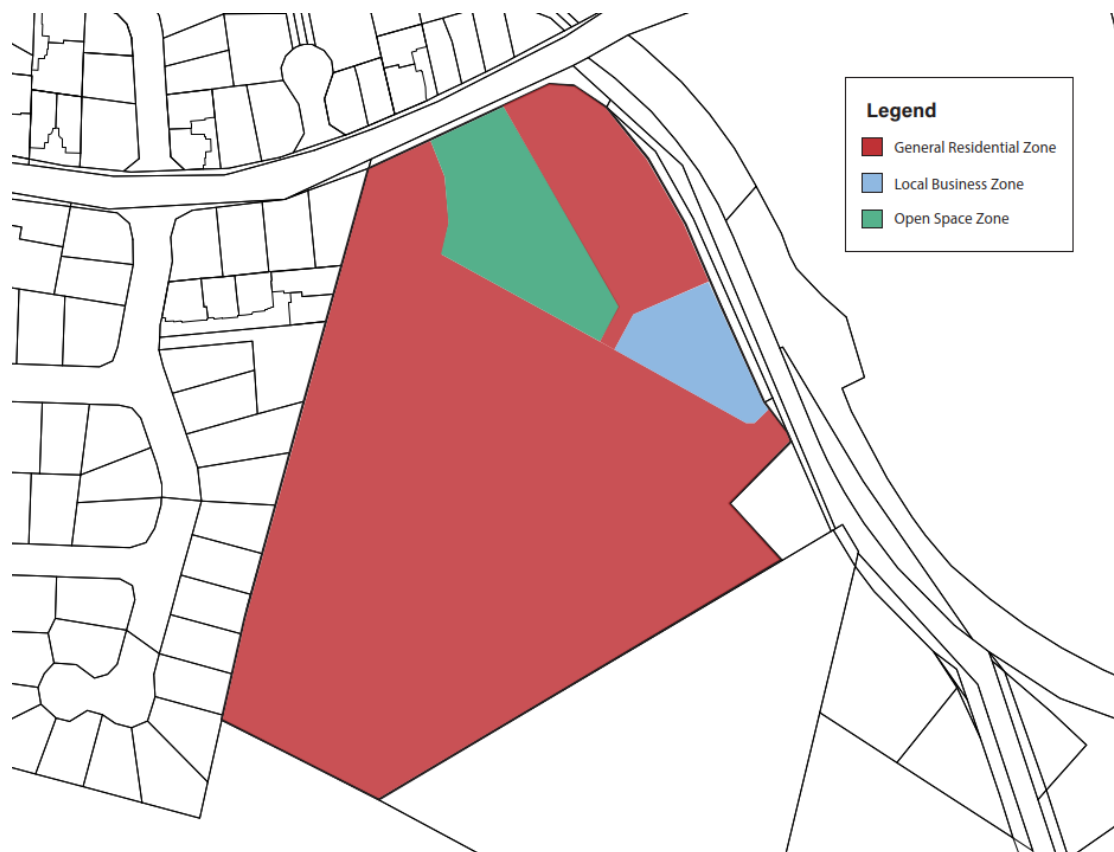


Figure 3.2: Proposed Zoning (see Appendix K for a high resolution map)

Urban Growth Boundary

The site borders but is outside the Urban Growth Boundary see Figure 3-3 below.

The Urban Growth Boundary is a creation of the Southern Tasmania Regional Land Use Strategy. A recent amendment to the strategy (17th May 2023) included the following provision:

SRD 2.12

Notwithstanding SRD 2.2 and SRD 2.8, and having regards to the strategic intent of the Urban Growth Boundary under SRD 2 to manage and contain growth across greater Hobart, land outside the Urban Growth Boundary shown in Map 10 may be considered for urban development if it:



(a) shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:

- i. only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or*
- ii. does not constitute a significant increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and*

(b) can be supplied with reticulated water, sewerage and stormwater services; and

(c) can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and

(d) results in minimal potential for land use conflicts with adjoining uses.

All titles share a common boundary with the existing Urban Growth Boundary (a).

The extension of urban development is small (5.7ha) in the context of the Mornington suburb (140ha) at approximately 4% and is a logical extension given the urban development would be contained by Pass Road and not continue further south than the existing General Residential zone (a)(i).

The site is not within a contemporary settlement strategy (a)(ii), but this is not required as (a)(i) is met.

The site is supplied with reticulated water and sewer, and there is a stormwater connection available, however, upgrades are required to sewer pipe sizes down-stream and the site will be used for stormwater detention for a 1%AEP event (refer to the concept services report in Appendix F) (b).

The site is on the corner of two collector roads (Pass Road and Cambridge Road) which already accommodate active transport networks (refer to the Traffic Impact Assessment in Appendix G) (c).

The boundary with existing uses is mostly residential, thus the residential use of the site will not cause land use conflict on the contrary the inclusion of a regional park and local shops will be a benefit to these residents (d).

On this basis, the proposed site should be considered for urban development under the SRD2.12 provision, and the Urban Growth Boundary is not necessarily an obstacle to the amendment.



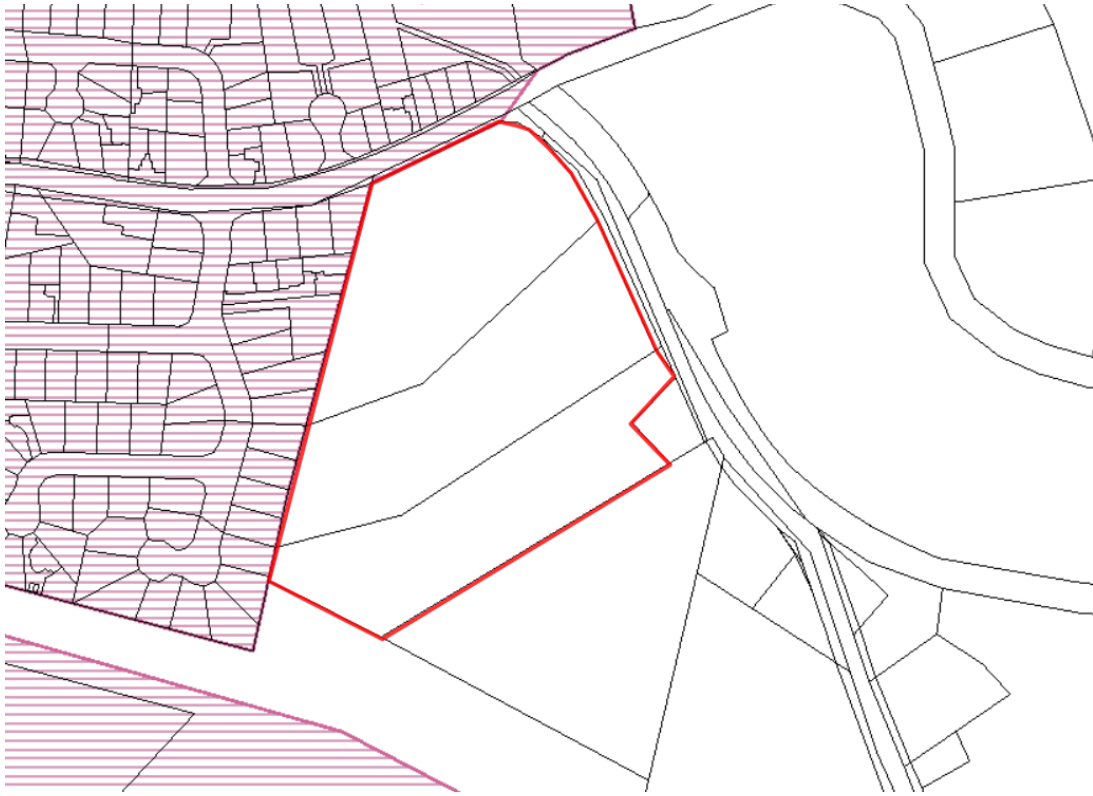


Figure 3.3: Urban Growth Boundary

3.2 Specific Area Plan

A Specific Area Plan is proposed to set the road and lot layout, locate the park area and shop services, and substitute several clauses within the General Residential zoning to facilitate specific building types to create housing diversity, not otherwise able to be provided typically in the 'General Residential' and 'Inner Residential' zone types. Many of the housing products require a rear service lane which aims to draw traffic off the primary building frontage and make it a more usable space.

The use table has been pared back to only residential uses and local services.

Specific residential development solutions are included which if used by applicants would provide a no permit required pathway for dwellings.

The application of a number of provisions within the General Residential zone are being amended by substituting provisions, specifically they are:

- 8.2 Use table
- 8.4.1 Residential density for multiple dwellings
- 8.4.2 Setbacks and building envelopes for all dwellings
- 8.4.3 Site coverage and private open space for all dwellings
- 8.6.1 Lot Design
- 8.6.2 Roads

The application of a number of code provisions are also being amended by substituting provisions, and they are:

- C2.5.1 - Car Parking Numbers in the Parking and Sustainable Access Code
- C3.5 - Use in the Road and Railway Assets Code

To allow for housing diversity, it is necessary to draft provisions for specific lot/product types. The provisions below contain 3 specific lot types over and above lot types allowable in the underlying zone:



- Type A - a 300m² lot (10m x 20m);
- Type B - a 300m² lot (12m x 25m); and
- Type C - a 450m² lot (15m x 30m).

In justifying the lot sizes and potential dwelling development, shadow diagrams have been prepared (see Appendix M). These diagrams demonstrate that dwellings may be designed at higher densities whilst having minimal impacts of overshadowing between dwellings including to their private open space.

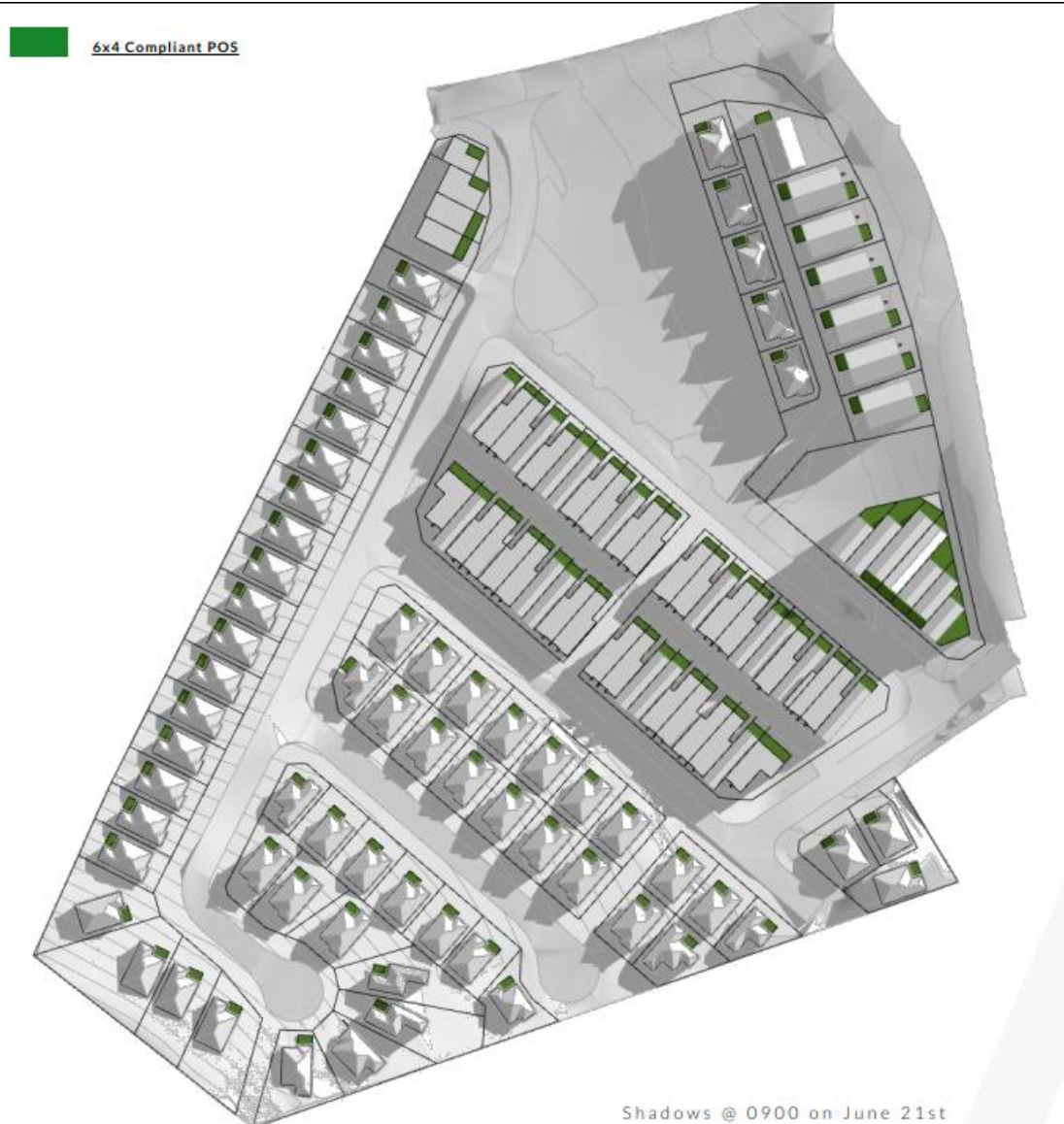


Figure 3.4 extract of shadow diagrams provided at Appendix M.

