



Devonport City Council

PUBLIC NOTICE

DRAFT AMENDMENT & CONCURRENT APPLICATION TASMANIAN PLANNING SCHEME – DEVONPORT 2020

Sections 40G & 40Z(2) *Land Use Planning Approvals Act 1993*
An application for an amendment to the Devonport Local Provisions Schedule of the Tasmanian Planning Scheme and a concurrent planning permit has been made which may affect you.

Application Details

Application Number:	Amendment AM2022.04 Planning Application – PA2022.0121
Amendment:	1. Remove the Agriculture Zone from 246 Brooke Street, East Devonport (CT9450/29); 2. Introduce the General Residential Zone to 246 Brooke Street, East Devonport (CT9450/29).
Planning Application:	39 lot subdivision
Address of the Land:	246 Brooke Street, East Devonport
Date of Notice:	4 February, 2023

You are invited to view the application and any documents and plans accompanying it on the ground floor of the parnapple centre at 137 Rooke Street, Devonport or on Council's website www.devonport.tas.gov.au

Any person may make a representation relating to the application in accordance with sections 40J & 41 of the *Land Use Planning Approvals Act 1993*, during a period of 28 days commencing on the date of this notice.

Your representation must:

- be received by close of business on **3 March, 2023**;
- be in writing; and
- addressed to the General Manager, Devonport City Council:
 - P.O. Box 604, Devonport, Tasmania, 7310; or
 - council@devonport.tas.gov.au

If you make a representation then Council must consider your submission before making its decision on the application.

Certified Draft Amendment

DEVONPORT CITY COUNCIL

TASMANIAN PLANNING SCHEME – DEVONPORT

Certification of draft amendment to the Devonport Local Provisions Schedule AM2022.04 (s.40F *Land Use Planning and Approvals Act 1993*) & determination of concurrent permit application PA2022.0121 (s.40Y *Land Use Planning and Approvals Act 1993*).

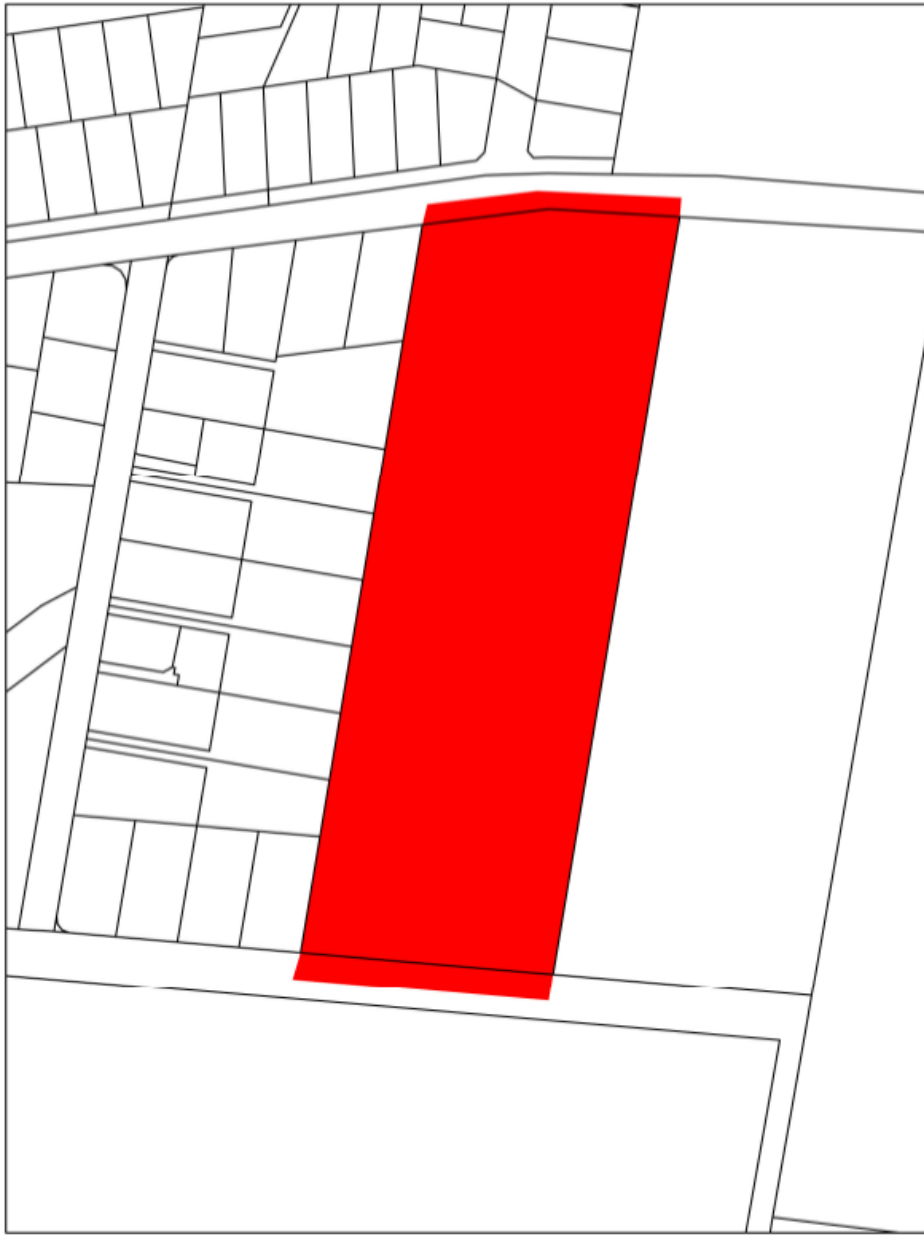
The Devonport Local Provisions Schedule (forming part of the Tasmanian Planning Scheme) is proposed to be amended as follows:

1. Remove the Agriculture Zone from 246 Brooke Street, East Devonport (CT9450/29);
2. Introduce the General Residential Zone to 246 Brooke Street, East Devonport (CT9450/29).

Approval is also granted for permit application PA2022.0121 that accompanies the draft amendment and seeks approval for a 39 lot subdivision.

Draft Amendment AM2022.04 – 246 Brooke Street, East Devonport

Proposed zoning map as amended



 General Residential

The Devonport City Council resolved at its ordinary meeting of the 23 January 2023 that the abovementioned draft amendment meets the Local Provisions Schedule criteria set out under s.34(2) of the *Land Use Planning and Approvals Act 1993*.

The common seal of the Devonport City Council is affixed, pursuant to the Council's resolution – Resolution No. 23/11 of 23 January 2023



Matthew Atkins
General Manager

Draft Planning Permit



Devonport City Council Planning Permit

Permit Number: PA2022.0121

Permit Type Section 57 *Land Use Planning and Approvals Act 1993*

Development Address: 246 Brooke Street, East Devonport

Applicant Details: Woolcott Surveys Pty Ltd
PO Box 593
Mowbray TAS 7248

This Permit allows for: 39 lot subdivision

The following conditions apply to this permit:

Planning Conditions

1. The subdivision is to proceed generally in accordance with:
 - a. Subdivision plan referenced as Job Number L22023 - Sheet 1 (Edition: V04), dated 25/10/22 by Woolcott Surveys.
 - b. Bushfire Hazard Management Plan and Recommendations submitted within the Bushfire Hazard Report, dated June 2022 by Woolcott Surveys.
2. A public open space contribution of 5% of the unimproved value of the land is to be provided to Council prior to sealing the initial final plan. The value of the land is to be determined by a registered valuer or based upon the current Valuer General's assessment (refer to note).
3. The developer must nominate new road names in accordance with the *Tasmanian Place Naming Guidelines*. Street numbering will be allocated by Council.
4. Upon notification of the acceptance of the Sealed Plan of Survey by the Recorder of Titles, lots assigned as road and public open space on the plan are to be transferred unencumbered to Council. All costs involved in this process are to be met by the Developer, including the partial discharge of any mortgages affecting the road or public open space lots.
5. A landscape plan showing location and species of trees to be planted within the nature strip must be submitted in accordance with the Tasmanian Subdivisional Guidelines and approved by Council's Executive Manager as documents forming part of this Planning Permit. Planting within nature strip

Signed

Dated

areas is to be completed to the Planning Authority's satisfaction before acceptance of any final plan.

6. If significant works are proposed within the areas of the low landslip hazard band, the developer is to provide Council with a geotechnical report by a suitably qualified person demonstrating compliance with development standard C15.7.1 – *Subdivision within a landslip hazard area*. The report is to be approved by Council's Executive Manager before any works associated with the subdivision commence (refer to note).

Infrastructure & Works Conditions

7. The subdivider is to submit detailed design drawings prepared by a suitably qualified engineer detailing road and stormwater design compliance with current Tasmanian Standard Drawings (TSD-v3), version 3, and Tasmanian Subdivisional Guidelines. These are to demonstrate:
 - a. Stormwater discharge from the subdivision is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations, to adequately identify peak discharge, for the piped and overland flows. All design calculations and drawings are to be submitted for approval by the City Engineer prior to commencing construction on site.
 - b. The stormwater from the development is to connect to the 600mm stormwater main.
 - c. How the proposed road formation, pavement, and associated features as well as the proposed reserve width is maintained throughout the development and conforms with the Tasmanian Subdivisional Guidelines.
 - d. How each lot is provided with a concrete vehicular access from the proposed new road in accordance with current Tasmanian Standard Drawings and Tasmanian Subdivisional Guidelines.
 - e. Appropriate road longitudinal and cross-sectional grades.
 - f. Appropriate intersection design, line marking and signage.
 - g. Appropriate footpath alignments and grades including ramps and the connectivity from the development to existing.
 - h. A pathway link is to be provided to meet the existing footpath along the northern side of Upper Drew Street.
 - i. A pathway link is to be provided along Brooke Street and a pedestrian crossing is to be provided to connect with the existing footpath on the northern side of Brooke Street.
 - j. Subsoil drains.

Signed



Dated

- k. Pipeline cover in accordance with Tasmanian Standard Drawings.
 - l. All kerb and driveway crossovers to be Type KC as per Tasmanian Standard Drawing TSD-R14-v3 and Tasmanian Subdivisional Guidelines.
 - m. Each proposed lot is to be adequately serviced to permit future development in accordance with the relevant authorities.
- 8. The subdivider must, prior to commencement of works on site, submit construction issue drawings to Councils Infrastructure and Works Department for approval and endorsement. Fees associated with this assessment will be in accordance with Council's current fee structure and all civil works associated with the subdivision will be subject to scheduled inspections by Council Officers.
 - 9. The developer is to provide CCTV camera footage and condition report to WSA05-2013 v 3.1 standard, for all stormwater mains to be handed over to Council, for approval by the City Engineer.
 - 10. Erosion and sediment control measures are to be implemented and maintained during development to minimise downstream sediment transfer, particularly with respect to watercourses, stormwater outlets and disturbed ground, to the satisfaction of the Planning Authority.
 - 11. The subdivider is to acknowledge that at satisfactory completion of the works, all infrastructure intended to become a council asset will be placed on a minimum 6-month defect liability period and that there will be a bond charged to govern this period in accordance with Council's Subdivision Maintenance Bond Policy.
 - 12. The subdivider is to provide (As cons) drawings in an electronic format at the completion off the works, detailing final road alignments, stormwater assets, invert levels and finished surface levels.
 - 13. In accordance with the Tasmanian Subdivision Guidelines the developer is to appoint a supervising engineer to arrange for joint audit inspections and to certify the works at practical completion.

TasWater Condition

- 14. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Signed



Dated

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

In regard to condition 6, 'significant works' is defined under the definitions of the C15.0 Landslip Hazard Code.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

In regard to condition 14, the developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 7-13, the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding Planning conditions and general notes can be directed to Council's Development Services Department – Ph 6424 0511.

Approved 23 January 2023 by Council.

Signed



Dated

WHAT HAS BEEN DECIDED?

The Planning Authority has issued a planning permit. This notice sets out on the reverse side what the permit allows and what conditions must be met.

WHEN DOES A PERMIT BEGIN?

A permit takes effect on the last date provided by the following:

- a. where there is no right of appeal - on the day on which it is granted; or
- b. where there is a right of appeal - fourteen days after this notice is served; or
- c. where an appeal has been lodged - when the appeal is determined or abandoned; or
- d. when any other approvals under any Act have been granted.

If you are unsure whether a right of appeal exists please check with a Planning Officer.

WHEN DOES A PERMIT EXPIRE?

A permit lapses two years from the date on which it was granted if the use or development has not substantially commenced.

WHAT ABOUT APPEALS?

- The applicant may appeal against any condition in the permit within 14 days after the day on which this notice was served on the applicant.
- Any person who has made a representation concerning the application may appeal against the decision to grant the permit within 14 days after the day on which notice of this permit was served on that person.
- An appeal must be lodged with the
Tasmanian Civil & Administrative Tribunal
Address: G.P.O. Box 1311, HOBART TAS 7001 or
38 Barrack Street, Hobart
Web: www.tascat.tas.gov.au/resource-and-planning/home
Email: resourceplanning@tascat.tas.gov.au
Telephone: 1800 657 500
- Appeal forms can be obtained directly from the Tribunal.
- A fee is payable when making an appeal. Please check with the Tribunal for details.

Council Report

4.7 AM2022.04 & PA2022.0121 - 246 BROOKE STREET EAST DEVONPORT - 39 LOT SUBDIVISION AND REZONE FROM AGRICULTURE ZONE TO GENERAL RESIDENTIAL ZONE

Author: **Alex Mountney, Land Use Planning Coordinator**

Endorser: **Kylie Lunson, Executive Manager**

RECOMMENDATION

That Council:

- agree to certify amendment AM2022.04 to the Devonport Local Provisions Schedule for the land at 246 Brooke Street, East Devonport (CT 9450/29) to:
 - a. Remove the Agricultural Zone; and
 - b. Introduce the General Residential Zone.
- advise the Tasmanian Planning Commission that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*.
- place Amendment AM2022.04 and application PA2022.0121 on public exhibition for 28 days in accordance with sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993*; and
- approve application PA2022.0121 for a 39 lot subdivision with the following conditions:

Planning Conditions

1. The subdivision is to proceed generally in accordance with:
 - a. Subdivision plan referenced as Job Number L22023 - Sheet 1 (Edition: V04), dated 25/10/22 by Woolcott Surveys.
 - b. Bushfire Hazard Management Plan and Recommendations submitted within the Bushfire Hazard Report, dated June 2022 by Woolcott Surveys.
2. A public open space contribution of 5% of the unimproved value of the land is to be provided to Council prior to sealing the initial final plan. The value of the land is to be determined by a registered valuer or based upon the current Valuer General's assessment (refer to note).
3. The developer must nominate new road names in accordance with the *Tasmanian Place Naming Guidelines*. Street numbering will be allocated by Council.
4. Upon notification of the acceptance of the Sealed Plan of Survey by the Recorder of Titles, lots assigned as road and public open space on the plan are to be transferred unencumbered to Council. All costs involved in this process are to be met by the Developer, including the partial discharge of any mortgages affecting the road or public open space lots.
5. A landscape plan showing location and species of trees to be planted within the nature strip must be submitted in accordance with the Tasmanian Subdivisional

Guidelines and approved by Council's Executive Manager as documents forming part of this Planning Permit. Planting within nature strip areas is to be completed to the Planning Authority's satisfaction before acceptance of any final plan.

6. If significant works are proposed within the areas of the low landslip hazard band, the developer is to provide Council with a geotechnical report by a suitably qualified person demonstrating compliance with development standard C15.7.1 – *Subdivision within a landslip hazard area*. The report is to be approved by Council's Executive Manager before any works associated with the subdivision commence (refer to note).

Infrastructure & Works Conditions

7. The subdivider is to submit detailed design drawings prepared by a suitably qualified engineer detailing road and stormwater design compliance with current Tasmanian Standard Drawings (TSD-v3), version 3, and Tasmanian Subdivisional Guidelines. These are to demonstrate:
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 - b. The stormwater from the development is to connect to the 600mm stormwater main.
 - c. How the proposed road formation, pavement, and associated features as well as the proposed reserve width is maintained throughout the development and conforms with the Tasmanian Subdivisional Guidelines.
 - d. How each lot is provided with a concrete vehicular access from the proposed new road in accordance with current Tasmanian Standard Drawings and Tasmanian Subdivisional Guidelines.
 - e. Appropriate road longitudinal and cross-sectional grades.
 - f. Appropriate intersection design, line marking and signage.
 - g. Appropriate footpath alignments and grades including ramps and the connectivity from the development to existing.
 - h. A pathway link is to be provided to meet the existing footpath along the northern side of Upper Drew Street.
 - i. A pathway link is to be provided along Brooke Street and a pedestrian crossing is to be provided to connect with the existing footpath on the northern side of Brooke Street.
 - j. Subsoil drains.
 - k. Pipeline cover in accordance with Tasmanian Standard Drawings.
 - l. All kerb and driveway crossovers to be Type KC as per Tasmanian Standard Drawing TSD-R14-v3 and Tasmanian Subdivisional Guidelines.
 - m. Each proposed lot is to be adequately serviced to permit future development in accordance with the relevant authorities.

8. The subdivider must, prior to commencement of works on site, submit construction issue drawings to Councils Infrastructure and Works Department for approval and endorsement. Fees associated with this assessment will be in accordance with Council's current fee structure and all civil works associated with the subdivision will be subject to scheduled inspections by Council Officers.
9. The developer is to provide CCTV camera footage and condition report to WSA05-2013 v 3.1 standard, for all stormwater mains to be handed over to Council, for approval by the City Engineer.
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No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

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In regard to conditions 7-13, the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding Planning conditions and general notes can be directed to Council's Development Services Department – Ph 6424 0511.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide consistent and responsive development assessment and compliance processes

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority, to determine whether to initiate an amendment to the Devonport Local Provisions Schedule in accordance with Section 40T of the *Land Use Planning and Approvals Act 1993* in regard to the following matters:

- Removal of the Agriculture Zone from 246 Brooke Street, East Devonport (CT 9450/29);
- Introduction of the General Residential Zone to 246 Brooke Street, East Devonport (CT 9450/29); and
- The concurrent approval of a 39 lot subdivision.

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Property Address:	246 Brooke Street, East Devonport
Title Reference:	CT 9450/29
Landowner:	Mr William David Bovill
Applicant:	Woolcott Surveys
Proposal Description:	Combined Draft Amendment and Permit - Rezoning of 246 Brooke Street from the Agriculture Zone to the General Residential Zone and 39 lot subdivision
Zoning:	Agriculture
Existing Use	Pastureland
Decision Due	26 January 2023

SITE DESCRIPTION

The site is identified by the certificate of title 9450/29 with the property address of 246 Brooke Street, East Devonport. The site is rectangular in shape and has an area greater than 3ha. The property has frontages to Brooke Street to the north and Upper Drew Street to the south and is immediately surrounded by urban residential land to the west and agricultural land to the east. The site is currently utilised as pastureland and has a gradient of approximately 7.5% falling to the north.



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Figure 2 – Aerial image of the site and surrounding locality (DCC, 2021)



Figure 3 – Image of site looking south from Beachrock View (Woolcott Surveys, 2022)

CURRENT ZONING AND OVERLAY CONTROLS

The site is currently zoned Agriculture under the *Tasmanian Planning Scheme – Devonport* (the scheme). Figure 4 reproduced below is a zoning map of the site and surrounding locality.



Figure 4 – Zoning map of site and surrounds (LISTmap, 2023)

21.0 Agriculture Zone

The purpose of the Agriculture Zone is:

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

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

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

(c) use of land for non-agricultural use in irrigation districts.

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

21.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	<p>If:</p> <p>(a) on land other than prime agricultural land; or</p> <p>(b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.</p>
Utilities	If for minor utilities.
Permitted	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	<p>If:</p> <p>(a) a home-based business in an existing dwelling; or</p> <p>(b) alterations or extensions to an existing dwelling.</p>
Discretionary	
Bulky Good Sales	<p>If:</p> <p>(a) a supplier for Extractive Industry, Resource Development or Resource Processing;</p> <p>(b) a garden and landscape supplier; or</p> <p>(c) a timber yard.</p>
Domestic Animal Breeding, Boarding or Training	

Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If for: (a) the manufacturing of agricultural equipment; or (b) the processing of materials from Extractive Industry.
Research and Development	
Residential	If: (a) not restricted by an existing agreement under section 71 of the Act; and (b) not listed as Permitted.
Resource Processing	
Sports and Recreation	If for an outdoor recreation facility.
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) a liquid, solid or gas fuel depot; or (d) a woodyard.
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If listed as No Permit Required
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
Prohibited	
All other uses	

In addition to the land-use zoning, the site is subject to various mapped overlays which form part of the Codes under the planning scheme. The overlays are identified and discussed in further detail below.

C13.0 Bushfire-Prone Areas Code

The entire site is within a mapped bushfire prone area. The intent of the code is:

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

C15.0 Landslip Hazard Code

Parts of the site are mapped within a low landslip hazard band as shown in Figure 5 below. The intent of the code is:

- C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.*



Figure 5 – Landslip hazard band mapping (LISTmap, 2023)

16.0 Safeguarding of Airports Code

The entire site is mapped within an airport obstacle limitation area of 51.5m AHD. The purpose of the Code is:

- C16.1.1 *To safeguard the operation of airports from incompatible use or development.*
- C16.1.2 *To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.*

PROPOSED AMENDMENT

The applicant proposes to amend the Devonport Local Provisions Schedule (LPS) zoning map to:

- (a) Remove the Agriculture Zone from 246 Brooke Street, East Devonport (CT 9450/29); and
- (b) Introduce the General Residential Zone to 246 Brooke Street, East Devonport (CT 9450/29).

The draft amendment has been sought by Woolcott Surveys. Should the amendment be certified, a 39 lot subdivision permit is also sought. A full copy of the draft amendment and permit application is appended as **Attachment 1** to this report.

STATUTORY REQUIREMENTS

In accordance with section 38 of the *Land Use Planning and Approvals Act, 1993 (LUPAA)*, before deciding whether to prepare a draft amendment to a Local Provisions Schedule (LPS) the Planning Authority must be satisfied that such a draft amendment of an LPS will meet the LPS criteria, as outlined in section 34 of *LUPAA*.

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

Further to satisfying the LUPAA requirements, the draft amendment requires consistency with the Section 8A Guidelines for LPS zone and code application. The guidelines for the relevant zones and codes are reproduced below along with further commentary.

21.0 Agriculture Zone

Zone Application Guidelines

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

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

- (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or
 - (d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and
- having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.

Comment: Figure 6 below is a map of 'Land Potentially Suitable for Agriculture Zone'. The State Government commissioned this mapping to assist councils in applying the Agriculture Zone as part of the Local Provisions Schedules in the Tasmanian Planning Scheme. The site is identified as Potentially Constrained (Criteria 3). Further information regarding this classification and others is appended as **Attachment 3** to this report - refer to document titled *Agricultural Land Mapping Project*.

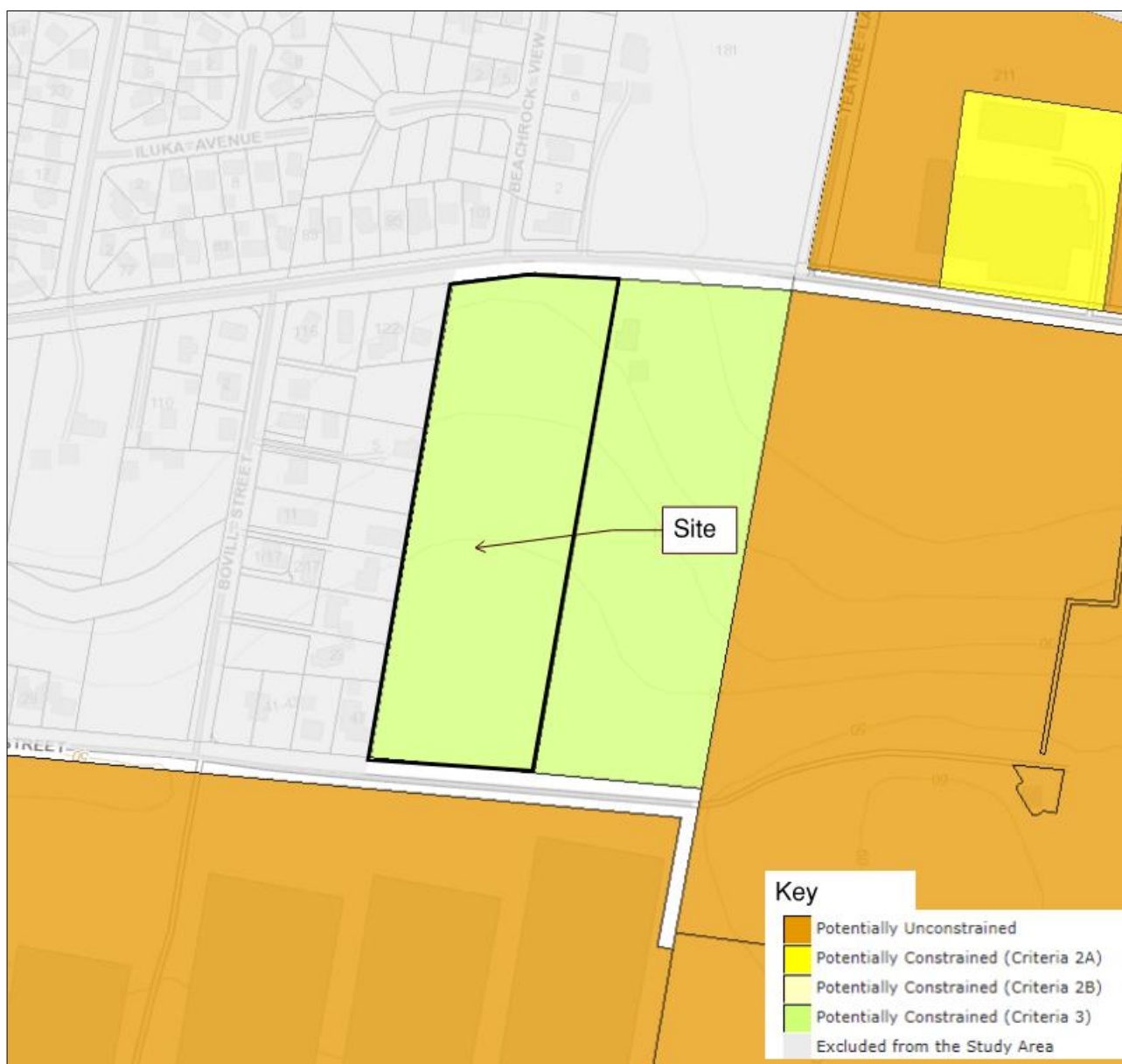


Figure 6 – Land Potentially Suitable for Agriculture Zone (LISTmap, 2023)

The Agriculture Zone Application Guidelines prescribe that land identified within the mapped Land Potentially Suitable for Agriculture Zone – Potentially Constrained may be considered for an alternate zoning subject to various considerations.