The specific SAP provisions are:

CLA-SXX.0 Mornington Park Specific Area Plan

CLA-SXX.1 Plan Purpose

The purpose of the Mornington Park Specific Area Plan is:



- CLA-SXX.1.1 To encourage a cohesive structure to the development of residential land, at a sufficient density to support a suburban level activity centre around the regional Mornington Park facility;
- CLA-SXX.1.2 To facilitate the optimum physical layout, combining accessible urban form through a range of residential housing types and densities, reduced street crossovers and traffic, and maximise park side living;
- CLA-SXX.1.3 To provide a high level of amenity to residents by facilitating built forms which respond to the streetscape and park settings;
- CLA-SXX.1.4 Provide for a regional open space that includes:
- (i) Recreation and social activities, and
 - (ii) Parkland to enhance the residential environment, and
 - (iii) The management of stormwater systems.
- CLA-SXX.1.5 To facilitate an integrated planning framework to guide the development of land in different ownerships.
- CLA-SXX.1.6 To provide for a walkable neighbourhood, characterised by pedestrian links to open spaces, and businesses which serve the local community.

CLA-SXX.2 Application of this Plan

- CLA-SXX.2.1 The specific area plan applies to the area of land designated as the Mornington Park Specific Area Plan on the overlay maps.
- CLA-SXX.2.2 In the area of and to which this plan applies to, the provisions of the specific area plan are in substitution for or in addition to, the provisions of the General Residential zone and Parking and Sustainable Access Code, as specified in the relevant provision.

CLA - SXX.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

CLA - SXX.4 Definition of Terms

CLA-SXX.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Building Edge	Means a continuous building line (excluding minor variations) parallel to the Primary Street Façade or Park Façade.
Multiple Dwelling Lots	mean those lots indicated as Multiple Dwelling Lot, in Figure CLA-SXX.1.
Park frontage	Means lots which have a frontage to the public open space as shown in Figure CLA-SXX.1.
Primary Street Façade or Park Façade	Means the area of land shown in Figure CLA-SXX.2
Residential Lot	Means those lots designated as Type C in the Figure CLA-SXX.1
Villa Housing Lots	means those lots indicated as Type A or B Figure CLA-SXX.1.



CLA - SXX.5 Use Table

This clause is in substitution for Clause 8.2 of the General Residential zone.

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for single dwelling
Utilities	If for minor utilities.
Permitted	
Residential	If for multiple dwellings and if not on Villa Housing or Type C Residential lots
Discretionary	
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If for boarding house, hostel or serviced apartment.
Prohibited	
All Other Uses	

CLA - SXX.6 Use Standards

This sub-clause is not used in this specific area plan.

CLA - SXX.7 Development Standards for Buildings and Works

This clause is in substitution for General Residential Zone - clauses 8.4.1 Residential density for multiple dwellings, 8.4.2 Setbacks and building envelope for all dwellings, 8.4.3 Site coverage and private open space for all dwellings and 8.4.4 Sunlight to private open space of multiple dwellings for Multiple Dwellings Lots, and Villa Housing Lots.

CLA - SXX.7.1 Setbacks and building height for all dwellings on Multiple Dwellings Lots, and Villa Housing Lots

This clause is in substitution for General Residential Zone - clauses 8.4.1 Residential density for multiple dwellings.



Objective:	
<i>That the density of multiple dwellings:</i> (a) <i>makes efficient use of land for housing; and</i> (b) <i>optimises the use of infrastructure and community services.</i>	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 200m².	P1 Multiple dwellings must only have a site area per dwelling less than 200m² if: (a) the development contributes to a range of dwelling types and sizes appropriate to the surrounding area; or (b) the development provides for a specific accommodation need with significant social or community benefit.

CLA - SXX.7.2 Setbacks and building height for all dwellings on Multiple Dwellings Lots, and Villa Housing Lots

This clause is in substitution for General Residential Zone clause 8.4.2 Setbacks and building envelope for all dwellings for Multiple Dwellings Lots, Villa Housing Lots Type A and B, designated in Figure CLA-SXX.1

Objective:	
<i>The siting and scale of dwellings:</i> (a) <i>provides reasonably consistent separation between dwellings and their frontage within a street;</i> (b) <i>provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</i> (c) <i>provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</i> (d) <i>provides reasonable access to sunlight for existing solar energy installations.</i>	
Acceptable Solutions	Performance Criteria
A1.1 For Multiple Dwelling Lots: A dwelling excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is not less than 1m; A1.2 For Villa Housing Lots: A dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less	P1 A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.



than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;	
A2.1 For Multiple Dwelling Lots: Garages or carport for a dwelling must only be accessed from and have a 1.5m setback to the rear boundary. A2.2 For Villa Housing Lots: A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	P2 For Multiple Dwelling Lots there is no performance criteria. P2.2 For Villa Housing Lots a garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.
A3.1 For Multiple Dwelling Lots: (a) A dwelling, excluding outbuildings, may be built to the side boundary, but must be set back from the rear boundary 1.5m with a height not greater than 9.5m; and dwelling, including outbuildings located within 15m of the public open space park façade must be built with a setback of 3m from that boundary and have a height of no more than 6m. A3.3 For Villa Housing Lots: A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height	P3 The siting and scale of a dwelling must have regard to: (a) providing a building edge along the primary street façade or park façade; (b) not causing an unreasonable loss of amenity to adjoining properties, having regard to: (iii) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (iv) overshadowing the private open space of a dwelling on an adjoining property; (v) overshadowing of an adjoining vacant property; and (vi) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (c) providing separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and (d) not causing an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site.



of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).	
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CLA - SXX.7.3 Site coverage and private open space for all dwellings on Multiple Dwelling Lots, and Villa Housing Lots

This clause is in substitution for General Residential Zone clause 8.4.3 Site coverage for all dwellings

Objective: <i>That dwellings are compatible with the amenity and character of the area and provide:</i> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.	
Acceptable Solutions	Performance Criteria
A1 Dwellings must: (a) For Multiple Dwelling Lots, have a site coverage of not more than 80% of the lot area; or (b) For Villa Lots, have a site coverage of not more than 65% (excluding eaves up to 0.6m wide);	P1 Dwellings must have: (a) site coverage consistent with that existing on established properties of the same lot type; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
A2.1 For Multiple Dwelling Lots, a dwelling must have private open space with a minimum area of 9m² and a minimum dimension of 3m; A2.2 For Villa Housing Lots a dwelling must have private open space that: (a) is in one location and is not less than:	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.



(i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10.	
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CLA - SXX.7.4 Storage for all dwellings on Multiple Dwelling Lots, and Villa Housing Lots

This clause is in addition to clauses in the General Residential Zone.

Objective:	
(a) To provide for the storage of waste and recycling bins for all dwellings; and (b) To provide adequate and useable storage areas for the needs of residents.	
Acceptable Solutions	Performance Criteria
A1 Each dwelling must be provided with a dedicated and secure storage space of no less than 6m ³ .	P1 No Performance Criteria.
A2 Each dwelling must have a storage area for waste and recycling bins, that is an area of not less than 1.5m ² and not within the area in front of the dwelling ³ .	P2 No Performance Criteria.

CLA - SXX.7.5 Façade design for Multiple Dwelling Lots and Villa Housing Lots

This clause is in addition to clauses in the General Residential Zone

Objective:	
(a) To create a highly articulated streetscape; and (b) To achieve diversity in front façade designs.	
Acceptable Solutions	Performance Criteria
A1 Dwellings for lots adjoining the primary street façade or park façade must include:	P1 Dwelling design for lots adjoining the primary street façade or park façade has regard to:



(a) a varied plan shape from adjoining dwellings with frontage to the same street (including steps, curves, recesses projections or splays); (b) variations in vertical profile from adjoining dwellings or multiple dwellings on the same street (including steps or slopes at different levels); (c) patterning or sun protection devices on windows; (d) recessing or projecting of windows, structural framing, grilles, panel details (such as stucco); (e) balustrades, balconies, verandahs or terraces; (f) planting on podiums, balconies, terraces and low level roof decks.	(a) varied plan shape from dwellings with frontage to the same street; (b) varied vertical profile from dwellings on the same street; (c) window and façade articulation; (d) planting visible from the street; and (e) a high level of articulation when viewed from public open space areas.
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CLA - SXX.7.6 Fencing for all dwellings

This clause is in substitution of clause 8.4.7 Frontage fences for all dwellings in the General Residential Zone

Objective:	
(a) To create a highly articulated streetscape; and (b) To promote personalisation of fencing design.	
Acceptable Solutions	Performance Criteria
A1 Each dwelling must be provided with a 1.2m high painted picket fence along the Primary Street Façade or Park Façade (excluding vehicle access areas),	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: (a) provide for passive surveillance of the road or park; and (b) be compatible with the height and transparency of fences in the street, having regard to the topography of the site.

CLA - SXX.8 Development Standards for Subdivision

CLA - SXXX.8.1 Outline of development plan

This clause is in substitution for General Residential Zone - clauses 8.6.1 Lot design in the General Residential zone.



Objective:	
<i>To provide for the certainty of future subdivision</i>	
Acceptable Solutions	Performance criteria
A1 A lot, or a lot proposed on a plan of subdivision, is consistent with Figure CLA-SXX.1	P1 (a) Proposed lot configuration generally accords with Figure CLA-SXX.1 in terms of road alignment and lot layout; and (b) exclusive of road, Utilities and public open space lots, subdivision does not result in lots in addition to the lots shown in Figure CLA-XX.1
A2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road or a laneway in accordance with the requirements of the road authority.	P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the length of the access; (c) the distance between the lot and the carriageway; (d) the nature of the road and the traffic; (e) the anticipated nature of vehicles likely to access the site; and (f) the ability for emergency services to access the site.
A3 <i>Public Open Space provision must:</i> (a) <i>be consistent with Figure CLA-SXX ;</i> (b) <i>is deemed to meet the Council requirements for public open space contribution; and</i> (c) <i>must not be provided as cash in lieu.</i>	P3 <i>Public Open Space must be provided generally in accordance with in Figure CLA-SXX.1 having regard to:</i> (a) <i>the topography of the site;</i> (b) <i>any natural or landscape values;</i> (c) <i>adequate provision of public open space;</i> (d) <i>the purpose of the public open space;</i> <i>and must not be provided as cash in lieu.</i>

CLA - SXX.8.2 Outline of development plan

This clause is in substitution for General Residential Zone - 8.6.2 Roads

Objective:
<i>That the arrangement of new roads within a subdivision provides for:</i> (a) <i>safe, convenient and efficient connections to assist accessibility and mobility of the community;</i> (b) <i>the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic;</i> <i>and</i>



<i>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</i>	
Acceptable Solutions	Performance criteria
A1 Roads within the subdivision are consistent with Figure CLA-SXX.1	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to: (a) any road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.

CLA - SXX.9 Car Parking Requirements

This clause is in substitution of the Parking and Sustainable Access Code C2.5.1 Car parking spaces.

Objective:	
<i>That an appropriate level of car parking spaces are provided to meet the needs of the use.</i>	
Acceptable Solutions	Performance criteria
A1 The number of on-site car parking spaces must be no less than one space per dwelling.; and No visitor parking is required;	P1 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.



CLA - SXX.9 Car Parking Requirements

This clause is in substitution for the Parking and Sustainable Access Code C2.5.1 Car parking spaces.

Objective:	
<i>That an appropriate level of car parking spaces are provided to meet the needs of the use.</i>	
Acceptable Solutions	Performance criteria
A1 The number of on-site car parking spaces must be no less than one space per dwelling.; and No visitor parking is required;	P1 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.

Figure CLA-SXX.1 Mornington Park Specific Area Plan Master Plan

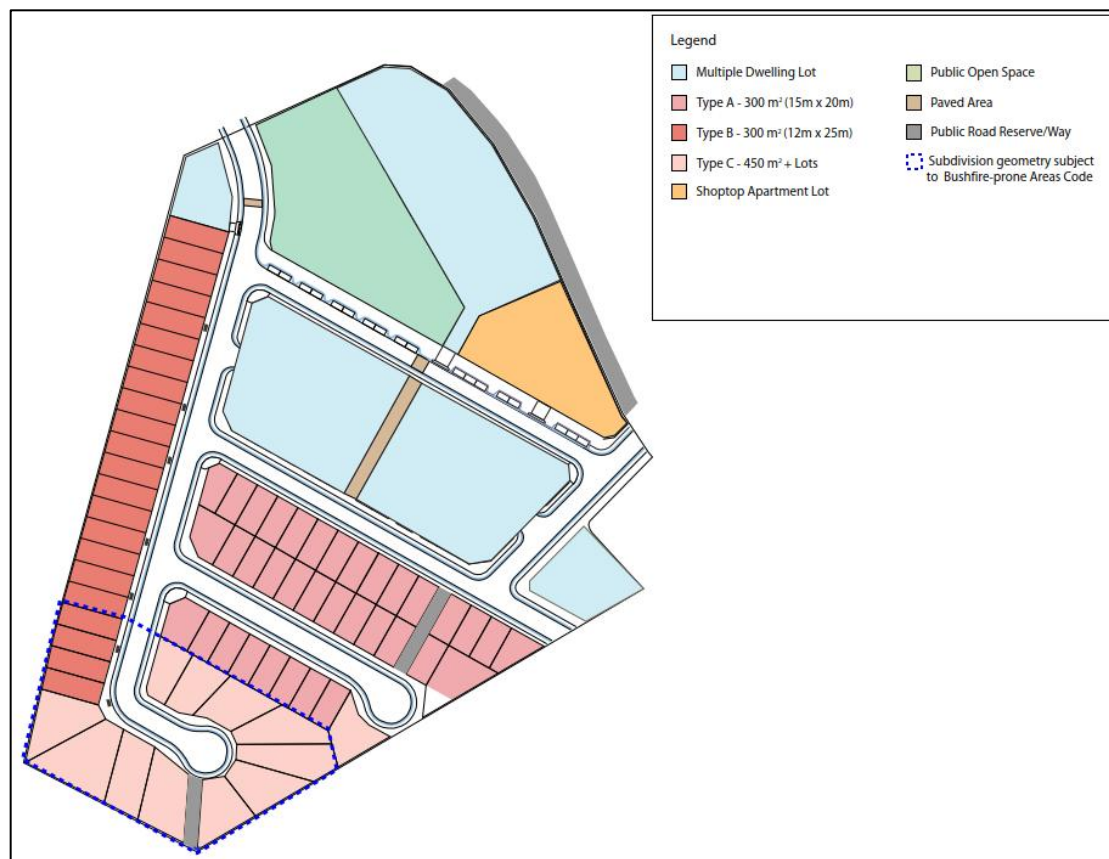
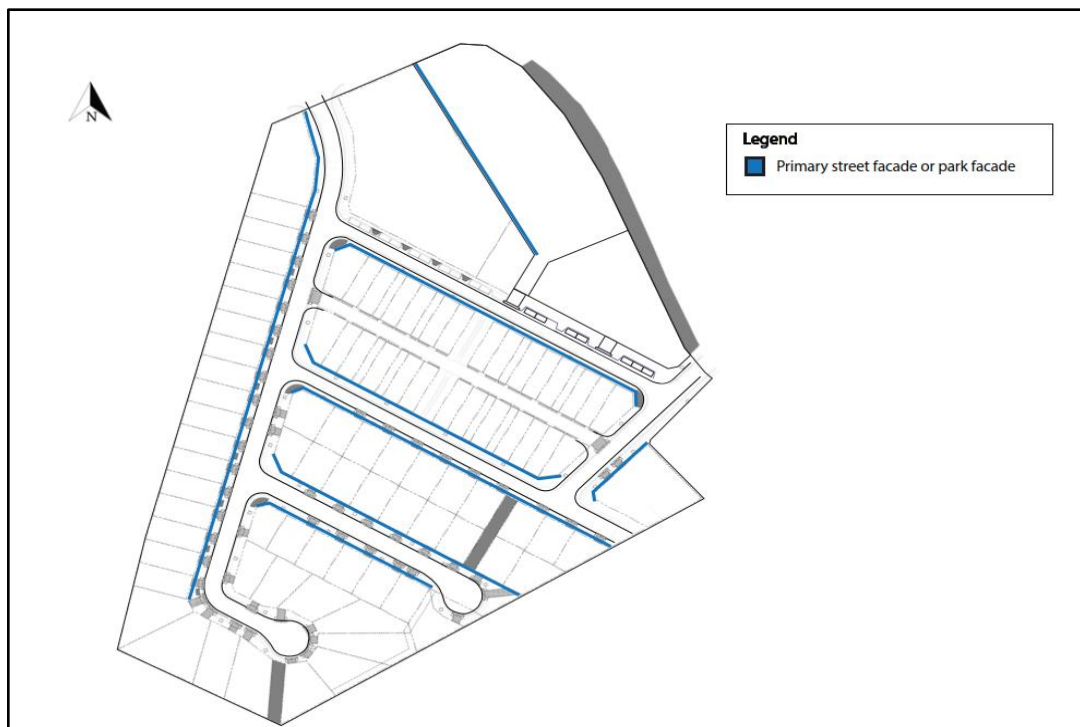


Figure CLA-SXX.2 Mornington Point Specific Area Plan Primary Street Façade or Park Façade



A full copy of the Specific Area Plan is in Appendix L.

A comparison of the General Residential zone uses and the SAP use table is shown in Table 3.1 below:

Table 3.1: Comparison of uses Specific Area Plan to General Residential

Status	General Residential Zone	Specific Area Plan
No Permit Required	- Natural and cultural values management - Passive Recreation - Residential (if for a single dwelling.) - Utilities (if for minor utilities.)	- 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	Residential (if for Multiple Dwellings and if not on Villa Housing Lots).
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) - Education 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.) - Sport and Recreation (if for a fitness centre, gymnasium, public swimming pool or sports ground.) - Utilities (if not listed as No Permit Required.)	- Utilities (if not listed as No Permit Required.) - Visitor Accommodation: If for boarding house, hostel or serviced apartment.
Prohibited	All other uses	All other uses

The rationale is to exclude uses which are not suitable for a site developed at a higher intensity or are not residential in nature (such as fire station, education and occasional care, and business and professional services) which are available nearby. Visitor Accommodation is specifically excluded to maintain this site as purely for residential housing.

3.3 Alternatives

The proposed rezoning aims to facilitate a specific residential development product, and it is considered that the General Residential and Open Space zoning provisions can control much of the development on the site. The additional layer of the Specific Area Plan enables those controls that do not allow the housing types proposed to be accommodated.

In preparing the proposed amendment however, some consideration has been given to alternatives for the site. Generally the consideration of alternatives are:

- **Inner Residential Zone**

Due to the proposed increased density on the site consideration was given to rezoning either some or all of the land to Inner Residential. This was however discounted as the site is not in proximity to an activity centre with a range of services and facilities and is not located along high-frequency public transport corridors. Nor is it considered appropriate for a wider range of non-residential uses when compared to the General Residential Zone.

Whilst the SAP provisions are based on those in the Inner Residential zone, that is not exclusively the case. The controls are intended to deliver a specific higher density housing type, but this is still within the scope of the purpose of the General Residential zone.

- **Particular Purpose Zone**

A Particular Purpose Zone (PPZ) was considered as an alternative to control development on the site. A PPZ may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. However, the development is not a major facility that requires a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.

3.4 Use Implications

3.4.1 Current versus proposed zone uses

The proposed rezoning will have implications for the use of the site.

Table 3.2 compares current permit requirements with those under a zoning of General Residential. Table 3.3 compares current permit requirements with those under a zoning of Local Business. Table 3.4 compares current permit requirements with those under a zoning of Open Space.

Uses in bold can potentially occur in the proposed zone but are prohibited in the current zone. The proposed amendment to General Residential supports a larger number of urban uses on the site.

Table 3.2: Comparison of uses Rural Living to General Residential

Status	Rural Living Zone (current)	Specific Area Plan
No Permit Required	• Natural and Cultural Values Management • Passive Recreation • Residential (if for single dwelling) • Resource Development (if for grazing) • Utilities (if for minor utilities)	• Natural and cultural values management • Passive Recreation • Residential (if for a single dwelling.) • Utilities (if for minor utilities.)
Permitted	• Residential (if for home-based business.) • Visitor Accommodation	• Residential (if for Multiple Dwellings and if not on Villa Housing Lots).



Discretionary	• Business and Professional Services (if for a veterinary centre) • Community Meeting and Entertainment (if for a place of worship, art and craft centre or public hall) • Domestic Animal Breeding, Boarding or Training • Education and Occasional Care if for: (a) a childcare centre or primary school; or (b) an existing respite centre. • Emergency Services • Food Services If for a gross floor area of not more than 200m2. • General Retail and Hire If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop. • Manufacturing and Processing (if for alterations or extensions to existing Manufacturing and Processing) • Resource Development If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required. • Resource Processing (if not for an abattoir, animal saleyards or sawmilling) • Sports and Recreation (if for an outdoor recreation facility. • Utilities (if not listed as No Permit Required) • Vehicle Fuel Sales and Service	• Utilities (if not listed as No Permit Required.) • Visitor Accommodation: If for boarding house, hostel or serviced apartment.
Prohibited	All other uses	All other uses

Table 3.3 Comparison of uses Rural Living to Local Business

Status	Rural Living Zone (current)	Local Business Zone (proposed)
No Permit Required	• Natural and Cultural Values Management • Passive Recreation • Residential (if for single dwelling) • Resource Development (if for grazing) • Utilities (if for minor utilities)	• Business and Professional Services • Food Services • General Retail and Hire • Natural and Cultural Values Management • Passive Recreation • Residential (if for home-based business) • Utilities (if for minor utilities)
Permitted	• Residential (If for home-based business.) • Visitor Accommodation	• Bulky Goods Sales • Community Meeting and Entertainment • Educational and Occasional Care • Emergency Services • Hotel Industry • Pleasure Boat Facility (if for a boat ramp) • Research and Development



		• Residential If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required. • Visitor Accommodation (if located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises)
Discretionary	• Business and Professional Services (if for a veterinary centre) • Community Meeting and Entertainment (if for a place of worship, art and craft centre or public hall) • Domestic Animal Breeding, Boarding or Training • Education and Occasional Care If for: (a) a childcare centre or primary school; or (b) an existing respite centre. • Emergency Services • Food Services If for a gross floor area of not more than 200m2. • General Retail and Hire If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop. • Manufacturing and Processing (if for alterations or extensions to existing Manufacturing and Processing) • Resource Development If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required. • Resource Processing (if not for an abattoir, animal saleyards or sawmilling) • Sports and Recreation (if for an outdoor recreation facility. • Utilities (if not listed as No Permit Required) • Vehicle Fuel Sales and Service	• Equipment and Machinery Sales and Hire • Manufacturing and Processing • Residential (if not listed as No Permit Required or Permitted) • Resource Processing (if for food or beverage production) • Service Industry • Sports and Recreation • Storage • Tourist Operation • Transport Depot and Distribution • If for: • a public transport facility; or • distribution of goods to or from land within the zone. • Utilities (if not listed as No Permit Required). • Vehicle Fuel Sales and Service • Vehicle Parking • Visitor Accommodation If not listed as Permitted
Prohibited	All other uses	All other uses

Table 3.4 Comparison of uses Rural Living to Open Space

Status	Rural Living Zone (current)	Open Space Zone (proposed)
No Permit Required	• Natural and Cultural Values Management • Passive Recreation • Residential (if for single dwelling) • Resource Development (if for grazing) • Utilities (if for minor utilities)	• Natural and cultural values management • Passive Recreation • Utilities (if for minor utilities.)
Permitted	• Residential (If for home-based business.) • Visitor Accommodation	No permitted uses

Discretionary	• Business and Professional Services (if for a veterinary centre) • Community Meeting and Entertainment (if for a place of worship, art and craft centre or public hall) • Domestic Animal Breeding, Boarding or Training • Education and Occasional Care If for: (a) a childcare centre or primary school; or (b) an existing respite centre. • Emergency Services • Food Services (if for a gross floor area of not more than 200m²). • General Retail and Hire If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop. • Manufacturing and Processing (if for alterations or extensions to existing Manufacturing and Processing) • Resource Development If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required. • Resource Processing (if not for an abattoir, animal saleyards or sawmilling) • Sports and Recreation (if for an outdoor recreation facility. • Utilities (if not listed as No Permit Required) • Vehicle Fuel Sales and Service	• Community Meeting and Entertainment • Crematoria and Cemeteries (if for a cemetery) • Emergency Services • Food Services • General Retail and Hire • Pleasure Boat Facility • Resource Development (If for marine farming shore facility or other facility that relies upon a coastal location to fulfil its purpose or grazing.) • Tourist Operation • Transport Depot and Distribution (if associated with wharves, water taxis, or commuter or passenger ferry terminals) • Utilities (If not listed as No Permit Required.) • Vehicle Parking • Visitor Accommodation (if for camping and caravan park or overnight camping areas)
Prohibited	All other uses	All other uses

The comparative analysis demonstrates that the proposed rezoning from Rural Living to SAP provisions, Local Business and Open Space will be a significant reduction in the number of permissible uses on the site. The uses in the SAP are further reduced due to the specific residential types utilised on the site.

Relevant Use Standards - General Residential

Uses in land zoned General Residential will be subject to clause 8.3 Use Standards. There is no substituting use standards clause of the proposed Specific Area Plan.

8.3.1 Discretionary uses

Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.

8.3.2 Visitor Accommodation

Objective: That Visitor Accommodation:

- (a) is compatible with the character and use of the area;
- (b) does not cause an unreasonable loss of residential amenity; and
- (c) does not impact the safety and efficiency of local roads or rights of way.

It is considered the Use standards adequately control use and development within the Zone.