In this case, the applicant has provided a comprehensive Agricultural assessment by Pinion Advisory (2022). The report, which is appended as part of the application documentation, has undertaken a detailed assessment of the site, including but not limited to its agricultural value, identified limitations, the *Protection of Agricultural Land Policy 2009* and surrounding use and development.

Owing to a number of constraints and limiting factors the assessment by Pinion Advisory has found that the site is not appropriate for a meaningful agricultural operation. Subsequently, the land use zoning of Agriculture should be revised. Figure 7 below highlights the identified constraints and further information can be found within the various sections of the Pinion Advisory report. The contents have been examined and can be supported by the Planning Authority.

9 Conclusion

1. The property (title 9450/29) at 246 Brooke Street covers a total area of approximately 3.47ha.
2. The title is zoned Agriculture and borders General Residential Zone to the north and west.
3. The property (title 9450/29) is covered by Class 2, 3 and 4 land.
4. The title is identified as Potentially Constrained (Criteria 3) for agricultural land use.
5. The property is incapable of supporting meaningful commercial scale agriculture due a range of constraints, including its size, block layout, topography and lack of infrastructure which limits both the current and future potential productivity and diversity of agricultural land use activity and enterprise mix.
6. Although in an Irrigation District, the property (title 9450/29) has currently no access to irrigation water and in the future, this is unlikely to improved.
7. The property is currently exposed to a high level of fettering due to the large residential development adjacent to the northern and western boundary of the property (title 9450/29) in question.
8. If the property was improved and developed for agricultural use, such as for intensive grazing, it would likely create issues and result in conflict with the residents in the General Residential Zone to the immediate north and west.
9. The property is effectively isolated from potentially being adhered to adjacent agriculture and forming a larger parcel of contiguous agricultural land which would be considered capable of supporting commercial scale agricultural land use activity.
10. The adjoining land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling is also Potentially Constrained (Criteria 3) for agriculture and is similarly impacted by the General Residential Zone to the north and west.
11. There is minimal likelihood of agricultural development or intensification surrounding the subject title or on the property (title 9450/29) itself.
12. The property has a negligible level of local and regional prominence.

Figure 7 – Conclusion of Pinion Advisory Agriculture assessment (2002, pg. 31)

8.0 General Residential Zone

Zone Application Guidelines

- GRZ 1** The General Residential Zone should be applied to the main urban residential areas within each municipal area which:
- (a) are not targeted for higher densities (see Inner Residential Zone); and
 - (b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.
- GRZ 2** The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:
- (a) within the General Residential Zone in an interim planning scheme;
 - (b) within an equivalent zone under a section 29 planning scheme; or
 - (c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and
 - (d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,
- Note:** *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.*
- 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.

The application of the General Residential Zone is seen to be consistent with the Zone Application Guidelines. The zoning is not in isolation as it would be a contiguous extension of the Zone from the west, with this Zone also applied to land to the site's north over the opposite side of Brooke Street.

Zone Purpose

8.0 GENERAL RESIDENTIAL ZONE

The intent of the General Residential Zone is to provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided, to provide for the efficient utilisation of available social, transport and other service infrastructure, to provide for non-residential use that primarily serves the local community and 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 and to provide for visitor accommodation that is compatible with residential character. The use table for the zone is as follows:

Comment: The assignment of the General Residential Zone will be appropriate as this Zone already adjoins parts of the site. If this amendment is supported, a subdivision permit is also being sought, which is proposed to have a similar density to the surrounding residential development and will provide connections to reticulated services and include public linkages.

8.2 Use Table

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

Comment: Is it envisaged the site will be developed for residential purposes i.e. single dwellings and multiple dwellings. Development standards prescribed within the planning scheme ensure development is suitable and fit for purpose.

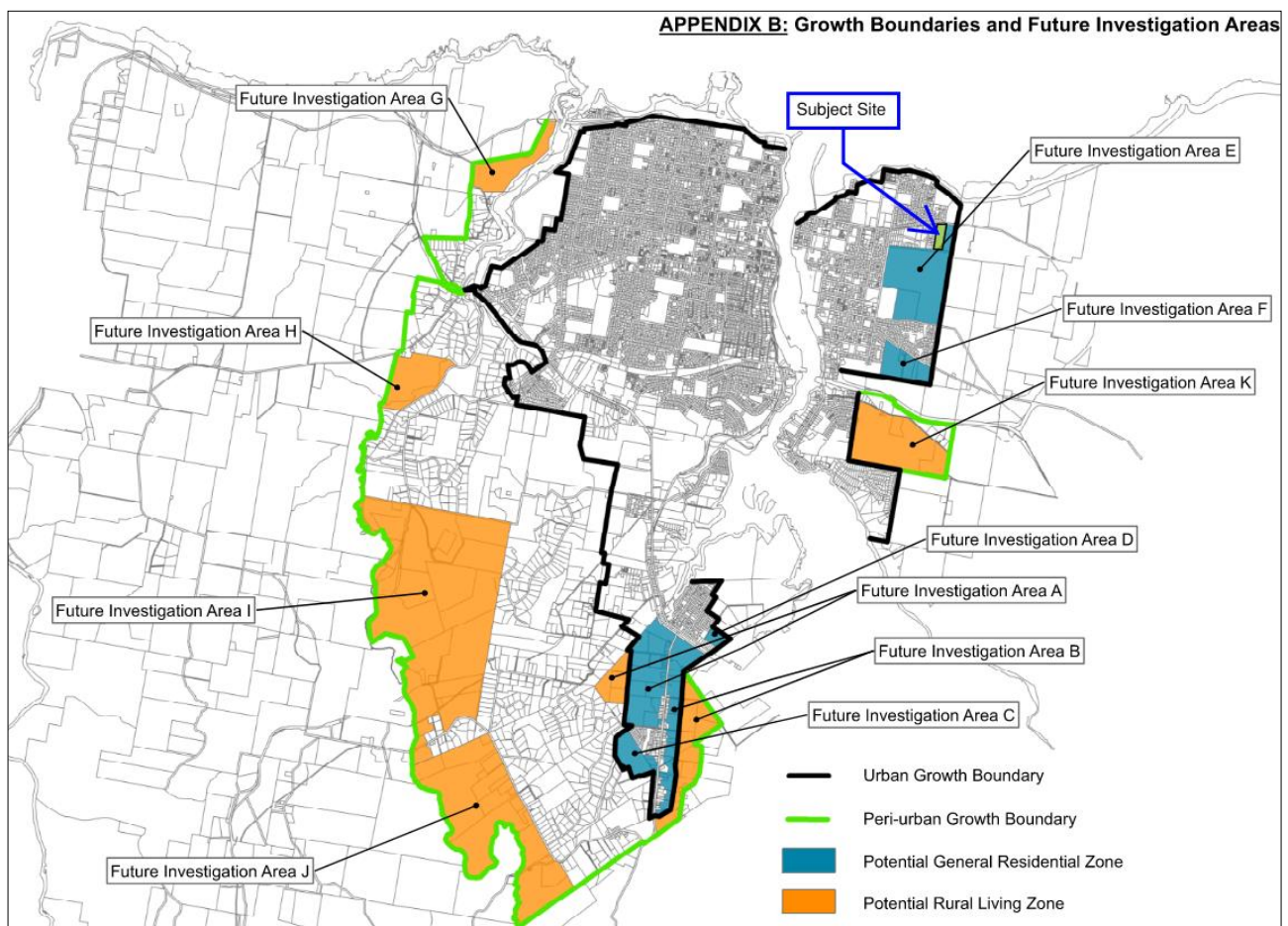
Greater Devonport Residential Growth Strategy 2021-2041

In June, 2022 Council endorsed the *Greater Devonport Residential Growth Strategy 2021-2041 (the Strategy)*. The purpose of the Strategy is to provide a strategic policy direction for residential growth in the greater Devonport area over the next 20 years. A copy of the Strategy can be found here - [Council Plans & Strategies | Devonport City Council](#).

The *Strategy* identifies that the Devonport municipality has a forward land supply of appropriately development ready General Residential Zone land in the range of only 2.8 –

4.1 years. This available supply is well short of common strategic planning practice and is significantly less than the 15-year minimum supply adopted in the *Strategy* and also the 10-year minimum supply of urban residential land supply required by the Cradle Coast Regional Land Use Strategy (CCRLUS).

As part of the *Strategy*, Council has identified Growth Boundaries and Future Investigation Areas (FIAs). The subject site falls within 'Future Investigation Area E', which is highlighted as a potential location for the future assignment of the General Residential Zone. Figure 7 below is a map showing the Growth Boundaries and FIAs and the site's location.



**Figure 7 – Growth Boundaries and Future Investigation Areas with site outlined in blue
(The Strategy, 2022)**

The *Strategy* states the following regarding FIAs:

“B3.3 Future Investigation Areas

As the name suggests the ‘Future Investigation Areas’ included with the Strategy represent locations where future residential growth could be further considered and investigated.

The Future Investigation Areas (FIAs) identified with this Strategy generally represent greenfield locations and typically at urban (and peri-urban) fringes. These FIAs do not include areas of major urban infill located in and around urban centres, nor land already zoned for residential purposes.

The identification of land within a Future Investigation Area does not automatically guarantee that land will be released for residential use and development – instead these are designed to establish more detailed consideration/investigation of those areas to determine their suitability for residential use and development including appropriate consultation with relevant landowners.

Similar to the demarcation of the growth boundaries included with the Strategy, the preparation of the Future Investigation Areas follows the overarching strategic principles of consolidation with existing settlement areas and the promotion of well defined, orderly, and compact form of residential settlement areas."

(The Strategy, 2022, pg. 17)

The application of the General Residential Zone to the site is consistent with the policy objectives of the Strategy as it will encourage population growth and increase the supply of residential land. In further support of this Zone, the site adjoins this Zone to the immediate west and impacts to adjoining Agricultural land, particularly the property to the site's east is not envisaged due to being relatively constrained as outlined within the Pinion Advisory Assessment.

In addition, the road carriageway zoning of Upper Drew Street will need to be updated to reflect the application of the General Residential Zone to the site. Figure 8 below is guidance provided within Practice Note 7 by the Tasmanian Planning Commission regarding this matter.

2.3 Zoning - roads

Where zones are different on one side of a road casement to the other, the zone boundary must follow the road centreline rather than one side of the parcel boundary (unless specific zoning of the road casement is required. For example, **Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application**, specifies that categories 1 to 5 roads as defined in the *Tasmanian State Road Hierarchy* and any other major local roads are to be zoned Utilities). Where there is no road casement, the cadastral parcels boundary must be used.

Figure 7 – Zoning – roads (Tasmanian Planning Commission)

The draft zoning map is appended as **Attachment 4** to this report and will include half of the Upper Drew Street carriageway adjoining the site to be zoned General Residential.