Relevant Development Standards - General Residential

Development on land zoned General Residential will be subject all of the development standards of the zone, with the exception of development on Multiple Dwelling Lots, and Villa Housing Lots which will only be subject to the following standards of the underlying zone:

1. Clause 8.4.5 Width of openings for garages and carports for all dwellings
2. Clause 8.4.6 Privacy for all dwellings
3. Clause 8.4.7 Frontage fences for all dwellings
4. Clause 8.5 Development Standards for Non-dwellings.

It is considered the Development Standards adequately control use and development within the Zone.

Relevant Use & Development Standards - Local Business Zone

All use and development will be subject to the provisions of the underlying zone.

Relevant Use & Development Standards - Open Space Zone

All use and development will be subject to the provisions of the underlying zone.

It is therefore considered the Development Standards adequately control use and development within the Zone.



4. Legislative Implications

4.1 Land Use and Planning Approvals Act 1993

The *Land Use Planning and Approvals Act 1993* (the Act) is the principal planning Act and forms a component of the Resource Management and Planning System (RMPS). The following section considers the applicable criteria under LUPAA.

Section 32

Section 32 of the *Land Use Planning and Approvals Act 1993* (LUPAA) outlines the requirements for amending a Planning Scheme.

Table 4.1. Division 2 Section 32 - Contents of LPSs Contents of LPSs

Requirement	Amendment Response
(1) <i>An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.</i>	<i>The proposal is to apply only to the municipal area of Clarence.</i>
(2) <i>An LPS</i> (a) <i>Must specify the municipal area to which its provision apply and</i> (b) <i>must contain a provision that the SPPs require to be included in an LPS; and</i> (c) <i>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> (d) <i>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> (e) <i>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> (f) <i>must not contain a provision that is inconsistent with a provision of section 11 or 12 ; and</i> (g) <i>may designate land as being reserved for public purposes; and</i> (h) <i>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> (j) <i>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) <i>may, subject to this Act, include any other provision that -</i>	(2)- (a) <i>Municipality of Clarence specified in CLA-1.1.</i> (b) <i>The required clauses are under CLA1.1 and CLA 1.2.</i> (c) <i>Spatial maps of the rezoning and overlay changes are provided.</i> (d) <i>No provision is proposed.</i> (e) <i>Spatial maps of the rezoning and are provided.</i> (f) <i>No provisions are proposed which affect the Contents of Planning Schemes or Existing Use Rights or the provisions.</i> (g) <i>The proposal is for an amendment to include additional land as a public reserve.</i> (h) <i>No specific provisions are proposed.</i> (i) <i>No provisions overriding SPP provisions are proposed.</i> (j) <i>No provisions overriding SPP provisions are proposed.</i> (k) <i>Rezoning and overlays are permitted for inclusion in the LPS.</i> (l) <i>No provisions of the sort are proposed.</i>



<i>(ii) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and</i> <i>(k) is permitted by the SPPs to be included in an LPS; and</i> <i>(l) must not contain a provision that the SPPs specify must not be contained in an LPS.</i>	
<i>(3) 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>	<i>(3)</i> <i>(a) No Particular Purpose Zone is proposed,</i> <i>(b) A Specific Area Plan is proposed</i> <i>(c) No Site-Specific Qualification is proposed.</i>
<i>(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if -</i> <i>(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</i> <i>(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>	<i>(4) A Specific Area Plan is proposed and an assessment is provided under S34(2) of this report.</i>
<i>(5) 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>	<i>(5) The revised zoning is in accordance with spatial guidelines; where the zoning accords to the cadastre (with the exception of road centrelines).</i>

<i>(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.</i>	<i>(6) No provisions are proposed.</i>
<i>(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.</i>	<i>(7) Not applicable.</i>

4.1.1 Section 34 Criteria

Section 34(2) of the Act sets out the criteria to be met by a planning instrument. Table 4.2 provides an assessment of the proposed amendment against the criteria.

Table 4.2. Assessment against S34

Criteria	Assessment
<i>(a) contains all the provisions that the SPPs specify must be contained in an LPS</i>	The proposed amendment accords with the structure and contents of the LPS.
<i>(b) is in accordance with section 32</i>	As the amendment includes a Specific Area Plan, it is considered to be within Section 32(3). As such, under Section 32(4) the use or development must meet the requirements of 4(a) or 4(b). The amendment is providing use and development that is a significant social benefit to the municipal area under 4(a). The development of a regional-level park on the site is a significant social benefit as is the provision of affordable housing models. The development of 141 affordable freehold houses will have a significant social benefit to the municipality. Whilst the construction of dwellings will have an economic benefit, this is not likely to be of municipal significance. Accordingly, 4(a) is met in our view. Under 4(b) the site has the spatial qualities of being located on the corner of two collector roads, level, free of natural values and hazards, and located in a suitable geographical area relative to other regional parks in the municipality. The site is also adjacent to the UGB meaning there is scope to rezone the balance of the property as residential which further supports the development of the regional park. As such the site achieves the spatial quality requirements under 4(b). The use of the SAP is necessary to ensure that development meets delivers the regional park in the appropriate way and that local business/housing is located to reinforce the space of the park. The road structure is also unique and requires governing through the SAP in terms of layout and structure. This would not be achieved with a general rezoning of the site.
<i>(c) furthers the objectives set out in Schedule 1</i>	The proposed amendments meet with the objectives in Schedule 1 as discussed above.



<i>(d) is consistent with each State policy</i>	This is addressed in Section 5 which demonstrates that the proposed rezoning is in accordance with the state policy.
<i>(da) satisfies the relevant criteria in relation to the TPPs</i>	At present, there are no adopted TPPs.
<i>(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</i>	This is addressed in Section 3.4 which demonstrates that the proposal is consistent with Southern Regional Land Use Strategy 2010 - 2035.
<i>(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</i>	There is no strategic plan prepared under section 66 of the Local Government Act 1993 that applies to this site.
<i>(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</i>	The site is not adjacent to another LPS.
<i>(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.</i>	The proposed amendment relates to land outside of the declared pipeline corridor, and as such will not impact the safety requirements of the Act.
<i>(a) contains all the provisions that the SPPs specify must be contained in an LPS</i>	The proposed amendment accords with the structure and contents of the LPS.

Objectives of LUPAA

Schedule 1 of LUPAA outlines the objectives of the Resource Management and Planning System of Tasmania, as well as the Objectives of the Planning Process established by that Act. Section 5 requires that the objectives of the Act are to be furthered in any decision making under that Act. Table 4.3 provides an assessment of the proposed amendment against the objectives of the RMPS, and the planning process established by the Act.

Table 4.3. Assessment against objectives of RMPS and planning process.

Part 1	Amendment Response
<i>(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The site adjacent to two collector roads, is adjacent to existing residential areas on two sides and free of significant ecological values. There are few natural hazards on the site and the site is of suitable grade for urban development. As such, the amendment will have minimal impact with regard to ecological processes and genetic diversity and accordingly, the amendment is considered to further Objective (a) of Part 1.



<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	The proposed amendment will provide for urban use of land and development in a location that: • Adjoins existing urban land • Is capable of being fully serviced with the reticulated water and sewerage supply • Capable of capturing stormwater and dealing with wastewater onsite Any future development will be required to comply with the existing provisions of the Planning Scheme applicable to the site and will be controlled by provisions in the relevant zones and codes. Accordingly, the amendment is considered to further Objective (b) of Part 1.
<i>(c) to encourage public involvement in resource management and planning; and</i>	A public notification period will be conducted in accordance with the requirements of the <i>Land Use Planning and Approvals Act 1993</i>. Accordingly, the amendment is considered to further Objective (c) of Part 1.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	The proposed amendment will allow urban use and development that utilises the land efficiently, that is capable of being fully connected to reticulated services and roads and promotes economic growth and the delivery of urban uses and housing on suitable sites. Accordingly, the amendment is considered to further Objective (d) of Part 1.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>	The proposed amendment process is demonstrative of the sharing of responsibility for planning. Accordingly, the amendment is considered to further Objective (e) of Part 1.

Table 4.4. Schedule 1, Part 2 Objectives of LUPAA.

Part 2	Amendment Response
<i>(a) to require sound strategic planning and coordinated action by State and local government; and</i>	The proposed amendment is consistent with the Southern Tasmania Regional Land Use Strategy. Accordingly, the amendment is considered to further Objective (a) of Part 2.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for</i>	The proposed amendment contributes to an established planning scheme that sets controls for use and development. Accordingly, the amendment is considered to further Objective (b) of Part 2.

<i>the use, development and protection of land; and</i>	
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i>	The effects on the environment are considered through a Natural Values Assessment and the Engineering Services Report with respect to flooding. The NVA concluded there are no intact native vegetation communities, threatened flora or fauna species or habitat at the site. Flood impacts will be controlled through on-site detention and water quality treatment. Accordingly, the amendment is considered to further Objective (c) of Part 2.
<i>(d) to require 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</i>	The proposed amendment is consistent with state, regional and municipal policy as outlined in this report. The proposed amendment does not affect the attainment of this objective. Accordingly, the amendment is considered to further Objective (d) of Part 2.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and</i>	The proposed amendment allows a streamlined pathway for affordable housing options which is consistent with this clause. Accordingly, the amendment is considered to further Objective (e) of Part 2.
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i>	The proposed amendment will directly provide a pleasant, efficient, and safe environment for living providing land for residential uses adjacent to existing residential areas Accordingly, the amendment is considered to further Objective (f) of Part 2.
<i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or</i>	The proposed amendment will have no impact upon listed or identified places of value. Accordingly, the amendment is considered to further Objective (g) of Part 2.

<i>historical interest, or otherwise of special cultural value; and</i>	
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i>	The proposed amendment will allow for residential dwellings and supporting non-residential uses without adversely impacting on public infrastructure, assets, or utilities as the site makes the best use of land that is likely to be capable of being fully serviced and with existing road access. There will be some upgrading required of existing services and this has been discussed with Taswater. Accordingly, the amendment is considered to further Objective (h) of Part 2.
<i>(i) to provide a planning framework which fully considers land capability.</i>	The proposed amendment does not affect the attainment of this objective. Accordingly, the amendment is considered to further Objective (i) of Part 2.

4.1.2 Ministerial Guideline No.1

Local Provisions Schedule (LPS): Zone and Code Application

Ministerial Guideline No.1, issued under section 8A of LUPAA, provides a reference guide for the application of all zones and codes for the preparation of LPS and amendment to LPS.

Table 4. to Table 4.5 provides an assessment of the site against the Zone application guidelines.

Table 4.5. Consideration of the Zone application guidelines General Residential

Criteria	Assessment
<i>GRZ 1 - The General Residential Zone should be applied to the main urban residential areas within each municipal area which:</i> <i>(a) are not targeted for higher densities (see Inner Residential Zone); and</i> <i>(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system</i>	The site is only partly used for higher density and the Inner Residential zone will not facilitate the housing types proposed. Considering the location of the site and surrounding land uses it is considered General Residential is an appropriate zone. The site is capable of being connected to a reticulated water supply service and a reticulated sewerage system through existing mains in the immediate area.
<i>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:</i> <i>(a) within the General Residential Zone in an interim planning scheme;</i>	The site is in effect a greenfield site and is considered in the Regional Land Use Strategy by virtue of the SRD 2.12 provision. A detailed analysis of both the RLUS and the current demand/supply of residential land is included in this report. The site is capable of being connected to a reticulated water supply service and a reticulated sewerage system through existing mains in the immediate area.



(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, <i>Note: 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>	
<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.</i>	The land has bushfire and flood hazards which will be managed through development of the site and regulated by the existing overlays on the site. There are no significant vegetation communities on the site.

Table 4.6. Consideration of the Zone application guidelines Local Business

Criteria	Assessment
<i>LBZ 1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:</i> <i>(a) local shopping strips; or</i> <i>(b) town centres for some smaller settlements.</i> <i>LBZ 2 The Local Business Zone may be applied to:</i> <i>(a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</i>	The masterplan envisages an area for local shops adjacent to the regional park. These shops would service residents on the site, the suburb more broadly and visitors to the regional park. The nearest local business is between Cambridge Road and the Tasman highway and at the other end of Pass Road. The former does not include specialty shops, but is a mix of a hotel, residential dwellings, storage facilities and caravan parks. The nearest locations for food services/supermarkets and speciality services are the corner of Rokeby Road and Pass Road some 3.6km away from the site. The zoning is therefore considered a lower-order neighbourhood centre/local shopping strip under LBZ 4, but requires strategic support from Council. The area designated for Local Business is 1,480sqm - this is similar to a number of other Local Shops in the area such as Sunshine Shops and former Caltex Services Station (1,695sqm), Howrah Shops and unused rear car park (1,900sqm), Dampier Street Warrane Shops (2,010sqm) and the area set aside on Dolina Drive Rokeby (1,400sqm). The



(b) <i>Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</i> (c) <i>the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.</i> <i>LBZ 3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.</i> <i>LBZ 4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:</i> <i>(a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or</i> <i>(b) there is a strategic intention to expand the existing retail or business area in this locality 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.</i>	proposal will generate approximately 112 dwellings and there are residential 54 lots and 5 multiple dwelling lots within 400m of the site (essentially east of Nilpena Street) with no alternative local shop.
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Table 4.7. Consideration of the Zone application guidelines Open Space Zone

Criteria	Assessment
<i>SZ 1 The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:</i> <i>(a) passive recreational opportunities; or</i> <i>(b) natural or landscape amenity within an urban setting</i>	The proposed open space will be a regional-level park within Clarence's overall park hierarchy.
<i>SZ 2 The Open Space Zone may be applied to land seaward of the high water mark where it includes</i>	The land is not seaward of the highwater mark.

existing, or is intended for, passive recreation opportunities	
<i>SZ 3 The Open Space Zone should generally only be applied to public land, but may be applied to privately owned land if it has been strategically identified for open space purposes.</i>	The Public Open Space zone (including the stormwater detention area) will be public land.
<i>The Open Space Zone should not be applied to land:</i> <i>(a) with significant natural values (see Environmental Management Zone); or</i> <i>(b) with, or intended for, formal recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities (see Recreation Zone).</i>	The area of the site proposed to be zoned Open Space does not contain significant natural values nor is it intended for formal recreational facilities.

5. State Policies

5.1 Tasmanian State Coastal Policy 1996

As the subject is not located within 1 kilometre of the high-water mark, it is not subject to the Tasmanian State Coastal Policy 1996.

5.2 Water Quality Management 1997

This area of the Site proposed to be zoned General Residential is likely to be capable of being fully connected to reticulated services from TasWater (Water and Sewer Main), which will ensure water issues are adequately dealt with on-site with minimal off-site impacts. The existing water main transects the site. The sewer main is located along the southern boundary of the site and is likely to be capable of being connected to the subject site with a sewer lateral line.

The proposed Open Space and General Residential Zones protect the values and functions of the waterways corridor, protecting water quality, ecological health, habitat values and water conveyance and supporting the waterway corridor's natural amenities.

Furthermore, the existing provisions within the *Tasmanian Planning Scheme - Clarence* are applicable to the land that will ensure that any future use and development on the land is consistent with this policy.

No new point source discharges are proposed therefore the application is consistent with the State policy for Water Quality Management 1997.

5.3 State Policy on the Protection of Agriculture Land 2009

The site, comprised of three titles, is zoned Rural Living with majority of the site comprised of houses and gardens and the entirety of 472 Cambridge Road being an empty paddock which is dominated by pasture grasses and weeds.

A Natural Values Assessment (NVA) has been undertaken for the site (see Appendix H).



The subject site is classed as “Land unsuited to cropping and with slight to moderate limitations to pastoral use” and is not considered agricultural land for the purposes of the *State Policy on the Protection of Agricultural Land 2009* (‘PAL’), nor is Resource Development a permitted use. As such, this policy is not considered applicable to the proposed amendment.

5.4 Natural Environment Protection Measures (NEPM)

The *Commonwealth National Environment Protection Council Act 1994* allows the National Environment Protection Council to make National Environment Protection Measures (NEPMs). The NEPM are taken to be State Policies in Tasmania, NEPMs can be made in relation to a variety of environmental matters including “ambient air quality, ambient marine, estuarine and freshwater quality, the protection of amenity in relation to noise (but only if differences in markets for goods and services), general guidelines for the assessment of site contamination, environmental impacts associated with hazardous wastes, the re-use and recycling of used materials”.

The proposed amendment will not significantly impact any of these identified matters.

6. Regional Land Use Strategy

The Southern Tasmanian Regional Land Use Strategy 2010-2035

The Tasmanian Planning System includes within its framework, regional land use strategies which inform and provide direction for the preparation of Local Provisions Schedules. For the Southern region, the relevant regional land use strategy is the *Southern Tasmanian Regional Land Use Strategy 2010-2035* (STRLUS).

The STRLUS has a number of components relevant to the proposed amendment, including a number of directions within the Strategic Framework (chapter 4). Furthermore, of the fifteen regional policy directives, the regional policy areas of ‘Land Use and Transport Integration’ and ‘Settlement and Residential Development’ are particularly relevant. Each of these areas has been addressed below.

Urban Growth Boundary

While the site is currently outside of the UGB the STRLUS allows for land outside the UGB to be considered for rezoning for urban development.

An assessment against the criteria to be considered in rezoning is detailed below:

Table 6.1 Consideration of the Urban Growth Boundary.

Criteria	Assessment
Shares a boundary with land in the UGB which is zoned for urban development.	The site shares a boundary to the east with land within the UGB zoned and developed as General Residential.
Comprises: i. a lot that is outside the Urban Growth Boundary with an area not more than 2ha; or ii. the residual area of a lot that is partially outside the Urban Growth Boundary, with the area of the lot outside the	The site lies outside of the UGB and has a total area of 5.76 ha. However, considering its location next to the UGB and the fact it does not significantly increase land zoned for urban development as described below; its size is not considered inappropriate for rezoning and inclusion in the UGB.



Urban Growth Boundary not more than 2ha	
Does not constitute a significant increase in land zoned for urban development outside the Urban Growth Boundary in that locality; and	As the site adjoins the UGB it is not considered that it would constitute a significant increase in land zoned for urban development in the locality.
Results in minimal potential for land use conflicts with adjoining land uses.	As the site currently allows for residential uses and lies between land zoned and developed for general residential uses to the west and rural living to the east and south no conflicts with adjoining land uses are anticipated.

Further justification for the proposed amendment is detailed below.

The STRLUS and the Urban Growth Boundary were based upon the ABS data available at the time that the strategy was prepared in 2010. The background report which established the regional profile states that a medium growth scenario was envisaged and that “population growth rate, based on projecting past trends, is expected to decrease over time for most areas”.¹ The strategy was based upon a 2032 population of between 40,001 and 60,000 people for the Clarence local government area. The 2021 census showed the population of Clarence as being 62,396 with a projected increase of +5,875 by 2050 over the medium series.²

In recent years, Greater Hobart has experienced higher than predicted population growth.

Regional Policies

There are two regional policy directives of the STRLUS of particular relevance to the proposal, namely ‘Land Use and Transport Integration’ and ‘Settlement and Residential Development’.

The ‘Land Use and Transport Integration’ policy directive highlights the relative location of different land uses (for example where people live in relationship to places for employment and shopping) as a significant determinant of transport demand, cost and modal choice. It seeks to improve the integration of transport and land use planning to enable the development of urban areas that are efficient, liveable, and environmentally sustainable in the face of a changing climate. This objective is achieved through a broad range of clauses which include:

- a) maintaining and improving existing key public transport corridors to facilitate reliable, frequent public transport services,
- b) improving walking and cycling infrastructure and linkages, particularly for local trips, and

¹ SGS Economics (2011) Southern Tasmanian Regional Land Use Strategy Background Report No.2: The Regional Profile.

² Greater Hobart Committee (2022) 30 Year Greater Hobart Plan: Strategy for Growth and Change.



- c) consolidating residential development in rural areas into key settlements where the daily and weekly needs of residents are met.

There are a number of goals identified in sub-clauses that the proposal would meet in order to further the objectives of the regional policy, namely:

- LUTI 1.1 Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.
- LUTI 1.6 Maximising road connections between existing and potential future roads with new roads proposed as part of the design and layout of subdivision.

The 'Settlement and Residential Development' policy directive highlights why the location, form, type, and density of residential development is a significant land use planning issue. The reasons why this issue is significant include:

- a) the economic and environmental sustainability of the overall urban form;
- b) demands upon the transport system;
- c) location, capacity and demand for social and physical infrastructure;
- d) impacts upon the natural environment; and
- e) the capacity to accommodate a growing and ageing population.

The above policy highlights that within Southern Tasmania, a significant proportion of residential development to meet the community's housing needs is located within the Greater Hobart area, which is also the location for over 90% of the region's employment.

Notwithstanding the above, residential growth is primarily managed through an Urban Growth Boundary that sets the physical extent for a 20-year supply of residential land for the metropolitan area as well as including land for other urban purposes (i.e. commercial and industrial development) as well as pockets of open space and recreational land that assist in providing urban amenity.

Including the subject site within the Urban Growth Boundary would unlock further residential land and an open space opportunity as well as making efficient use of infrastructure.

There are a number of goals identified in other sub-clauses that the proposal would meet in order to further the objectives of the regional policy, namely:

- SRD2 Manage residential growth for Greater Hobart on a whole-of-settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability;
 - SRD2.2 Residential growth for Greater Hobart is to occur through 50% infill development and 50% greenfield development.
 - SRD 2.8 Aim for the residential zone in planning schemes to encompass a 10 to 15-year supply of greenfield residential land when calculated on a whole-of-settlement basis for Greater Hobart;
 - SRD2.9 Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population;
 - SRD2.10 Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart;
 - SRD2.11 Increase the supply of affordable housing;
 - SRD2.12 Notwithstanding SRD 2.2 and SRD 2.8, land outside the Urban Growth Boundary shown in Map 10 may be considered for rezoning for urban development.

Further to the relevant components of the STRLUS highlighted above, the way in which the proposal meets the ten strategic directions of the STRLUS is addressed in Section 3.2 which provides a rationale for the development of Greenfield land.



7. Greater Hobart Plan 2022

The Greater Hobart Committee, established through the Greater Hobart Act 2019, collaborated to create a ‘whole-of-city’ Vision for Greater Hobart to 2050.

The Greater Hobart Plan (GHP) in describing the “Where and how to grow” states:

To deliver our focus on infill development we will require concerted effort and collaboration between governments and industry if future development is to be directed into identified areas with capacity to absorb expected growth. Our analysis of land supply data has identified the following opportunities for future residential development over the next 30 years:

The plan identifies projections for the ability of existing land to yield future dwellings to meet demand as predicted by utilisation of TasPopp17 figures:

- *Low density greenfield housing on existing residentially zoned land - 9,450 additional dwellings.*
- *Medium density infill housing*
 - *within existing inner suburban areas across Greater Hobart - 12,380 additional dwellings.*
 - *within existing business zoned land close to primary and principal business districts - 9,000 additional dwellings.*
 - *on rezoned land to enable residential use (e.g. Hobart Showgrounds) - 3,700 additional dwellings.*
- *Higher density infill housing in appropriate locations.*

In short the GHP finds:

This analysis indicates that the total available land supply within the current Greater Hobart Urban Growth Boundary could potentially cater for over 34 000 additional dwellings, which is more than our anticipated demand of 30 000 dwellings by 2050.

The plan acknowledges that despite the STRLUS’ push to deliver more infill and medium density housing, this has not generally been achieved at scale, with the plan acknowledging that previous efforts to enable higher residential densities (such as through the Inner Residential Zone) “*appears to have made little difference in stimulating more housing or any greater diversity of Housing*”. The approach of “*simply zoning land as Inner Residential (rather than General Residential) has not been a sufficient incentive in itself to stimulate more infill development*”, and that there is a need to more actively encourage or intervene to achieve this form of residential development.

The plan describes the ‘missing middle’ medium density housing that sits between single dwellings and multi-storey apartments - as the “*greatest opportunity to increase the total number of dwellings and to provide increased diversity of housing forms*”, and associated rezoning and proposed SAP would provide the opportunity for the Council and private landowners to deliver an exemplar development at medium density with the provision of a significant on-site public open space, in a highly accessible location.

Whilst the site is outside of the growth boundary, the land is currently zoned for Rural Living and as such is already identified for residential uses.

In effect the Greater Hobart Plan recognises that whilst “*urban consolidation through infill solutions, is the preferred approach for the majority of the future urban growth*”, that it is “*unlikely that infill will meet all of the demand for future housing*”. In fact, the plan recognises that changes to the Urban Growth Boundary should be strategically identified where areas are appropriate for future growth based on “*evidence of need and the application of technical planning analysis*”.



These locations are identified in the plan to be based on “*strategically target appropriate areas for future growth to ensure residents can obtain the benefits of living closer to where they work, shop and play by reducing travel distances, traffic congestion, public infrastructure costs and personal living costs*”.

In terms of these locational characteristics the current site represents a prime opportunity to deliver these new medium-density housing options within the Greater Hobart area, on sites that are well located, serviced by infrastructure, and at close travel distances to existing service locations and activity centres. As noted previously the site is less than 5km from Rosny Park and less than 10km from the Hobart CBD, on serviceable land, that will also deliver a significant on-site public open space.

The Greater Hobart Plan is acknowledged, and an analysis of the land supply aspects of this plan are discussed in more detail in Section 11 below.

8. Council’s Strategic Plan

Part 3A S34(2)(f) (LUPAA) requires that a draft amendment of an LPS must be consistent with a Council’s strategic plan.

Clarence City Council Strategic Plan 2021-2031 has a number of policies relating to planning of housing:

2.12 Undertaking best practice land use policy development and active participation in regional planning processes.

2.13 Enhancing natural and built amenities to create vibrant, accessible activity centres and community hubs through quality urban design.

2.14 Planning for a diverse range of housing to meet the needs of a wide demographic.

2.15 Ensuring neighbourhoods have pleasant streetscapes and access to recreational spaces and appropriate neighbourhood facilities.

The proposed rezoning is consistent with STRLUS which is the policy document for the regional planning process. The proposal secures an important recreational/environmental asset for the community. The proposal will provide a continued supply of urban residential housing, suitable for its location. The proposal will facilitate high quality streetscapes and a regional public open space. The proposed rezoning is consistent with STRLUS which is the policy document for the regional planning process.