COMMUNITY ENGAGEMENT

The draft amendment must be placed on public exhibition for a period of 28 days in accordance with section 40G of the Act. During this time, people will have the opportunity to comment via representation made to Council. In accordance with sections 40K & 42 of the Act, should any representations be received, a report must be provided to the Planning Commission regarding the merit of the representations and including any recommendations the Planning Authority sees fit.

FINANCIAL IMPLICATIONS

No financial implications are predicted as a result of this proposal.

CONCLUSION

It has been sufficiently demonstrated the proposed changes to the Devonport Local Provisions zone mapping have merit and can satisfy the provisions of the *Land Use Planning and Approvals Act 1993*.

PERMIT APPLICATION

In assessing the application, it is assumed that the proposed amendment has been approved. Referral to TasWater has yet to be made and is part of the notification process that occurs after an amendment and associated permit have been certified. In light of the above, a condition will be placed on the permit in reference to TasWater's likely conditions.

APPLICATION DETAILS

The application is seeking approval for a 39 lot residential subdivision. The subdivision will incorporate a new road accessed from Upper Drew Street and a shared pathway from the new road to Brooke Street.

Lots will vary in shape and orientation and have an area between 531m² and 1030m². Most lots will be accessed from Upper Drew Street via the new carriageway, a cul-de-sac. The lots proposed along the northern boundary will be accessed from Brooke Street.

A copy of the subdivision plan is reproduced on the next page as Figure 9. A full copy of the development application submitted by the applicant – Woolcott Surveys, is attached to this report. Figure 8 directly below is an image of the site looking north from the Upper Drew Street carriageway.



Figure 8 – Image of the site looking north from Upper Drew Street (Woolcott Surveys, 2022)



Figure 9 – Subdivision Plan (Woolcott Surveys, 2022)

PLANNING ISSUES

The land is zoned General Residential under the *Tasmanian Planning Scheme – Devonport, 2020*.

The proposal is for a subdivision, which in accordance with 6.2.6 of the Scheme does not require categorisation into a Use Class. The subdivision is intended to facilitate residential development, which has a No Permit Required classification in the General Residential Zone, only if for a single dwelling. Other residential development is Permitted in the General Residential Zone.

8.0 General Residential Zone

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 applicable development standards of the General Residential Zone for subdivision are reproduced below followed by comment.

8.6.1 Lot design

Objective: That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (d) is orientated to provide solar access for future dwellings. 	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) have an area of not less than 450m² and: <ul style="list-style-type: none"> i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and ii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; 	P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area.

<p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the topography of the site; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.
<p>A3</p> <p>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 in accordance with the requirements of the road authority</p>	<p>P3</p> <p>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:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site.
<p>A4</p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p>P4</p> <p>Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the lots;

	<ul style="list-style-type: none"> (b) the topography of the site; (c) the extent of overshadowing from adjoining properties; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.
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A1 – Each proposed lot has an area in excess of 450m² and the subdivision plan highlights an area of 10m x 15m clear of the prescribed setbacks and identified easements.

A2/P2 – All lots can comply with A2 except for the lots proposed at the end of the cul-de-sac (lots 16, 17, 24 and 25).

In response to the performance criteria, Woolcott Surveyors has provided the following supporting rationale:

Response

P2 The performance criteria are addressed.

Of the proposed lots, Lot 16, 17, 24 and 25 have reduced frontages.

- a) Lot 24 has a frontage of 4.0m.
- b) There are no proposed rights of carriageway on any of the lots.
- c) Although the site is sloped, the access to each lot can be made.
- d) All lots have separate access and all frontage is compliant.
- e) Each lot has appropriate vehicle access to the site for normal residential use.
- f) The proposed is consistent with the development at Beachrock View.

All access is compliant with the minimum requirement of 3.6m.

The above rationale can be supported by the Planning Authority.

A3 – Each lot as proposed will have direct vehicle access to a Council maintained road and approval has been granted by the Road Authority via conditions on the permit.

A4/P4 – Generally most lots comply with A4. It is noted that the lots along Brooke Street are accessed from an existing road and therefore satisfy A4 even though their long axis runs contrary to A4.

The lots along Upper Drew Street (lots 1-2 and 38-2) and lots at the end of the cul-de-sac (lots 16 and 17) are accessed from the new road do not have a long axis in accordance with A4 and require assessment against P4.

In response to the performance criteria, it is noted the abovementioned lots still provide a 150m² development area with good northern access and the lots are consistent with the recent division of land to the north of the site – Beachrock View. P4 is satisfied.

8.5.2 Roads

Objective: That the arrangement of new roads within a subdivision provides for: <ul style="list-style-type: none"> (a) safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision includes no new roads.	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: <ul style="list-style-type: none"> (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 <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.

P1 – The proposed subdivision requires a new road to provide access and connectivity to most of the lots except for the lots that have frontage to Brooke Street.

In response to the performance criteria, Woolcott Surveyors has provided the following supporting rationale:

Response

- P1 The performance criteria are addressed. The proposal includes a new road.
- a) The proposed road joins the existing network and no other plans are known.
 - b) The proposed road will be a local road built for the purpose of access to the new lots, and will join to Upper Drew Street which is a local road.
 - c) Connections for bicycles and pedestrians will be made to Brooke Street to allow connectivity to existing pedestrian and bicycle links.
 - d) The proposed road will allow connection to existing transport networks.
 - e) The new road makes efficient use of the lot in a location with excellent services and transport options.
 - f) There is a bus stop in Triton Road in reasonable proximity to the subject site. The advancement of residential development in the area may see the increase of public transport options further east to the area.
 - g) The access to transport networks will be direct, using straight pathways with easy navigation qualities.
 - h) As detailed in Figures 36 and 37, the subject site is in good proximity to existing bicycle infrastructure and planned routes. The roadside bike land begins west of Bovill Street, but a continuation of this to the east (towards the subject site) is not possible currently due to table drains in the area.
 - i) The topography of the site, although steep in parts, will not pose undue challenge to road construction. East Devonport has several steep access roads in the area.
 - j) No balance lots are proposed. The future subdivision of adjoining land is not constrained.

In addition, it is noted the applicant commissioned Midson Traffic (2022) to undertake a Traffic Impact Assessment (TIA). The above rationale and the TIA has been reviewed and can be supported by Council's Infrastructure and Works Department. P1 of the above clause is satisfied.

8.5.3 Services

Objective: That the subdivision of land provides for services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	P1 A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> (a) flow rates; (b) the quality of potable water; (c) any existing or proposed infrastructure to provide the water service and its location; (d) the topography of the site; and (e) any advice from a regulated entity.
A2	P2 No Performance Criterion

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	
A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	P3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land.

A1-A3 - The proposed subdivision satisfies all acceptable solutions under this standard as each lot will have connection to public reticulated water, sewerage and stormwater systems.

Code Assessment

C3.0 Road and Railway Assets Code

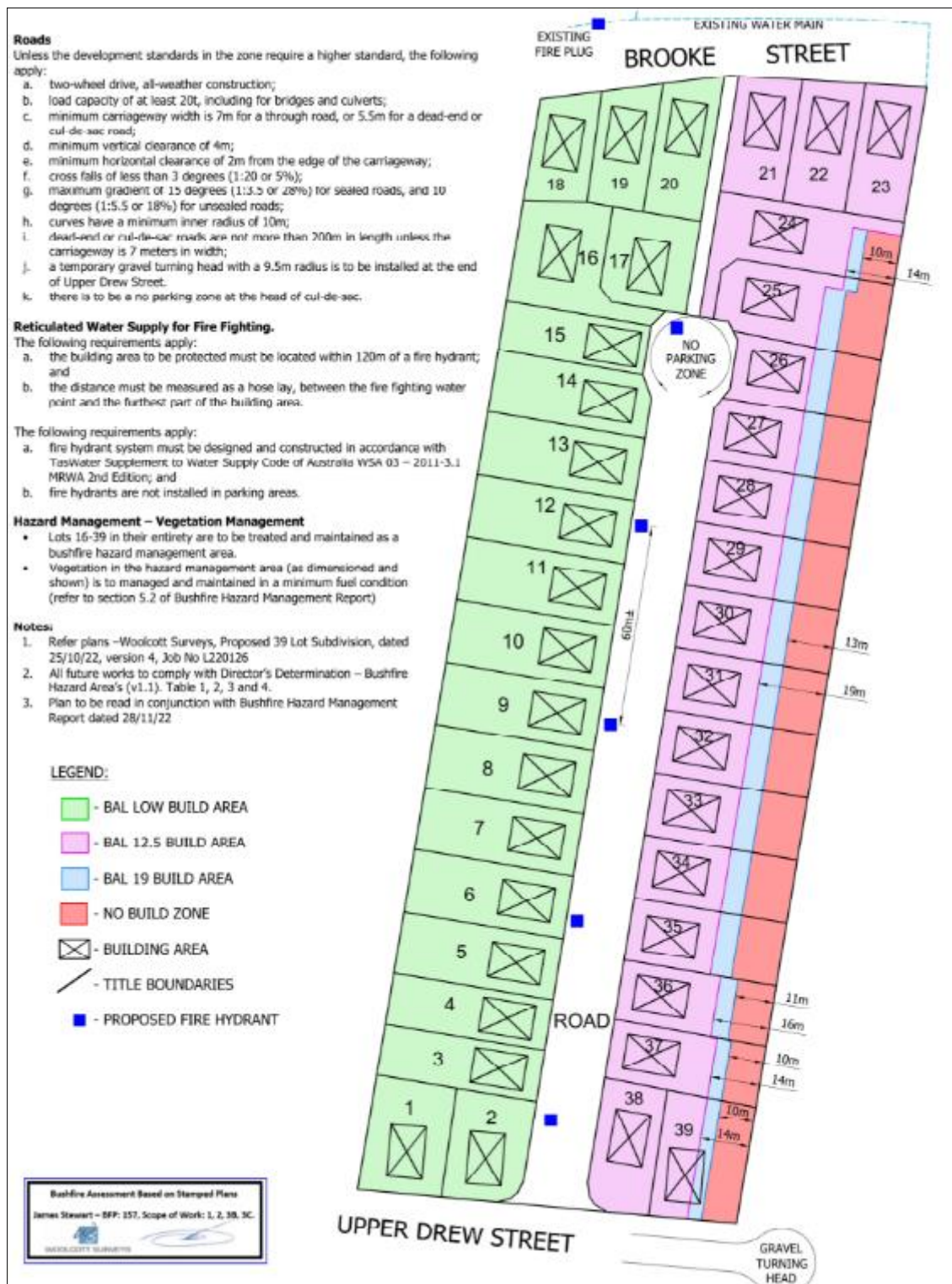
Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions	Performance Criteria
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level	P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road;

<p>crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of <i>the Roads and Jetties Act 1935</i> in respect to a limited access road. <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<ul style="list-style-type: none"> (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.
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A1.2 - As mentioned, a TIA was submitted as part of the application documentation. The findings of the TIA have been examined by Council's Infrastructure and Works Department (the road authority) and consent is provided for the new carriageway via permit conditions.

C13.0 Bushfire-Prone Areas Code

Woolcott Surveys has provided a Bushfire Hazard Management Report prepared by an accredited bushfire assessor which satisfactorily addresses the requirements of the Code, including management areas, access and water supply. The Bushfire Hazard Report and Management Plan (refer to Figure 10) will be endorsed to form part of the planning permit.



Significant works is defined under this Code as:

"means any of the following:

- (a) excavation equal to or greater than 1m in depth, including temporary excavations for the installation or maintenance of services or pipes;*
- (b) excavation or land filling of greater than 100m³ whether or not material is sourced on the site or imported;*
- (c) felling or removal of vegetation over a contiguous area greater than 1000m²;*
- (d) the collection, pooling or storage of water in a dam, pond, tank or swimming pool with a volume of more than 45 000L;*
- (e) removal, redirection, or introduction of drainage for surface or groundwater; and*
- (f) discharge of stormwater, sewage, water storage overflow or other wastewater."*

Some excavation will be required as part of the subdivision construction. It is not known the final cut and fill levels. No geotechnical advice was provided as part of the application, and it is thought prudent that geotechnical advice is required, should the subdivision works involve significant works. This will be included as a planning permit condition. It is thought given the small areas of the site that are subject to the hazard this is not considered detrimental to the outcome of the application.

C16.0 Safeguarding of Airports Code

The entire site is mapped within an airport obstacle limitation area of 51.5m AHD. The proposal will not extend into the AHD specified and is therefore exempt under this Code.

COMMUNITY ENGAGEMENT

The proposal differs to other discretionary applications in that it is part of an amendment to the Devonport Local Provisions Schedule. As such a decision must be made regarding the application, assuming the draft amendment has been adopted, prior to advertising of the application. Both the draft amendment and application will be subject to a 28 day public notification period during which members of the public may comment on the proposal. Any representations will be assessed by Council and a report submitted to the Tasmanian Planning Commission with any recommendations proposed as a result.