Clarence Activity Centre Strategy 2013

This study aimed to provide an update to the retail analysis that was carried out to inform planning policy. The data in the report is based on the 2011 census data, which now is quite dated. Notwithstanding this, in terms of food retailing the report recommended “*It is important to note that the long term requirement for food retailing is still considered unlikely to warrant the development of multiple additions Neighbourhood Activity Nodes. Despite this local strip shopping and convenience facilities are still encouraged within growing areas to provide for top up shopping needs*”. Further, in terms of non-food retailing the report recommended “*recommends the majority of non-food retailing be supported within existing higher order centres. This is important should the ‘factory outlet’ at airport lands be developed.*”

The proposal has a small amount (1,284m²) which will accommodate some local shops (both food and non-food) largely servicing the on-site population (approximately 235 people) and visitors to the regional park.



9. Adjoining LPS

Part 3A S34(2)(g) (LUPAA) requires that a draft amendment of an LPS must be, as far as practicable, consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area. As the site is not adjacent to another municipal area, the proposed amendments are considered to not negatively affect adjoining LPSs.

10. Gas Pipeline Act 2000

Part 3A S34(2)(h) (LUPAA) requires that a draft amendment of an LPS must have regard to the safety requirements of the Act. The proposed amendment relates to land outside of the declared pipeline corridor, and as such will not impact the safety requirements of the act.

11. Clarence Local Provisions Schedule

The *Tasmanian Planning Scheme - Clarence Local Provisions Schedule* ('the Planning Scheme') is the relevant planning instrument.

The subject site is located within the Rural Living Zone. It is subject to the is subject to Bushfire-prone Areas, Flood-prone Hazard Areas, Landslip Hazard (Low), Safeguarding Airports and Waterway and Coastal Protection Area overlays.

The 'Planning Scheme Purpose and Objectives' under Part A of the Scheme are addressed in the next subsection of this report.

11.1 Planning Scheme Purpose and Objectives

Planning Scheme Purpose [2.1]

The Tasmanian Planning Scheme - Clarence ('the Planning Scheme') is the relevant planning instrument. The 'Planning Scheme Purpose and Objectives' under Part A of the Scheme are addressed in the next subsection of this report.

The proposed amendment is consistent with the 'Planning Scheme Purpose' as it furthers the objectives of the Planning System and Planning Processes as set out in Parts 1 and 2 of Schedule 1 of the Act and makes provisions for the regulation of use and development.

Zoning

The relevant zoning aspects associated with the proposed rezoning of the subject site from 'Rural Living' to 'General Residential, and 'Rural Living' to 'Local Business' are addressed below.

The purpose of the Rural Living Zone as per clause 11.1 of the Planning Scheme, is stated as follows:

11.1.1 To provide for residential use or development in a rural setting where:

(a) services are limited; or

(b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

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



The purpose of the General Residential Zone as per clause 8.1 of the Planning Scheme, is stated as follows:

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

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.

In comparing the two Zone Purpose Statements above, the key change in policy direction for the overarching purpose of the land in question can be summarised as follows:

- Currently, the zone's purpose is to provide for residential use and development in a rural setting where services are limited or existing natural and landscape values are to be retained, to ensure that compatible agricultural use and development does not adversely impact on residential amenity.
- Under the proposed rezoning, the zone purpose will be primarily to provide for residential uses and non-residential uses that support the local community and do not cause unreasonable loss of amenity in an urban rather than rural area.
- Under the proposed amendment the land will meet the zone purpose(s) of the General Residential Zone and will remain in keeping with the general character of the area, and adjoining sites. Since the site has existing road access, and reticulated services are within the adjoining land, it is phased in sequence with infrastructure expansion.

The purpose of the Local Business Zone as per clause 14.1 of the Planning Scheme, is stated as follows:

14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.

14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

In comparing the purpose statements above with those of the Rural Living Zone, the key change in policy direction for the overarching purpose of the land in question can be summarised as follows:

- Currently, the zone's purpose is to provide for residential use and development in a rural setting where services are limited or existing natural and landscape values are to be retained, and to ensure that compatible agricultural use and development does not adversely impact on residential amenity.
- Under the proposed rezoning of a portion of the site to the Local Business Zone, the zone purpose will be to provide for non-residential uses that support the local area, and encourage activity at the pedestrian level.
- Under the proposed amendment, the relationship between the General Residential Zone portion and the Local Business Zone portion will serve to fulfill the relevant purpose statements of each without distorting the activity areas in the locality.



11.2 Code Implications

The Waterway and coastal protection area is to be removed.

Use and development will be subject to assessment against the following codes:

- C2.0 Parking and Sustainable Transport Code;
- C3.0 Road and Railway Assets Code;
- C7.0 Natural Assets Code;
- C9.0 Attenuation Code;
- C12.0 Flood-Prone Areas Hazard Code;
- C13.0 Bushfire-Prone Areas Code;
- C15.0 Landslip Hazard Code; and
- C16.0 Safeguarding of Airports Code.

The application of these Codes will not significantly change with the proposed amendment as no change is proposed to the extent of code overlays, and development is considered to be supportable with respect to the purpose statements of these codes.

It is considered that these codes adequately control development within the Zone.



12. Assessment of the proposed application for Subdivision

The subdivision is to create 4 lots (plus balance) as shown in the plan of subdivision (Appendix C) and summarised in the below table. The balance of land will form the residential and business areas for future subdivision in accordance with the specific lot layout of the Masterplan (Appendix B).

Table 12.1 Proposed Lot types

Type	Number of lots	Area	Zone
Multiple Dwelling Lots	1	911m ²	General Residential
Public Reserve	1	5,000m ²	Open Space
Type B	1	316m ²	General Residential
Balance	1	50,000m ²	General Residential and Local Business

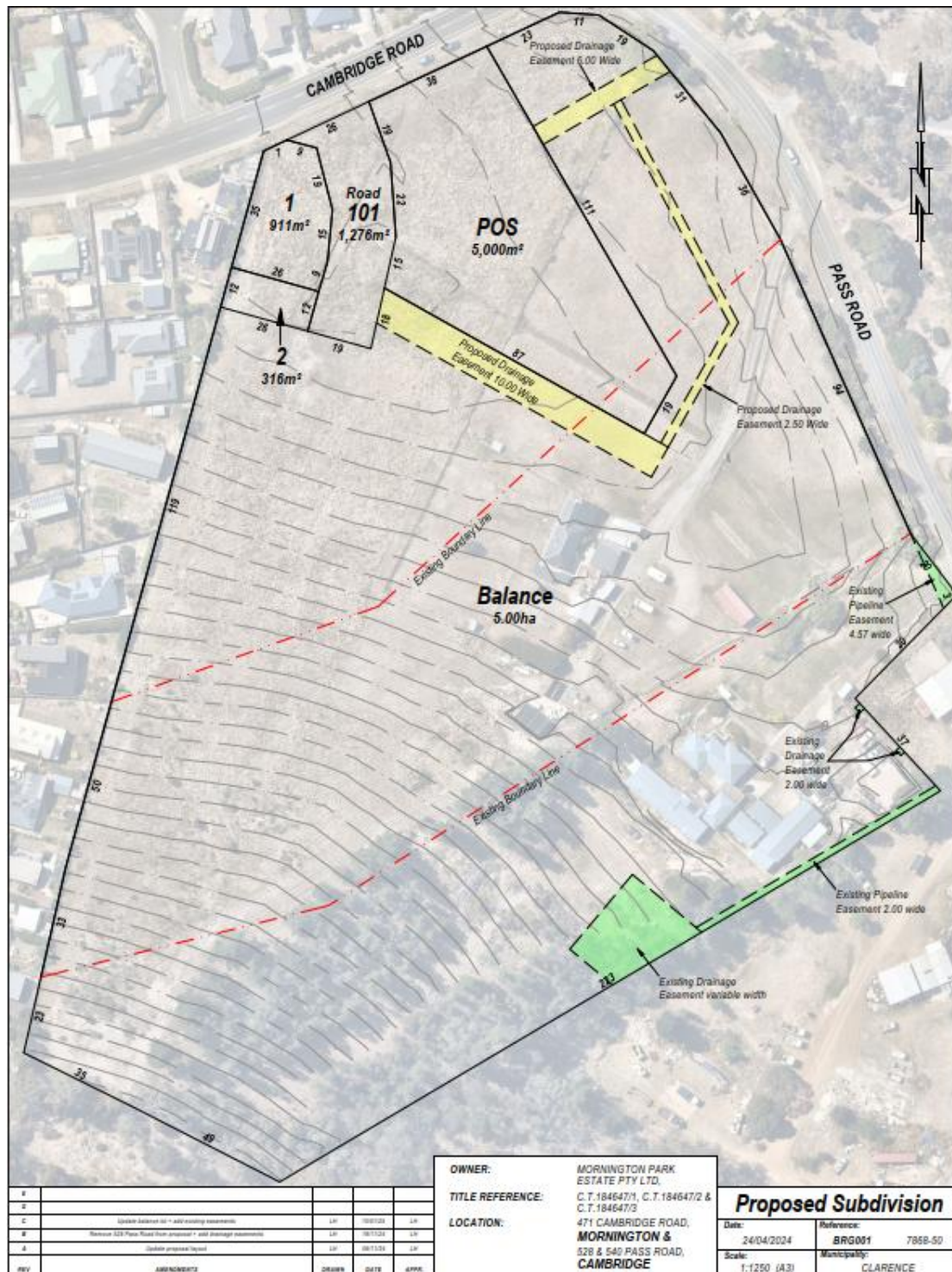


Figure 12.1. Plan of Subdivision

The plan of subdivision is being applied for at the same time as the request to amend the planning scheme, and a request has been made for this application to be considered against the provisions of the SAP as if they applied, as well as the provisions of the underlying zone.

General Provisions

7.10 Development Not Required to be Categorised into a Use Class

The proposal includes the subdivision of the site. Under clause 6.2.6 of the Scheme, subdivision is a type of development that is not required to be categorised into a Use Class.

Clause 7.10 of the Scheme provides that development which is not categorised into a Use Class, and to which clause 6.8.2 applies may be approved at the discretion of the planning authority.

Clause 6.8.2 is relevant in that it provides that the planning authority has discretion under clause 7.10 to refuse or permit a development that is not required to be categorised into a use class if:

- (a) there are no applicable standards that apply to the development; or*
- (b) the use or development relies on any Performance Criteria to demonstrate compliance with an applicable standard; and*
- (c) the development is not Prohibited under any other provision of this planning scheme.*

For the proposal, the subdivision is reliant on C12.7.1, Subdivision within a flood-prone hazard area. Therefore, per (b) of clause 6.8.2, Clause 7.10 is relevant.

Under clause 7.10.2 an application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area. In regard to this, the land filling will not cause an unreasonable loss of amenity for the surrounding areas the will occur only on the subject site.

Under 7.10.3, the matters a planning authority is to have regard to in exercising discretion under clauses 7.10.1 and 7.10.2 are set out as follows:

- (a) the purpose of the applicable zone;*
- (b) the purpose of any applicable code;*
- (c) any relevant local area objectives; and*
- (d) the purpose of any applicable specific area plan.*

The purpose of the applicable zone;

The applicable zones are the General Residential Zone and the Low Density Residential Zone.

General Residential Zone [8.0]

The purpose 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 proposed subdivision is the first stage of a residential estate, which will realise a range of dwelling types. By creating residential allotments, the subdivision will fulfill the purpose of the Zone.



Open Space Zone [29.0]

The purpose of the Open Space Zone is:

- 29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity;*
- 29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.*

The subdivision will create a lot which encompasses the Open Space Zone, for the purpose of creating a regional park. The park is to be transferred to Council, and is considered to fulfill the purpose of the zone.

The purpose of any applicable code;

For (b) the applicable codes are the Parking and Sustainable Transport Code, the Road and Railway Assets Code, and the Flood-Prone Areas Hazard Code.

Parking and Sustainable Transport Code [C2.0]

The purpose of the C2.0 Parking and Sustainable Transport Code is

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.*
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.*
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.*
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.*
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.*
- C2.1.6 To provide for parking precincts and pedestrian priority streets.*

Though the Parking and Sustainable Transport Code applies to all use and development, the subdivision does not have a car parking requirement. Driveways for the proposed lots are to be constructed in accordance with Council standards, and the subdivision layout includes roads and ways which preference cycling and walking.

The proposal is considered to fulfill the purpose of the code.

Road and Railway Assets Code [C3.0]

The purpose of the Road and Railway Assets Code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and*
- C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.*

The subdivision includes provision of a road, which will provide for traffic movements onto Cambridge Road. The Road layout is supported by a Traffic Impact Assessment (Appendix G). It is considered the design of roads, and their inclusion as part of the subdivision application fulfills the purpose of the code.

Attenuation Code [C9.0]

- C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.*
- C9.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.*



The subdivision is supported by a noise assessment which concludes ordinary dwelling construction methods will provide for sufficient noise reduction for satisfactory internal dBA levels, and so sensitive uses are unlikely to interfere with or constrain the existing activities to the south.

To this end the proposal, by siting dwellings in appropriate locations having regard to attenuating activities is considered to fulfill the purpose of the code.

Flood-Prone Areas Hazard Code [C12.0]

The purpose of the Flood-Prone Areas Hazard Code is:

C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:

- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;*
- (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and*
- (c) it does not increase the risk from flood to other land or public infrastructure.*

C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

The proposal includes lots which have building areas within a flood prone hazard area. This flood risk however can be ameliorated by the provision of infrastructure, and a concept services report is appended to this report.

The concept services report identifies that flood flow can be managed through the provision of stormwater infrastructure, and it is considered that subject to this infrastructure being in place, the subdivision is of a design which will fulfill the purpose of the zone.

The purpose of any applicable specific area plan;

For (c), the applicable specific area plan is the Mornington Park Specific Area Plan.

Mornington Park Specific Area Plan [CLA-SXX.0]

The purpose of the Mornington Park Specific Area Plan is:

CLA-SXX.1.1 To encourage a cohesive structure to the development of residential land at a density that supports a suburban level activity centre around Mornington Park;

CLA-SXX.1.2 To facilitate the optimum physical layout, combining accessible urban form through a range of residential housing types, reduced street crossovers and traffic, and maximise park side living;

CLA-SXX.1.3 Provide for a regional open space that includes:

- (i) Recreation and social activities, and*
- (ii) Parkland to enhance the residential environment, and.*
- (iii) The management of stormwater systems*

CLA-SXX.1.4 To facilitate an integrated planning framework to guide the development of land in different ownerships.

CLA-SXX.1.5 To provide for a walkable neighbourhood, characterised by pedestrian links to open spaces, and businesses which serve the local community.

The proposed subdivision is consistent with the lot layout of the Masterplan referenced within the Mornington Park Specific Area Plan. The subdivision will create the regional open space references in purpose statement CLA-SXX.1.3, and will provide the first stage of a road network which is set out for the purpose of providing pedestrian links to key social infrastructure within the site.



The proposed subdivision is considered to fulfill the purpose of the Specific Area Plan.

Having regard for the relevant purpose statements of the applicable zones, codes and specific area plan, it is considered that the proposal is supportable for the purposes of assessment under clause 7.10.

General Residential Zone [8.0]

8.2 Use Table

This clause is substituted by the proposed CLA - SXX.5 Use Table

Clause 8.6 Development Standards for Subdivision

8.6.1 Lot Design:

This clause is substituted by the proposed CLA - SXX.8.1 Outline of development plan.

8.6.2 Roads:

This clause is substituted by CLA - SXX.8.2 Outline of development plan.

8.6.3 Services: A1/P1 - Each lot within the General Residential Zone will have access to a full water service compliant with A1.

8.6.3 Services: A2/P2 - Each Lot within the General Residential Zone will have access to a reticulated sewer service compliant with A2.

8.6.3 Services: A3/P3 - Each Lot within the General Residential Zone will have access to the stormwater reticulation compliant with A3.

Open Space Zone [29.0]

29.5.1 Lot Design: A1/P1 - The Public Reserve lot is to be provided for a public use of Council and so complies with A1.

29.5.1 Lot Design: A2/P2 - The Public Reserve lot has a frontage of 15m to Cambridge Road, and 15m to the proposed road shown as lot 100, and so complies with A2

29.5.1 Lot Design: A3/P3 - The Public Reserve lot Includes a vehicle access from the proposed lot 100. A3

Local Business Zone [14.0]

The proposed Lot 2 includes an area which is in the Local Business Zone. As this lot is within two zones, it is necessary to demonstrate compliance with the provisions of the Local Business Zone as well as the General Residential Zone.

14.5.1 Lot design: A1/P1 - Lot 2 includes an area of 2430m² which is zoned Local Business, and which can accommodate an area in accordance with A1(a)(i). The proposed lot therefore complies with A1.

14.5.1 Lot design: A2/P2 - Lot 2 has frontage to a proposed road, and so complies with A2.

14.5.1 Lot design: A3/P3 - Lot 2 has a vehicle access way of a design which meets the requirements of the road authority. A3

14.5.2 Services: A1/P1 - Lot 2 will have access to a full water service compliant with A1.

14.5.2 Services: A2/P2 - Lot 2 will have access to a reticulated sewer service compliant with A2.

14.5.2 Services: A3/P3 - Lot 2 will have access to the stormwater reticulation in accordance with A3.



Parking and Sustainable Transport Code [C2.0];

C2.5 Use Standards

Though the Parking and Sustainable Transport Code applies to all use and development, as subdivision is a development not required to be categorised into a use class, there are no use standards applicable.

With respect to the development standards the following standards are considered applicable:

C2.6.1 Construction of Parking Areas: A1/P1 - Vehicle access ways for each lot are to be constructed with concrete, and drained to the public stormwater system in accordance with the Acceptable Solution.

C2.6.3 Number of accesses for vehicles: A1/P1 - The proposal is for a single vehicle access to be provided per lot in accordance with A1.

Road and Railway Assets Code [C3.0];

C3.5 Use Standards

As subdivision is a development not required to be categorised into a use class, there are no use standards applicable.

C3.6 Development Standards for Buildings and Works

There are no applicable development standards.

C3.7 Development standards for Subdivision

There are no applicable standards for Subdivision.

Natural Assets Code [C7.0];

Though presently the land is subject to a Waterway Coastal Protection Area, the amendment request includes removal of this overlay and so the code is not considered to apply for the assessment of the subdivision.

Attenuation Code [C9.0];

The site is within the attenuation distance of three EPA controlled facilities, being a waste treatment and composting facility (Morningside Park Waste Depot), water treatment facility (Hydrowater Treatment Facility), and a quarry (Morningside Quarry). The subdivision standards of the code are therefore applicable.

C9.6.1 Lot design A1/P1 - The proposed subdivision includes lots which cannot contain building areas entirely outside of the attenuation area. The proposal is therefore reliant on the performance criteria.

In demonstrating compliance with the performance criteria, the potential for sensitive uses to be impacted by the attenuating activities has been examined by a suitably qualified person through a noise assessment (See Appendix N). This noise assessment concludes that subject to ordinary dwelling construction, acceptable noise levels can be achieved and so it is unlikely that a sensitive use will interfere with or constraint the activities assessed.

The proposal is considered to comply.



Flood-Prone Areas Hazard Code [C12.0];

The site is subject to a Flood-prone hazard area overlay. The subdivision standards of the code are therefore applicable.

C12.7.1 Subdivision within a flood-prone hazard area A1/P1 - The proposed subdivision includes a public open space lot which would ordinarily comply with the Acceptable Solution, however as the multiple dwellings lot (Lot 3) and the single dwelling Type B lot (Lot 4) cannot contain a building area outside of the flood-prone hazard area, the proposal is reliant on the performance criteria.

In demonstrating compliance with the performance criteria, a concept services report which identifies the capture of stormwater to manage overland flow paths, and subsequent flood risk, has been provided (see Appendix F). subject to the adequate provision of stormwater infrastructure as proposed. The flood risk to the proposed lots is mitigated.

The proposal is considered to comply.

Bushfire-Prone Areas Code [C13.0];

C13.6.1 Provision of hazard management areas A1/P1

The proposal is supported by a Bushfire Hazard Management Report (Attachment E) which demonstrates compliance with A1.

C13.6.2 Public and fire fighting access

The proposal is supported by a Bushfire Hazard Management Report (Attachment E) which demonstrates compliance with A1.

C13.6.3 Provision of water supply for fire fighting purposes A1/P1

The proposal is supported by a Bushfire Hazard Management Report (Attachment E) which demonstrates compliance with A1.

A2 is not applicable as there is a reticulated water supply.

Landslip Hazard Code [C15.0]

The site is subject to a low landslip hazard band. Though the Landslip Hazard Code applies because subdivision is occurring within the landslip hazard area, the proposal is considered exempt as there are no significant works within that area.

Safeguarding of Airports Code [C16.0].

The Safeguarding of Airports Code is an applicable code in that the development is occurring within an Obstacle Limitation Area. Notwithstanding this, as no development is being undertaken higher than the AHD height specified for the site (being 147m AHD), the development is exempt under clause C16.4.1.

Mornington Park Specific Area Plan [CLA-SXX.0]

CLA - SXX.5 Use Table

The proposal is for subdivision only, which is development not required to be categorised into a use class.

CLA - SXX.6 Use Standards

This sub-clause is not used in this specific area plan.

CLA - SXX.7 Development Standards for Buildings and Works.



There are no applicable development standards for the proposed subdivision under this subclause.

CLA - SXXX.8.1 Outline of development plan A1/P1

The proposed lot layout is consistent with Figure CLA-SXX.1, being the masterplan at Appendix B.

CLA - SXXX.8.1 Outline of development plan A2/P2

Each lot has a vehicle access proposed.

CLA - SXX.8.2 Outline of development plan A1/P1

The proposal includes a short section of road, which is consistent with Figure CLA-SXX.1, being the masterplan at Appendix B.

CLA-SXX.9 Car Parking Requirements A1/P1

This standard is not an applicable standard for the proposed subdivision.

Having regard for the above the proposal is considered to comply with all applicable standards of the relevant zones, codes and specific area plans.

13. Land Supply and Demand

Mornington is part of the Greater Hobart area and therefore the main control over residential growth within the area is the Urban Growth Boundary. The Urban Growth Boundary, which is spatially defined in the *Southern Tasmanian Regional Land Use Strategy 2010-2035* (STRLUS), has been primarily established for the purpose of setting a physical extent for the 20-year supply of residential land in the metropolitan area from 2010 until 2030. Additionally, its purpose is to include land for other urban functions (i.e. commercial and industrial development) as well as pockets of open space and recreational land that assist in providing urban amenity.

The rationale for proposing urban development at the subject site, albeit outside of the Urban Growth Boundary is outlined in 'supply and demand' analysis and is justified by consideration of population trends as detailed below.

Population growth - Greater Hobart

Data collated from the 2016 census estimated Tasmania's resident population at 541,315. By the time of the 2021 Census, this population estimate had increased to 567,909. Of this increase of 26,594 people, 10,000 were based in the four Local Government areas of Greater Hobart.

Using population figures from the ABS, as well as the Estimated Resident Population (ERP) figures, the Department of Treasury and Finance as part of a 5 year cycle produces official population projections for Tasmania, referred to as TasPOPP (refer Appendix P) for TASPOPP24). This most recent projection by the Department anticipates a medium series population of 641,045, by the year 2053, which is an increase of 68,045 people on the 2023 population. A high series population is projected as 714,020, which is an increase of 140,864 for the State.

The Greater Hobart Plan was prepared in 2022, and so undertook an analysis of population projections based on TASPOPP17 figures relative to the 2021 population of the state. These figures informed an anticipated requirement for an additional 30,000 dwellings within Greater Hobart, to accommodate the projected additional 60,000 residents.

Though the TASPOPP17 figures are relatively consistent with predicting high series population growth within Greater Hobart at around 60,000, and so conservatively require an additional



30,000 dwellings; the revised figures redistribute the growth across local government areas, significantly affecting the location of demand.

Table 13.1 Population projections for Greater Hobart

LGA	Population 2021	High series TasPopp17 -Year 2050	Increase on 2021	High Series TasPopp24 - Year 2053	Increase on 2021	Variation between 2050 and 2053 figures
Hobart	56,084	77,173	21,089	67,556	11,472	- 9616
Glenorchy	51,233	65,607	14,374	60,693	9,460	- 4914
Clarence	62,396	75,335	12,939	84,519	22,123	+ 9184
Kingborough	40,815	49,916	9,101	57,617	16,802	+ 7701
Greater Hobart	21,0528	26,8031	57,503	27,0385	59,857	+ 2354

Assumed Population Trends - Clarence

The Greater Hobart Plan identified the projections from TASPopp17, and revised these numbers to an '*assumed population for planning purposes*' forecast. This forecast then informed a dwelling requirement for the year 2050, based on a 2 persons per dwelling rate. Table 13.2 below is relative to Clarence, and shows the various relevant population forecasts, as well as resultant dwelling demand based off those figures.

It is noted that the two TasPopp projections relate to 2050 and 2053 respectively, and so the varied numbers are not a direct comparison where the later includes an additional three years of growth. Nevertheless, the annual dwelling construction rate anticipated by the Greater Hobart Plan would still be dramatically short of supplying the number of dwellings required to house the revised population numbers in Clarence.

Table 13.2 Population forecasts compiled from TasPopp2024 and the Greater Hobart Plan

	TasPopp2017 (High) 2050	TasPopp2024 (High) 2053	Greater Hobart Plan Population Projections (High) 2050	Greater Hobart Plan - additional Population 2050
Population increase from 2021	12,939	22,123	16,606	15,300
Dwellings required from 2021	6,470	11,061	8,303	7,600 (per greater Hobart plan) ³

³ This number of dwellings does not accord to a 2 person to one dwelling split as identified in the Greater Hobart Plan as the model.

Years to complete (at rate of 253 dwellings p.a)	25.5 years	43 years	32 years	30 years
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In terms of required new housing, the revised TasPOPP24 population growth forecasts have significant implications for the anticipated requirements for dwellings in Clarence, and the rate of dwelling construction required to meet that demand within 30 years.