Public Open Space Contribution

The *Local Government (Building and Miscellaneous Provisions) Act 1993* gives Council the authority to acquire public open space (POS) as a part of any subdivision. Council can ask for cash in lieu of POS if preferred.

The applicant worked with Council on the POS consideration before this application was formally sought. Council requested a shared pathway from the head of the cul-de-sac to Brooke Street, which is included in the subdivision plan. The pathway is under 1% of the site's land area and it is recommended that Council also request a cash component. This will form part of the planning permit conditions.

CONCLUSION

The application satisfies the relevant acceptable solutions and performance criteria prescribed under the *Tasmanian Planning Scheme – Devonport 2020*, as amended and a permit can be issued, subject to conditions.

ATTACHMENTS

1. Application AM2022.04 & PA2022.0121 [**4.7.1** - 180 pages]
2. Assessment against section 34 of LUPAA [**4.7.2** - 4 pages]
3. Agricultural Land Mapping Project_-_ Background Report_ [**4.7.3** - 27 pages]
4. Proposed zoning map [**4.7.4** - 1 page]

Application Detail

Office use
Application no. _____
Date received: _____
Fee: _____
Permitted/Discretionary

Devonport City Council

Land Use Planning and Approvals Act 1993 (LUPAA)

Tasmanian Planning Scheme - Devonport

Application for Planning Permit

Use or Development Site

Street Address: 246 BROOKE ST EAST DEVONPORT TAS 7310

Certificate of Title Reference No.: 9450/29

Applicant's Details

Full Name/Company Name: Woolcott Surveys

Postal Address: PO Box 593 Mowbray TAS 7248

Telephone: 6332 3760

Email: admin@woolcottsurveys.com.au

Owner's Details (if more than one owner, all names must be provided)

Full Name/Company Name: WILLIAM DAVID BOVILL

Postal Address: 246 BROOKE ST EAST DEVONPORT TAS 7310

Telephone: _____

Email: _____



ABN: 47 611 446 016

PO Box 604

137 Rooke Street

Devonport TAS 7310

Telephone 03 6424 0511

www.devonport.tas.gov.au

council@devonport.tas.gov.au

Sufficient information must be provided to enable assessment against the requirements of the planning scheme.

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: (Rezone and subdivision) Subdivision of the land to 39 Lots

Description of how the use will operate: Residential

Use Class (Office use only):

Applications may be lodged by email to Council - council@devonport.tas.gov.au
The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee	
Completed Council application form	
Copy of the current certificate of title, including title plan and schedule of easements	
Any written permission and declaration of notification required under s.52 of LUPAA	
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:	
• The existing and proposed use(s) on the site	
• The boundaries and dimensions of the site	
• Topography including contours showing AHD levels and major site features	
• Natural drainage lines, watercourses and wetlands on or adjacent to the site	
• Soil type	
• Vegetation types and distribution including any known threatened species, and trees and vegetation to be removed	
• The location, capacity and connection point of any existing services and proposed services	
• The location of easements on the site or connected to the site	
• Existing pedestrian and vehicle access to the site	
• The location of existing and proposed buildings on the site	
• The location of existing adjoining properties, adjacent buildings and their uses	
• Any natural hazards that may affect use or development on the site	
• Proposed roads, driveways, parking areas and footpaths within the site	
• Any proposed open space, common space, or facilities on the site	
• Proposed subdivision lot boundaries (where applicable)	
• Details of any proposed fencing	
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:	
• Setbacks of buildings to property (title) boundaries	
• The internal layout of each building on the site	
• The private open space for each dwelling	
• External storage spaces	
• Parking space location and layout	
• Major elevations of every building to be erected	
• The relationship of the elevations to existing ground level, showing any proposed cut or fill	
• Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites	
• Materials and colours to be used on roofs and external walls	
Details of any signage proposed	

Value of use and/or development

\$ NA subdivision

Notification of Landowner/s (s.52 *Land Use Planning and Approvals Act 1993*)

If land is not in applicant's ownership

I, Michelle Schleiger declare that the owner/s of the land has/have been notified of my intention to make this application.

Applicant's signature:  Date: 28 June 2022

If the application involves land owned or administered by the Devonport City Council

Devonport City Council consents to the making of this permit application.

General Manager's signature: _____ Date: _____

If the application involves land owned or administered by the Crown

Crown consent must be included with the application.

Signature

I apply for consent to carry out the use and development described in this application. I declare that all the information given is true and correct. I also understand that:

- if incomplete, the application may be delayed or rejected; and
- more information may be requested in accordance with s.54 (1) of LUPAA.

PUBLIC ACCESS TO PLANNING DOCUMENTS - DISCRETIONARY PLANNING APPLICATIONS (s.57 of LUPAA)

I understand that all documentation included with a discretionary application will be made available for inspection by the public.

Applicant's signature:  Date: 28 June 2022

PRIVACY ACT

The personal information requested on this form is being collected by Council for processing applications under the *Land Use Planning and Approvals Act 1993* and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options

DD

Pay by Direct Deposit – BSB: 067-402 Account No. 000 000 13 – Please quote your application number.



Pay in Person at Service Tasmania – Present this notice to any Service Tasmania Centre, together with your payment. See www.service.tas.gov.au for opening hours.



Pay by Phone – Please contact the Devonport City Council offices on 64240511 during office hours, Monday to Friday.



Pay by Post – Cheques should be made payable to Devonport City Council and posted to PO Box 604, Devonport, Tasmania, 7310.



S43A-Planning Scheme Amendment and Development Application

Rezone and subdivision of land at 246 Brooke Street, East Devonport

Woolcott Surveys

June 2022

Job Number: L220126
Prepared by: M Schleiger
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Senior Planner

Version control	Description	Date
1	Draft	17 May 2022
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1. Introduction

This application is to be read in conjunction with the following supporting documentation:

Document	Consultant
Subdivision Proposal Plan - 39 Lot Subdivision (plus Road lot) and rezone plan	Woolcott Surveys
Subdivision Proposal Plan – Infrastructure and building indications	Woolcott Surveys
Road Layout & Concept Services Plan	CSE Tasmania Pty Ltd
Agricultural Assessment and rezoning report	Pinion
Traffic Impact Assessment	Midson Traffic Pty Ltd
Bushfire Report and Hazard Management Plan.	Woolcott Surveys

1.1 Application summary

The following is a summary of the representation information:

Proposal	To rezone the land at 246 Brooke Street, East Devonport, from Agriculture Zone to General Residential Zone and; To subdivide the land from one lot to 39 lots; and, 1 new road lot and 1 pedestrian link lot.
Address	246 Brooke St East Devonport TAS 7310
Property ID	3494341
Title:	9450/29
Part 5 Agreements of Covenants	Nil Note: Lots 26 and 27 together form Lot 29 (subject site).
Land area:	3.389ha
Current zone	Agriculture Zone
Proposed zone	General Residential Zone
Overlays	Bushfire prone areas Airport obstacle limitation area Landslip hazard band - low
Planning Authority	Devonport City Council (the Council)
Planning Scheme	<i>Tasmanian Planning Scheme - Devonport</i>
Legislative instrument	<i>Land Use Planning and Approvals Act 1993</i>
Applicable Section	S.40T of the <i>Land Use Planning and Approvals Act 1993</i>
Services	

Water and Sewer	TasWater
Stormwater	Available (Devonport City Council)
Access	No existing formal access. Subject site has frontage to Brooke Street and Upper Drew Street.
Buildings and development – Existing	Vacant pasture
Vegetation	Pasture
Topography	Sloping from 46mAHD down to approximately 18mAHD Ratio 1:11
Watercourses	None on subject site

1.2 Background

Woolcott Surveys has been engaged by Prime Plus Investments Pty Ltd, to undertake a Planning Scheme Amendment to rezone to the land known as CT 9450/29 (subject site), from Agriculture Zone to General Residential Zone. The rezoning will facilitate a proposed 39 lot residential subdivision.

The land is zoned Agriculture but also abuts the General Residential Zone (GRZ). Within East Devonport, the land on the north, west and south is predominantly GRZ, excepting the large parcel/s (122479/1, 127380/1, 145094/1), central to the area. The land mass extending west towards the Mersey River and within the GRZ, forms the majority of the residential area of East Devonport.

This application is made under the provisions of section 40T of the *Land Use Planning and Approvals Act 1993*.

1.3 Rationale for the amendment.

The land is within the municipality of Devonport City Council and subject to the planning provisions of the *Tasmanian Planning Scheme – Devonport*, (the Scheme). Under the Scheme, the potential to develop Agriculture zoned land is limited and does not allow residential uses in most cases.

The subject site (land to be re-zoned) is suited to the purpose of the General Residential Zone (GRZ) and, it adjoins the GRZ to the west. The development would allow a continuous progression of the GRZ extending eastwards.

The proposed subdivision would be sympathetic to the adjoining development pattern to the west and the subdivision development to the north, having similar lot density and being consistent with the provisions of the GRZ.

The subject site enjoys a high standard of amenity and can be fully serviced for sewer, stormwater and water. The development will contribute to the availability of residential land in Devonport. The land is currently underutilised for agricultural land and has several use restraints for farming, having a shared boundary with nine residential lots.

The resulting subdivision would provide 39 residential lots to contribute to the current demand. This demand, alongside aspirational population growth goals, has been identified by the Greater Devonport Residential Growth Strategy 2021-2041 (GDRGS) (Devonport City Council, 2022) which identifies areas of land to be investigated for future residential growth. The subject site falls neatly into one such area for investigation. The site would strategically be ideal for rezoning, as it is contiguous to existing residential development, representing sustainable and efficient development planning.



Figure 1 Aerial view of subject site (Source: LISTMap)

2. Subject Site

2.1 Site location

The subject site is located in East Devonport approximately 500m south of the north coast (Bass Strait), and 1.8km east of the Mersey River. The Devonport City municipal area boundary is approximately 1km west of the subject site.

East Devonport forms a built-up area east of the river and the main centre to Devonport and includes residential, agricultural and industrial land uses. The Port and Marine Zone occupies the area of river bank and is associated with the sea ports and transport gateways.

The site is 3.389ha and is generally rectangular in shape. The frontage to Brooke Street is angled and has a length of 107.33m. The rear boundary is 105.24m and is bound by Upper Drew Street, a Council maintained road, unsealed at this section. The lot is 314m long on the west boundary, which abuts the residential area, and 326.68m long on the east boundary, abutting a similar parcel that is agricultural in use and which has a dwelling.

2.2 Adjoining land and surrounds

The subject site is in East Devonport. The land and surrounds can be characterised as coastal land rising to undulating, low hills. East Devonport can be reached via the Bass Highway, which continues over the Mersey River to Devonport (main urban centre). Victoria Bridge connects to two localities as well as surrounding areas including Spreyton, to the road transport network.

Devonport City is on the west of the Mersey River and serves as the main service centre for Devonport and Latrobe as well as surrounding localities. Devonport is around 75km north west of Launceston and 10km east of Ulverstone.



Figure 2 Locality plan showing subject site (Source: LISTMap)

2.3 Existing infrastructure

Reticulated water and sewer

The site has direct access to reticulated water mains from Brooke Street.

There is an existing reticulated sewer main on Brooke Street which ends approximately 30m west of the front boundary. There is also a sewer main which extends into the residential area west of the subject site ending at 47 Upper Drew Street, which abuts the south west corner of the subject site.



Figure 3 Showing existing reticulated water and sewer infrastructure (Source: LISTMap)

Stormwater

The surrounding area has stormwater infrastructure that includes some underground piping and open drains at the frontage of Brooke Street.

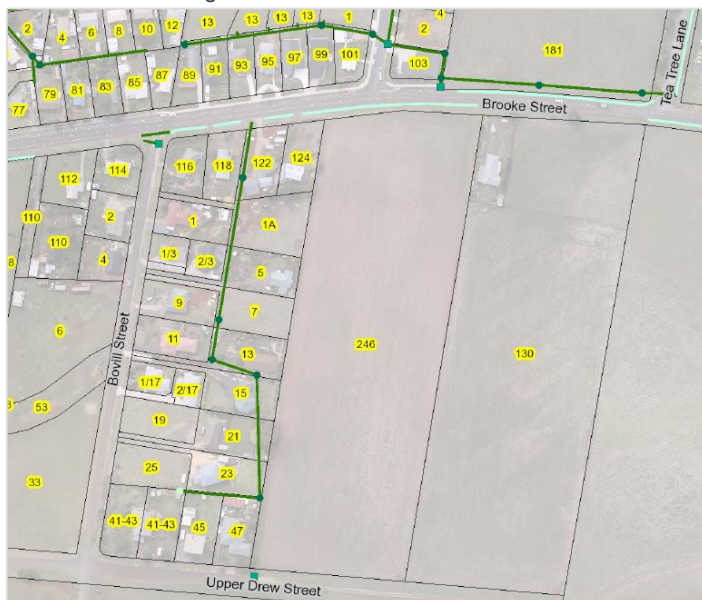


Figure 4 Showing existing stormwater infrastructure (Source: Devonport City Council)

Gas

Brooke Street is serviced by gas pipeline across the frontage of the subject site.