Land Supply - Clarence

Though the Greater Hobart Plans' target of 70/30 infill to greenfield ratio applies across the entire Greater Hobart area. In Clarence, Appendix 1 to the Greater Hobart Plan indicates 6,600 of the 7,600 new dwellings required to house 15,300 people by 2050 will be satisfied by greenfield development (refer to Figure x below).

Though some greenfield development will include multiple dwellings, the highest probability is that greenfield lots will be set aside for single dwellings. To achieve the greenfield dwelling target for Clarence stipulated within the plan, this would require 220 greenfield lots to become available every year in Clarence for the next 30 years.

Should high growth projections provided in TasPopp2024 materialise; a 30% higher population accommodated in Clarence along the lines of the distributions shown in Figure 16 would mean 286 greenfield lots are required every year to house the projected population.

CLARENCE			
12#	Rosny Park CBD surrounds including Warrane, Rosny, Bellerive etc. (infill)	1,150	650
13	Tranmere Rokeby peninsula – including Droughty Point (greenfield)	6,100	3,000
14	Risdon Vale area – particularly both sides of Sugarloaf Road (greenfield)	900	450
15	Glebe Hill, Rokeby and Oakdowns area (greenfield)	1,300	650
16	Paranville east of Pass Road (greenfield)	2,550	1,250
17	Clarendon Vale – north & east extensions (greenfield)	1,850	900
18	Lindisfarne and Geilston Bay fringe development (greenfield)	750	350
19	Scattered infill in Lindisfarne area (infill)	300	150
20	Scattered infill in Howrah and Shoreline area (infill)	400	200
TOTAL CLARENCE (Metro)		15,300	7,600

Figure 13.1: Appendix 1 of the Greater Hobart Plan Expected Urban Growth - distribution of additional population and dwellings by 2050 - Clarence

Current Mornington Land Supply

An analysis of land supply in Mornington provided at Appendix O shows that the theoretical lot yield for General Residential and Low Density Residential vacant or underutilised sites is marginally lower than a yield conducive to 10 dwellings per hectare; which would be consistent with the current residential density within the General Residential Zone areas of Mornington.

Analysis of lots greater than 1350m², which would have a numerical potential for an additional 2 lots within the area, shows that further yield to contribute to additional land supply is relatively low. Importantly, the area chosen encompasses a logical block bound by the Tasman Highway to the North, Pass Road to the east, Knopwood Hill to the south and Cambridge Road to the west. This area is somewhat larger the locality boundary and includes a small section of Warrane.

Review of the existing conditions of Mornington as well as the likely yield of vacant or



underutilised lots renders the likelihood of densities closer to 25 dwellings per hectare or 1 dwelling per 325m² (accounting for roads) across Mornington as improbable.

The total theoretical lot yield of the identified vacant and underutilised land in the Mornington area is 99 additional lots, not including the subject site (see Figure 13.2 and Appendix O). This number also does not consider the unlikely nature of the subdivision of the Lillian Martin Home at 281 Cambridge Road, Mornington, which accounts for 44 of the 99 theoretical lots.

This figure is lower than what would be required to provide additional dwellings within Mornington for balanced residential infill to achieve dwelling targets of 25 per hectare. Considering the under-projection of the population of Clarence on review of the TasPopp2024 population distribution across Greater Hobart, even if the Greater Hobart Plan dwelling targets were realised, these numbers would not satisfy demand.

Therefore, as the Greater Hobart Plan both under-projects the population of Clarence by year 2053, and over predicts the ability of existing underutilised and vacant land to supply dwellings; without additional supply of land, the dwellings required for the population of Clarence will be unlikely to be delivered where it is needed, and so the strategies outlined within the Greater Hobart Plan will not achieve this principal objective.

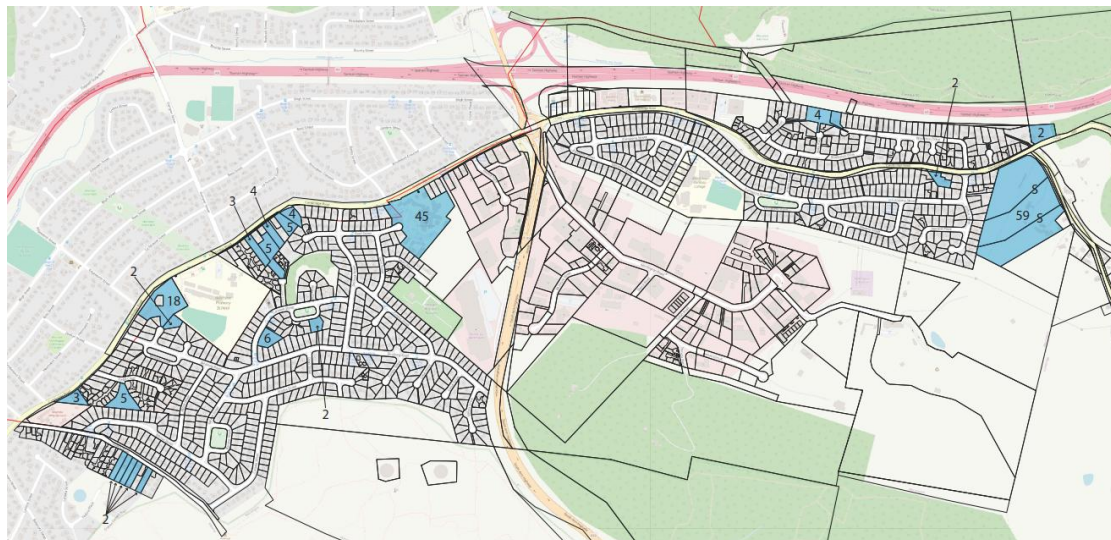


Figure 13.2: extract of Mornington Land Supply Assessment (Appendix O), denoting total theoretical lot yield for vacant and underutilised land.

Role of the Site in Local Demand.

The proposed Specific Area Plan will afford a yield of 54 lots and 5 multiple dwelling lots, which can supply a total of approximately 112 dwellings. This figure equates to an addition of 17% beyond the dwellings required for the Rosny Park Surrounds area, identified within the Greater Hobart Plan as being infill.

Appreciating the low likelihood of the Mornington area to contribute many more dwellings akin to 25 per hectare as infill, and accepting revised population growth figures from TasPopp2024 project an additional 9184 persons; the 87/13 greenfield/infill split anticipated by the Greater Hobart Plan for Clarence would require an additional 4308 greenfield dwellings and 597 infill dwellings by 2053. The percentage of the proposed maximum 112 dwellings at the site would therefore equate to 1% of the total additional dwellings required across Clarence to house the projected population.

14. Impact Assessment

14.1 Context & Setting

The development of the site to urban densities is considered within the context of the surrounds to be appropriate, acting as a bookend to the locality of Mornington, though demarcated by the physical features of Cambridge and Pass Road. The proposed amendment will extend current residential uses in an area capable of being serviced by reticulated infrastructure. A

A Master Plan has been prepared (see Appendix B) along with a Landscape Plan (see Appendix E).

14.2 Servicing

The subject site comprises land that is capable of being fully serviced, including water and sewer connections, having regard to the proximity of services within the existing UGB.

The site is affected by overland flow paths which cross the site and need to be engineered to assist with existing downstream flooding.

Any future stormwater connections and systems on the site would be regulated in accordance with the Planning Scheme zone provisions and will enable stormwater to be disposed of by gravity to public stormwater infrastructure.

A Concept Services report has been provided (see Appendix F).

14.3 Traffic and Transport Networks

The proposed rezoning of land will have no significant impacts on the State road or rail networks, and will lead to the strategic and orderly planning of the area, which meets the traffic requirements; and any proposed development will be required to comply with the applicable requirements of the planning scheme's:

- Parking and Sustainable Transport Code; and
- Road and Railway Assets Code.

A Traffic Impact Assessment has been provided (see Appendix G).

14.4 Natural Environment

An assessment shows that no intact native vegetation communities, threatened flora or fauna species or habitat were recorded at the site, and that the site contains highly modified land dominated by exotic species including a range declared and environmental weeds. The assessment states that the upper catchment of Kangaroo Bay Rivulet occurs on the lot, however the creek line is degraded and contains no intact native vegetation.

Development of the land can include the rehabilitation of the waterway and lead to an improvement in the environmental values of the site.

The following general recommendations were provided regarding any future development:

- Rezoning of the site should maintain the waterway and coastal protection area (WCPA) overlay over Kangaroo Bay Rivulet.
- Building works should be excluded within the waterway and coastal protection area.
- Future development or subdivision the site should include measures to control all declared and environmental weeds on the site and allow for the rehabilitation of the creek line.



Future rezoning and development of the land is deemed to not impact any natural values. Further, it is proposed to remove the Priority vegetation overlay from the site based on the recommendations of the Natural Values Report (see Appendix H).

14.4 Natural Hazards

The site is currently impacted by the Bushfire-Prone area overlay, Priority vegetation area overlay and the waterway and coastal protection area overlay.

A Bushfire Hazard Management Plan (See Appendix D) has been prepared which identifies the bushfire threat for the subdivision of the site. Subsequent subdivision in accordance with the Masterplan will require additional plans to be submitted.

Generally, the grass will need to be managed through the staging of the subdivision in accordance with a bushfire plan. The main area is threat is the wooded areas to the northeast and southeast of the site (520 Pass Road). These area are managed already, but this may need to be formalised as part of a bushfire management plan. The primary threat from Tunnel Hill is ameliorated by the site's internal access road on that side parallel with Pass Road and Pass Road itself.

A Concept Services Report has been prepared which provides that the proposed servicing of the site will mitigate flood risk (refer to Appendix F).

There is also potential landslip areas on the site, but these have been investigated and found to be acceptable for residential development. A Geotechnical Report has been provided (see Appendix I).

There is some noise generation potential from the Green Waste Composting Facility and Hydrowater Treatment Facility at the Mornington Park Waste Depot. A Noise Assessment has been undertaken (refer to Appendix N) and concludes *“residential/ sensitive use on the three existing lots at 471 Cambridge Road, and 528 and 540 Pass Road, Mornington is unlikely to interfere with or constrain the existing activities to the south of site, and thus the proposed rezoning to General Residential is deemed acceptable”*.

14.5 Heritage

The site is not listed on the Tasmanian Heritage Register or under the Planning Scheme for historic heritage values.

The Aboriginal Heritage Search records (see Appendix J) demonstrate that there are no identified registered Aboriginal relics, or apparent risk of impacting registered Aboriginal relics.

The absence of records on the Aboriginal Heritage Register for the nominated area of land does not necessarily mean that the area is devoid of Aboriginal relics as such during works should an ‘unexpected discovery’ occur works will cease works immediately and Aboriginal Heritage Tasmania will be contacted for advice.

15. Conclusion

Section 37 of the *Land Use Planning and Assessment Act 1993* allows for a request to be made to a planning authority to amend a planning scheme administered by it. Section 40T provides an application for permit may be made, and considered at the same time.

With respect to the amendment, the proposal will rely on provision SRD2.12 of the regional land use strategy which enables rezoning outside the Urban Growth Boundary under certain circumstances.



The proposal is for an urban typology that has been successful in other states, whereby housing is higher density and serviced by rear access lanes allowing low trafficked/low parking streets. The proposal has also maximised dwellings overlooking the central park (open space) which will also act as a regional park location for Council.

The proposed scheme amendment involves re-zoning of the site (CT 184647/1, CT 184647/2, & CT 184647/3) from Rural Living 'B' to General Residential, Local Business, and Open Space with a Specific Area Plan (SAP) applied to the site that will facilitate the creation of a community open space, medium density residential development and local services development.

It is proposed to remove the Waterway and Coastal Protection Area overlay based on the findings of a Natural Values Report.

The site is affected by overland flow paths which cross the site and need to be engineered to assist with existing downstream flooding.

Key development controls of the Planning Scheme to control any future use and development include:

- Development standards for residential buildings and works;
- Development standards for non-dwelling buildings and works; and
- Development standards for subdivision.

In addition to considerations related to the Planning Scheme, the proposed rezoning of the subject site has also been analysed against relevant objectives of the *Land Use Planning and Approvals Act 1993*, and *Southern Tasmania Regional Land Use Strategy 2010-2035*, as well as general planning matters.

The proposed scheme amendment is in accordance with all statutory requirements, including Ministerial Guideline No.1 in terms of Zone Purpose and Zone Application Guidelines as such the proposed amendment is recommended for approval by relevant delegates of Clarence Council.





APPENDIX A

Title Information

APPENDIX B

Site Masterplan

APPENDIX C

Plan of Subdivision

APPENDIX D

Bushfire Hazard Management Report

APPENDIX E

Landscape Plan

APPENDIX F

Concept Services Report

APPENDIX G

Traffic Impact Assessment

APPENDIX H

Natural Values Assessment

APPENDIX I

Geotechnical Assessment

APPENDIX J

Aboriginal Heritage Search Record

APPENDIX K

Rezoning Plan

APPENDIX L

Specific Area Plan Ordinance

APPENDIX M

Shadow Diagrams

APPENDIX N

Noise Assessment

APPENDIX O

Mornington Land Supply Assessment and Map

APPENDIX P

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APPENDIX Q

Landowner(s) Consent form (Form 1)

APPENDIX R

Stormwater Report