Figure 5 Showing area of gas pipeline infrastructure (in yellow) (Source: LISTMap)

2.4 Road and access

Brooke Street runs generally from west to east from Shipwreck Beach to the Port Sorell Road intersection. It is classed as a collector road, is sealed and is a Council maintained road.

Upper Drew Road, which forms the rear boundary of the subject site, connects to North Caroline Street (west of subject site) and is partially sealed (up to the boundary of the subject site) and then unsealed for the remaining 210m of Council maintained road.

2.5 Heritage

There is no identified or known Aboriginal or cultural heritage on the site or adjoining land. The land has previously been disturbed through farming.

2.6 Current zone

The subject site falls within the municipal area of Devonport City Council and is currently zoned Agriculture. The site is adjoined by the General Residential Zone to the west and to the north.

2.7 Current overlays

The subject site is affected by the Bushfire prone areas, Airport obstacle limitation area, and, the Landslide hazard area (Low risk) overlays.

2.8 Subject site and surrounds - images

Subject site images follow:



Figure 6 Subject site from Brooke St facing south



Figure 7 From Brooke St facing east of subject site



Figure 8 Facing east of subject site



Figure 9 From Brooke St facing west of subject site



Figure 10 Facing west of subject site



Figure 11 124 Brooke St facing west



Figure 12 Brooke St facing north west



Figure 13 Brooke St facing north



Figure 14 Facing north from subject site



Figure 15 Facing north east from subject site



Figure 16 Facing north to Beachrock View



Figure 17 Facing east from Brooke St & Beachrock V



Figure 18 Facing north east from subject site



Figure 19 East boundary of subject site facing south



Figure 20 Subject site facing north from Upper Drew S



Figure 21 Facing north east from Upper Drew St



Figure 22 Facing north west from Upper Drew St



Figure 23 Facing west to Upper Drew St



Figure 24 Facing west to Upper Drew St



Figure 25 Facing south from Upper Drew St



Figure 26 Facing south west from Upper Drew St

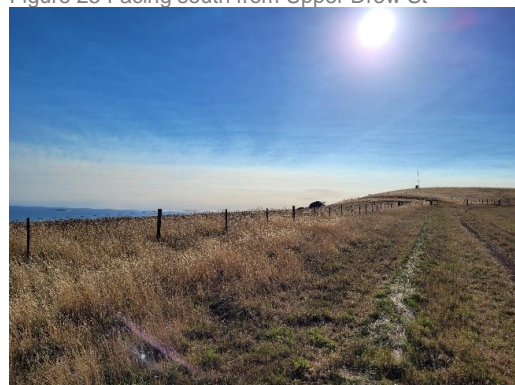


Figure 27 Facing north east from Upper Drew St



Figure 28 Facing north east to Bovill St



Figure 29 Facing south to Bovill St



Figure 30 Facing north west from Upper Drew/Bovill St



Figure 31 Showing bike lane from Bovill St on Brooke St



Figure 32 Showing bike lane on Brooke St (north side)



Figure 33 Showing bike lane end Brooke St (north side)

3. Planning Scheme amendment

3.1 Proposal

This request is made pursuant to section 40T of the *Land Use Planning and Approvals Act 1993* to rezone the land (subject site) from Agriculture Zone to General Residential Zone under the *Tasmanian Planning Scheme – Devonport*. The rezoning of land is to facilitate a 39 lot residential subdivision. The subdivision includes a cul-de-sac road lot and associated infrastructure and a pedestrian way lot. See Annexures 2 and 3 for the proposal details and lot design. Annexure 4 provides plans for reticulated services and infrastructure.

3.2 Land Use and Planning Approvals Act 1993

3.2.1 Land Use and Planning approvals Act 1993 – Sections 40T, 37 and 38

This application is made in accordance with section 40T of the *Land Use Planning and Approvals Act 1993*. The relevant section under the *Act* is shown below.

Division 4 - Combined permit and amendment process

40T. Permit application that requires amendment of LPS

- (1) A person who requests a planning authority under section 37 to amend an LPS may also, under this subsection –
- a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
 - b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.

Response

Pursuant to section 40T of the *Land Use Planning and Approvals Act 1993* an amendment to the scheme is requested as part of this application.

Division 2 - Requests for amendments of LPSs

37. Request for amendment of LPSs

- (1) A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.

Response

This application requests that the Devonport City Council amend the *Tasmanian Planning Scheme - Devonport*, to change the zone for the subject site from Agriculture Zone to General Residential Zone, as shown at Annexure 2 – Rezone Plan.

- (2) A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.

Response

The request to amend the *Tasmanian Planning Scheme-Devonport* includes a form approved by the Tasmanian Planning Commission, and a Council application form (signed).

- (3) A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land –

- a) be signed by each owner of the land; or
- b) be accompanied by the written permission of each owner of the land to the making of the request.

Response

The amendment affects one title under the ownership of William David Bovill. Woolcott Surveys, as the applicant, is requesting the scheme amendment.

- a) The form has been signed by the relevant signatories of the owners of the land.
- b) There is no requirement for written permission as the form has been signed by the owner.

Division 2 - Requests for amendments of LPSs

38. Decision in relation to request

- (1) A planning authority, before deciding whether to prepare a draft amendment of an LPS in relation to a municipal area in accordance with a request under section 37(1), must be satisfied that such a draft amendment of an LPS will meet the LPS criteria.

Response

The LPS Criteria is referred to in Section 34. See Item **3.2.2**.

3.2.2 Land Use Planning and Approvals Act 1993 – Section 34**Division 2 - Contents of LPSs**

34. LPS criteria

- (2) The LPS criteria to be met by a relevant planning instrument are that the instrument –
 - a) contains all the provisions that the SPPs specify must be contained in an LPS; and
 - b) is in accordance with section 32; and
 - c) furthers the objectives set out in Schedule 1; and
 - d) is consistent with each State policy; and
 - (da) satisfies the relevant criteria in relation to the TPPs; and
 - 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; and
 - 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; and
 - 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; and
 - h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

Response

- a) The amendment relies on the existing provisions of the General Residential Zone as applied by the Tasmanian Planning Scheme – Devonport, with no variation proposed.
- b) Not applicable to this proposal.
- c) See Item **3.3** of this report for a response to Schedule 1
- d) Item **3.5** of this report addresses State policies.
- e) Item 3.7 of this report addresses the regional land use strategy (Cradle Coast Regional Land Use Framework).
- f) Items under **3.8** of this report consider the Council Strategic Plan and local strategies.
- g) Local provisions of the Scheme are referred to at Items 3.12 and 4 of this report. The subject site is not adjacent to other municipal areas.

- h) Item **3.6** of this report addresses any safety requirement prescribed under the Gas Pipelines Act 2000.

3.3 Objectives of the Land Use and Approvals Act 1993

3.3.1 Schedule 1, Part 1 Objectives

Section 34 (2) c) of the *Land Use Planning and Approvals Act 1993* (The Act) require that in determining an application, the planning authority must seek to further the objectives set out in Schedule 1 of the Act. Schedule 1, Parts 1 and 2 have been examined and responded to below.

Objective	Response
a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The land is currently used for pasture and has no specific value toward ecological process and genetic diversity. The proposal has no effect on areas of ecological value being significantly distant from any such areas. See Item 3.4.1 for an expanded response.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	The development is a logical and orderly expansion of the residential area to the west and a contiguous development of the zone.
(c) to encourage public involvement in resource management and planning; and	The planning application process under section 40G of LUPAA provides a public consultation period of 28 days. During this period, the public can make comment on the proposed application. Following this period, the Tasmanian Planning Commission hold hearings to ensure all stakeholders have an opportunity to have input and have their views heard.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	The development will facilitate economic development for the construction and land use industries with expected flow on effects. The addition of residents to the area means increased participants in the local economy, contributing to the sustainment of local trade and employment. Item 3.4.2 provides elaboration on economic factors.
(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.	Each level of government and the private sector have their distinct roles to play in the development process. This proposal is compliant with and dependant on these processes.

3.3.2 Schedule 1, Part 2 Objectives

Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government; and	The rezone is demonstrably sound and in compliance with the policies and actions of the Regional Land Use Strategy, (See Item 3.7) and other relevant strategies associated

	with residential development.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The proposal will seek to set aside the provisions of the Agriculture Zone and install those of the General Residential Zone, to be enforced accordingly by the Devonport City Council.
(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	<p>The rezone and subdivision proposal seeks to provide additional residential land in an orderly manner.</p> <p>It will contribute to the supply of residential land in a well-suited location in East Devonport.</p> <p>The proposal represents a positive outcome socially and will support economic development. Section 3.4.3 of this report provides an expanded response on the social and economic impacts of the rezoning.</p>
(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	The proposal is subject to existing policies that guide land use and development. The proposal seeks to be compliant with these and make good use of the land.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	The section 40T application provides for a development application to be assessed simultaneously to a scheme amendment. The development application has been purposefully included with the rezone application to provide context to the rezoning application and to ensure the process is efficient and consolidated.
(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	<p>The subdivision provides residential allotments in a safe and connected environment. The subdivision and rezone are within walking distance to bus stops and areas of open space and recreation. See Figures 34 and 35.</p> <p>The subdivision will provide all appropriate infrastructure to encourage pedestrian activity and cycling traffic, promoting a pleasant and safe environment for both residents and visitors.</p>
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	<p>There are no identified buildings, areas or places which are of scientific, aesthetic, architectural or historical interest.</p> <p>There is no known record of European heritage sites and the subject site is not on the Tasmanian Heritage Register.</p> <p>No identification of Aboriginal Heritage has been found at this time.</p>

(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	<p>The proposal and the expansion of public infrastructure will be done in a sustainable manner. All developed lots will be connected to TasWater reticulated water and sewer, as well as the Council stormwater system.</p> <p>A new road and pedestrian infrastructure will be provided to service the development, providing a benefit to the community through future pedestrian and vehicular connection to Brooke Street.</p>
(i) to provide a planning framework which fully considers land capability.	<p>The land is zoned for Agriculture and is mapped as prime agricultural land. Additionally, the land is within the Tasmanian Irrigation District.</p> <p>The land has no irrigation infrastructure built on it and the site has several constraints to agricultural use. It is listed as Potentially Constrained (Criteria 3) and directly abuts a residential zone.</p> <p>The topography of the land limits the ultimate potential of the land for all farming types.</p> <p>The report provided at Annexure 5 provides more detail on the site's capability and constraints.</p>

3.4 Impact on the region

3.4.1 Environmental

The development of the site for residential use would have an environmental impact, as does all residential use of land.

The connection of sewer and stormwater for all lots are a part of the proposal plan and in accordance with acceptable solutions. Given the location is abutting an existing developed area, and the underlying infrastructure networks are available, the development represents a sustainable outcome as minimal and contiguous infrastructure extension is needed to service the new lots.

The development does not require the removal of native vegetation as the land has previously been cleared for pasture. The subject site is not listed as being within a priority habitat overlay and does not have any threatened flora or fauna species identified. There is no evidence of the site being a part of a wildlife corridor of any significance.

The development represents the loss of a small section of agricultural land. The land, in terms of agricultural use, is constrained and abutting residential development. This is explored in the Agricultural Assessment provided at Annexure 5. While agricultural land should be retained where possible, and this is supported at policy level, there is a broader question on best use of the land at this specific location to be explored.

The bushfire hazard management plan demonstrates that future dwellings can be constructed to BAL 19 ratings, while the majority of lots on the western side of the new cul-de-sac road can be considered as BAL Low. The risk is assessed as minimal with all relevant provisions of C13.0 Bushfire prone areas code achievable.

3.4.2 Economic

The Greater Devonport Residential Growth Strategy 2021-2041 (GDRGS) (Devonport City Council, 2022), as a part of the Aspirational population growth policy direction seeks to encourage economic development opportunities that support the population growth. In turn, population growth further supports economic development within the City. Under section B1.1 the strategic document states:

Increasing the population base provides an important platform for continued economic growth and investment, increasing employment opportunities, and promoting liveability not only within the greater Devonport area – but also the North West region more generally. (Devonport City Council, 2022) pg. 14.

The supporting argument provided with the Residential Strategy is that the Tasmanian State Government has an established policy to grow the population of Tasmania to 650,000 people by year 2050, demonstrating that population growth is conducive to economic activity. Devonport City include the encouragement of economic development opportunities to support population growth and a strategic policy action (section B1.3) (Devonport City Council, 2022).

It is clear that Devonport, through its residential strategy, supports residential expansion as an economic driver for the City's future. It is generally accepted that there is economic activity associated with the development phase of residential growth, and sustained activity from an increased population through participation in the local economy.

The following figures from The Australian Bureau of Statistics are for the whole of Tasmania and provide an indication that throughout 2020, the rate of arrivals was higher than the number of departures from the State. This is indicative of the increased residential pressure many towns and cities in Tasmania are under.

March 2020 Quarter			December 2020 Quarter			March 2021 Quarter		
Arrivals	Departures	Net	Arrivals	Departures	Net	Arrivals	Departures	Net
3032	2734	+298	3841	3542	+299	3808	3531	+277

Table 1 - Interstate migration (ABS; sourced 25 August 2021; <https://www.abs.gov.au/statistics/people/population/regional-internal-migration-estimates-provisional/latest-release>)

3.4.3 Social

In part, the supply of residential land that is proposed in this application is reasonably significant and would allow a sizable increase of residences (new homes), contributing to the projected and aspirational goals of the GDRGS. The Strategy recognises that existing residential land supply is a critical issue and a significant impediment to population growth within the greater Devonport area (Devonport City Council, 2022).

Increasing the supply of residential land to enable an increase in dwelling stock, and also encouraging a range of dwelling types and densities, is also considered to positively influence both housing affordability and accessibility, and that increased supply will likely contribute towards downward pressure on these factors. (Devonport City Council, 2022) pg. 16.

East Devonport has good access to services and retail outlets as well as local schools, all of which contribute towards established and thriving neighbourhoods. The local area has existing residences and new developments underway in the immediate area and throughout East Devonport. The Heritage Walking Track to the north is an excellent open space destination, as is Girdlestone Park to the south for recreation. All these factors contribute to the wellbeing and living standards that are recognised as desirable by general planning principles and by the Planning Scheme itself, as it aims to protect amenity for residents where possible.

In summary, the proposal would have a net positive impact when considered against environmental, economic and social terms and is a sound development outcome.

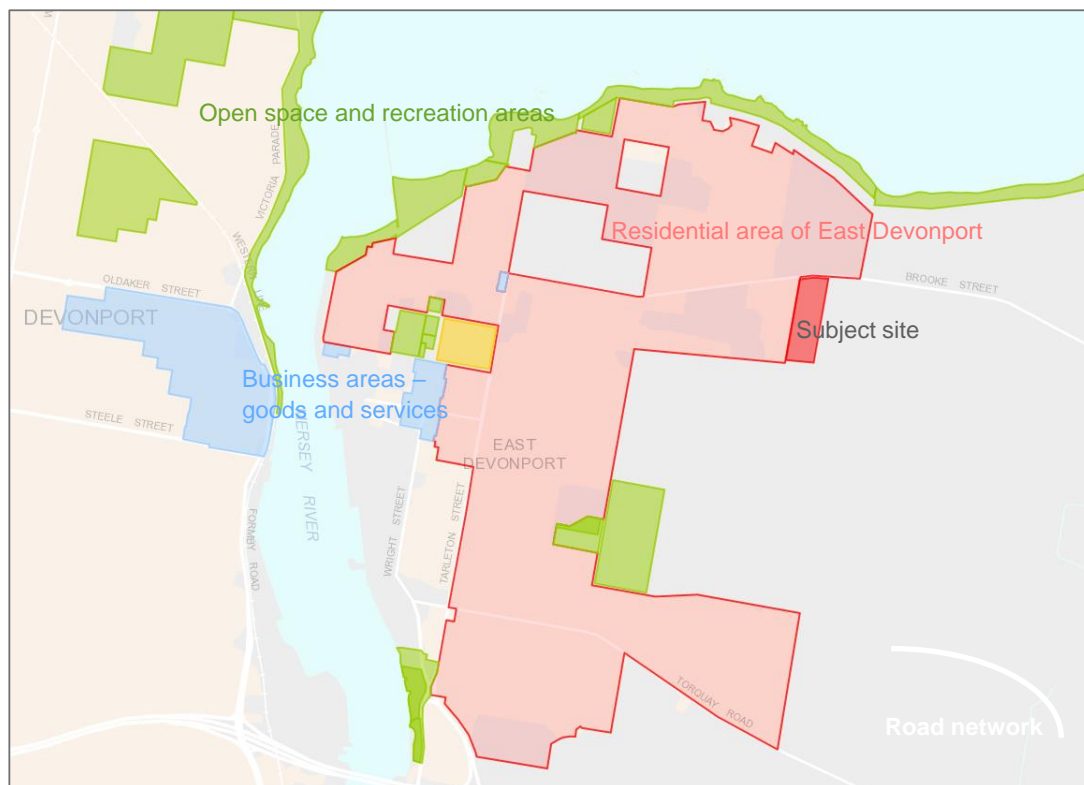


Figure 34 East Devonport locality connectivity (Source: LISTMap)

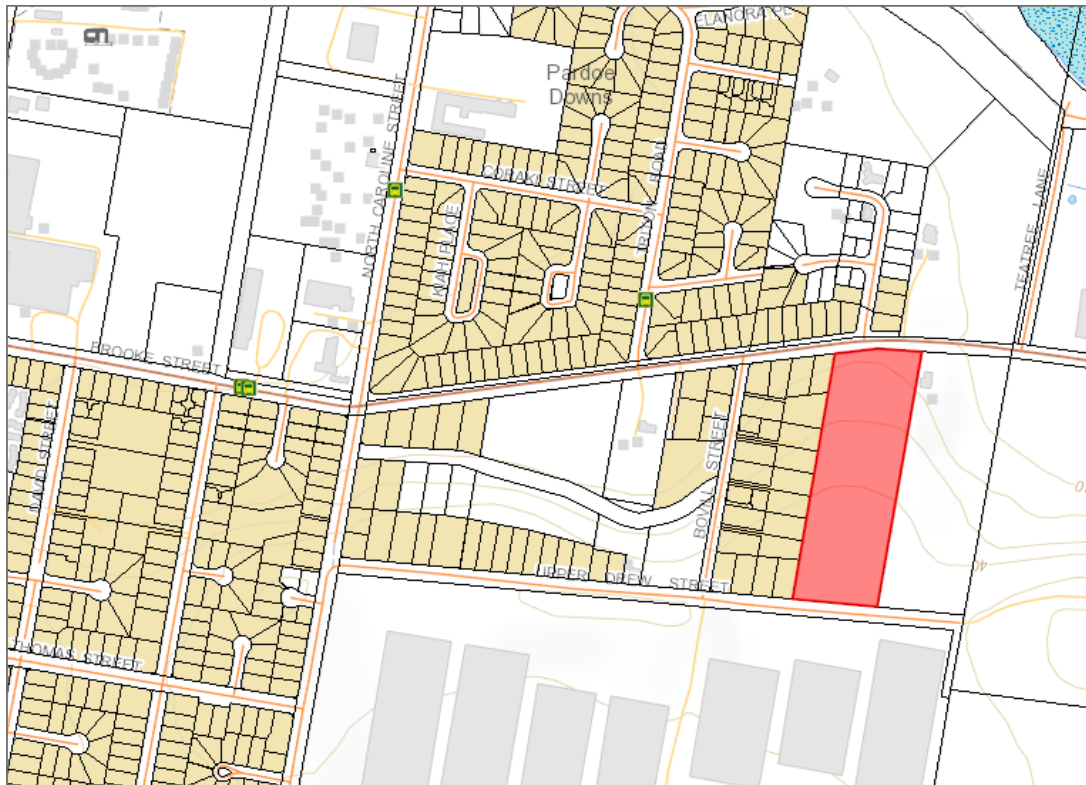


Figure 35 Bus stops to the local area (Source LISTMap)

3.5 State Policies

3.5.1 State Policy on the Protection of Agricultural Land 2009

The provisions of this State policy, and response, are contained in the Agricultural assessment and rezoning report authored by Pinion Advisory and provided at Annexure 5.

3.5.2 State Coastal Policy 1996

The State Coastal Policy has been created under the State Policies and Projects Act 1993. The policy principles guide the outcomes of the State Coastal Policy:

- natural and cultural values of the coast shall be protected;
- The coast shall be used and developed in a sustainable manner;
- Integrated management and protection of the coastal zone is a shared responsibility.

The subject site is within 1km of the highwater mark north of the subject site.

Section 2.4 addresses Urban and Residential Development under the outcome of Sustainable Development or Coastal Areas and Resources. The development response is as follows:

2.4.1 Care will be taken to minimise, or where possible totally avoid any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas.

The development is not expected to create an impact to the coast, or increase any impact due to the distance of the site from the coast, and the presence of urban development in closer proximity to the coast than the subject site. The provision of reticulated infrastructure will mitigate the effects of residential use of the site, controlling undesirable run-off and pollutants to the water.

2.4.2 Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast.

The proposed represents contiguous development of residential use and infrastructure development. The result of the subdivision would be new residential lots that are clustered to and adjoining an existing residential area.

2.4.3 Any urban and residential development in the coastal zone, future and existing, will be identified through the designation of areas in planning schemes consistent with the objectives, principles and outcomes of this Policy.

This application seeks to identify and recognise the land for General Residential Zone in the Tasmanian Planning Scheme – Devonport through a scheme amendment to change the zone.

The land has been identified for investigation for residential use through the GDRGS.

3.5.3 State Policy on Water Quality Management 1997

The provisions of this State policy are practically captured in the Natural Assets Code in the Scheme. The subject site is approximately 480m south of the coastline.

The development will mitigate effects from urban runoff by connecting to the stormwater system and providing reticulated sewer.

3.5.4 Natural Environment Protection Measures

The Natural Environment Protection Measures (NEPMs) apply to factors such as air quality, land contamination and waste control and other pollutant matters between states and territories in Australia. The NEPMs relate to matters that are not affected by this proposal. The site is not considered to be contaminated.

3.6 Gas Pipelines Act 2000

The subject site is affected by the gas pipeline corridor and the requirements of the *Gas Pipelines Act 2000* due to the proximity of the pipeline on Brooke Street.

The Act lists Regulated activities as:

- a. construction of, or alteration to, a pipeline for carrying natural gas, petroleum or another regulated substance;
- b. operating and maintaining a pipeline for carrying natural gas, petroleum or another regulated substance;
- c. construction of, or alteration to, a pipeline facility for processing gas or another regulated substance;
- d. operating and maintaining a pipeline facility used for processing gas or another regulated substance;
- e. any other activities for which a licence is required under the regulations.

The proposal does not involve any of these activities.

It is noted that the existing pipeline will need to be fully located to allow new infrastructure to be made along the shared frontage to Brooke Street. The pipeline has been previously located and mapped and this will be utilised when preparing the site for new infrastructure. Infrastructure along this route has been minimised to mitigate any risk to the pipeline.

3.7 Cradle Coast Regional Land Use Strategy (CCRLUS)

Section 30O (1) requires that an amendment be consistent with the regional land use strategy for the regional area to which the amendment relates to. The subject site sits within the City of Devonport municipality and the Cradle Coast Regional Land Use Strategy 2010-2030 applies. The draft amendment has been examined against relevant sections of the strategy and is discussed as follows.

3.7.1 Regional Strategic Planning Framework

1. Implementation – making it happen, keeping it relevant

- Effective implementation is the key to success of the Cradle Coast Regional Land Use Strategy.
- Successful implementation will require that all levels of government, industry, and the community share responsibility and work together in a coordinated and collaborative way to deliver the policies and outcomes required by the Strategy.

Strategic Outcomes

Land Use Outcomes for Implementation

The Cradle Coast Regional Land Use Strategy:

- Promotes regional land use policies that respect the natural environment, facilitate a robust and successful regional economy, provide liveable communities and a sustainable pattern of settlement, and guide new use and development toward a secure and prosperous future
- Consolidates and aligns land use planning with related strategies for economic, social, environmental, conservation and resource management applying for the Cradle Coast Region and places them into an overall context of an integrated regional land use strategy
- Provides a basis for the coordination of future actions and initiatives related to the growth and development of the Region and promotes arrangements which optimise benefit for regional communities
- Initiates a regional land use planning process to provide a strategic regional perspective and a coordinate framework for consistent regulatory action

Response

The principles for implementation are largely up to government bodies and for the developer to comply with and adhere to. As an integrated framework it is the responsibility of this proposal to ensure it is in line with the goals and aims of these policies.

2. Wise Use of Resources – respect for what is valued

- The Cradle Coast Region is blessed with unique, distinctive and irreplaceable natural features and landscapes, diverse renewable and non-renewable resources, an extensive marine coastline, and significant cultural heritage.
- Fundamental to the Cradle Coast Regional Land Use Strategy is the principle that air, water, land, biodiversity, and cultural heritage are vital resources for the health, identity and prosperity of the Region.
- The focus of the Strategy is to address the relationship between land use or development and the objectives for natural resource management. The Strategy promotes measures to foster a culture of integrated conservation and continued access to resources of value for human and natural systems.

Strategic Outcomes

Land Use Outcomes for Wise Use of Resources

Use and development of natural and cultural resources in the Cradle Coast Region –

- safeguards the life supporting properties of air, water and land

- maintains and enhances the health and security of biodiversity and ecological processes
- provides sustainable access to natural resources and assets in support of human activity and economic prosperity
- recognises and respects natural and cultural heritage
- promotes the optimum use of land and resources

2.3 Land Use Policies for a Changing Climate

<p><i>Land use recognises climate is a key factor in determining environmental character and the nature of processes upon which life and survival are dependent.</i></p> <p><i>Land use recognises the climate is changing and that the consequence of such change can have both negative and positive implication for the Region.</i></p> <p><i>Planning is to monitor the effects of climate change on the Region and apply an integrated mitigation, adaptation and risk management approach taking into account all relevant knowledge and available information.</i></p> <p><i>Land use planning processes for mitigation and adaptation:</i></p>	Response
Promote outcomes which reduce carbon emissions and increase energy efficiency in a manner consistent with and appropriate to furthering declared Commonwealth and State policies and targets	The development, as much as is possible, allows for residential development that can be energy efficient. The location is well connected to allow for alternative modes of travel, and there are various services and employment opportunities within short distances. These factors contribute to making it easier to avoid carbon emissions.
<p>Promote compact and contained settlement centres which allow reduced dependency on private vehicle use and the length of daily journeys by providing communities with ready local access to daily needs for employment, education, health care, retail and personal services and social and recreation facilities, including:</p> <ol style="list-style-type: none"> i. a greater mix and less dispersal or segregation in the nature and distribution of land use ii. provision of local activity centres where there is a concentrated mix of activity for shopping, working, studying, recreation and socialising clustered at readily accessible locations iii. improvement in the level of internal connectedness and convenience for pedestrian, cycle and public transport options 	The proposal is within an established settlement area (East Devonport). The proposal can integrate with existing transport networks and services.

<ul style="list-style-type: none"> iv. increase in urban densities for residential and commercial use v. location of employment opportunities within a greater number of centres and at a rate commensurate with local need vi. minimise expansion at the urban fringe and creation of rural residential clusters in remote or poorly connected locations 	
Facilitate opportunity for resource processing, manufacturing and utility development in locations which minimise distances for freight transport, energy distribution and journey to work. The mix and locations of these may need to be more flexible in remote locations isolated from reliable and accessible road and rail freight networks.	Not applicable to this proposal
Promote energy efficient urban places and facilitate energy efficient buildings through design and construction requirements for subdivision layout, building disposition, and the use of materials and landscaping which maximise solar access and natural lighting, natural heating, cooling and ventilation, and the use of low energy and recovered materials, energy and resources	The lots will allow for solar access to each lot. The building style and use of materials is subject to future development applications.
<p>Facilitate non-carbon energy alternatives, renewable energy and energy recovery projects which enhance transition to a carbon-neutral society, including –</p> <ul style="list-style-type: none"> i. stand-alone commercial scale installations in locations where there will be an acceptable level of impact on cultural, economic and natural resource values and on the amenity of designated sensitive use areas ii. installations forming a directly associated and subservient part of a use or development iii. domestic-scale installations in all locations 	The installation of energy saving and generating devices is subject to future applications.
Facilitate carbon capture and storage, including by geological sequestration, soil carbon in agriculture, reforestation and control on the clearing of vegetation	Not applicable to this application.
Apply sound risk management practices.	The development is subject to Council led risk management requirements.

2.4 Land Use Policies for Water Management

<p><i>Land use assists the protection, conservation, improvement and restoration of water quality and quantity in natural streams and water bodies and in engineered storages.</i></p> <p><i>Land use planning processes:</i></p>	Response
Use catchments as the ecological and hydrological unit of meaningful scale for planning and land management	Not applicable to this application
Identify the surface water and ground water features, hydrological function, and natural features and areas necessary for the ecological and hydrological integrity of catchments	The subject site is approximately 480m south of the coastline to the Bass Strait.
<p>Require catchments, natural water courses and water bodies be adequately buffered against likelihood for resource development, economic activity, utilities and settlement to have adverse effect on –</p> <ul style="list-style-type: none"> i. existing and known likely drinking water supplies ii. surface water, ground water, and water bodies susceptible to impact due to extraction of water or the addition of nutrients, sediments and pollutants iii. hydrological function of water, including its chemical and physical properties, and its biological interaction with the environment 	The development is unlikely to affect drinking water supplies; there is no extraction proposed. Reticulated infrastructure is expected to mitigate the effects of run-off and pollutants. No adverse effect to hydrological function is anticipated.
Limit modification of natural drainage systems, including change in channel alignment and in the nature of the stream beds and flow rates	<p>New drainage systems will be designed and constructed to connect to existing systems and work with gravitational flows.</p> <p>Natural waterbodies will not be affected.</p>
Impact on water quality by runoff from adjacent use or development	Not applicable
Promote sustainable water use practices including water harvesting and recycling such as Water Sensitive Urban Design for stormwater and waste water	f. Stormwater infrastructure that is in line with the requirements of Devonport City Council will be employed.
Require retention and rehabilitation of native vegetation within riparian and foreshore areas	Not applicable
Require urban and rural land use or development incorporate measures to manage diffuse and point source pollution from storm water and waste water discharge in accordance with the Tasmanian State	The development will be compliant with the appropriate policies on water and stormwater management.

Policy on Water Quality Management 1997 and the Tasmanian State Stormwater Strategy 2010	
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2.5 Land Use Policies for Land

<p><i>Land use recognises the health and integrity of natural systems and the prosperity and sustainability of human cultural and economic systems within the Region is inextricably connected to land.</i></p> <p><i>Land use planning processes:</i></p>	Response
Recognise land is an irreplaceable and exhaustible resource	The proposed development, in recognising the finite nature of land supply proposes residential development that is contiguous to existing residential development, promoting compact urban form and efficient use of the land and infrastructure development. The development creates a compromise between the use of the land for farming and for residences. The development of a residential strategy for the area signifies the need for residential land, and the resulting competing demand
Ensure the sustainable use or development of land in accordance with capability to provide the greatest economic and social for the region's communities benefit at least cost to natural values	Given the identification of the subject site as (Criteria 3) constrained and its already conflicting proximity to agricultural use, the GDRGS has identified the area for investigation. The relatively small pocket of, albeit, high quality agricultural land, has become constrained with competing uses, not only residential, but uses associated with transport and industrial type activity.
<p>Identify land for</p> <ul style="list-style-type: none"> i. protection and conservation ii. primary production iii. economic activity iv. settlement v. community, transport and utility infrastructure vi. tourism and recreation 	As such, the GDRGS has signified that this area of East Devonport may be better employed and will consider alternatives to agricultural zoning.

2.6 Land Use Policies for Air

Generally not applicable.

2.7 Land Use Policies for Conservation

As the land has been used for agriculture, this category is generally not applicable.

2.8 Land Use Policies for Coastal Management

<p><i>Land use recognises the Region's extensive coastline and coastal processes are critical for meeting diverse environmental, cultural, social and economic need.</i></p> <p><i>Land use planning processes:</i></p>	Response
Place limits on the expansion of urban and residential use and development within the coastal zone to avoid linear settlement patterns and encroachment onto areas of intact coastal environment	The proposal is within the settlement area of East Devonport.
Require new use or development within areas of intact coastal environment are dependent on a coastal location for operational efficiency	The development is not contingent on a coastal location and is setback from the coastline and buffered by other development.
Minimise or avoid use or development in areas subject to high levels of coastal hazard	The subject site is not within a coastal hazard area.
Protect ecological and cultural values of foreshore, coastal reserve, wetland, dune, and estuary areas from adverse effect and encroachment by development on land in the vicinity, including RAMSAR wetlands and significant coastal wetlands such as Robbins Passage and Boullanger Bay	The subject site is not anticipated to affect the coastline directly or indirectly
Require intensification and redevelopment within established settlements ensure continued and undiminished physical and visual public access to beaches, headlands and waterways	There will be no impact or detriment to the coast or public access to the coastal areas.

2.9 Land Use Policies for Cultural and Historic Heritage

As the land has been used for agriculture, this category is generally not applicable.

3. Support for Economic Activity – a diverse and robust economy

- A strong and resilient regional economy is essential to sustaining settlement and liveable communities in the Cradle Coast Region. A prosperous community is also of prime importance for protection of the natural environment.
- The economy of the Cradle Coast Region is not self-contained and self-supporting. It is dependent on economic flows at the inter-regional, national and global levels, and on the policies and decisions made by governments and markets with a wider than regional interest.
- Recognising and responding to this connectivity and interdependency is essential to the effective and successful economic development strategies.
- The business, retail, service and community support sectors are well established and significant employers, although performance is largely dependent on population growth, demographic characteristics, and strength of the local economy.

Strategic Outcomes

Land Use Outcomes to Support Economic Activity

Prosperity and liveability of the Cradle Coast Region is achieved through economically, socially and environmentally sustainable development. Land use planning –

- facilitates regional business through arrangements for the allocation, disposition and regulation of land use which promote diversification, innovation and entrepreneurship and avoid unnecessary restraint on competition and cost for compliance
- promotes use and development which maximises the Region's economic potential in key sectors with deep capacity and potential for sustained growth and economic return or a clear strategic advantage
- improves the social and environmental sustainability of the State and regional economy by allowing economic development and employment opportunities in a range of locations while respecting the link between a healthy environment and a healthy economy
- supports and grows liveable regional communities through coordinate action aligned with State and regional economic development plans specific to the issues, challenges and opportunities of the Region

3.3 Land Use Policies for Economic Activity and Jobs

3.3.3 Agricultural Production

<p><i>Land use recognises a prosperous economy and liveable communities rely on availability for opportunity to undertake economic activity requiring use, development and protection of land and infrastructure.</i></p> <p><i>Land use planning processes for:</i></p>	Response
Identify land significant for agriculture in the Region as not less than the entirety of the land which is currently available to and developed for agriculture	The Planning Scheme lists the subject site as suitable for Agriculture.
Exclude use or development that has no need or reason to locate on land significant for agriculture, unless the local unique circumstances of the King Island economy require a nuanced approach, and that approach is consistent with the State Policy on the Protection of Agricultural Land 2009.	The use and development of the proposed has no need to be on agricultural land. Conversely, the subject site is ideally positioned for residential growth.

Indicate agriculture dependent on the soil as a growth medium is the priority use on land significant for agriculture	Not applicable to this proposal
Facilitate new forms and changing patterns of agricultural use on land that is not significant for agriculture, including controlled environment and feed lot agriculture	Not applicable to this proposal
Protect and buffer agriculture against incompatible use which may conflict and constraint potential for sustainable production	Residential use is already adjoining the subject site with no buffers or protections.
Ensure industries which support and service agricultural production are able to diversify, adjust, innovate and value-add	Not applicable to this proposal
<p>And significant for agriculture is not excluded from agricultural use unless for</p> <ul style="list-style-type: none"> i. settlement in accordance with an approved settlement strategy; or ii. an alternate economic use where iii. necessary to operational efficiency iv. the impact on loss of land for agricultural use and on adjacent agricultural use is minimal; and v. there is no reasonable alternate location which would avoid agricultural land or allow location on agricultural land of a lesser classification; 	<ul style="list-style-type: none"> i. The Greater Devonport Residential Growth Strategy 2021-2041 identifies the subject site for investigation to become residential use and development. The report lists the area as Future Investigation Area E. ii. Not applicable iii. Not applicable iv. The impact on loss of agricultural land can be argued as minimal for a few reasons. The lot is constrained for agricultural use due to the adjoining residential use, the topography of the land, the lack of irrigation (and non-likelihood of the installation of irrigation) and the Criteria 3 identified constraints to agricultural use. v. The GDRGS has identified a need for the release of residential land to create a sustainable land supply for the anticipated population growth projected for the City. The Strategy has identified several areas for investigation knowing that, some of these areas, if rezoned, will result in the loss of agricultural land. The Cradle Coast Regional Land Use Strategy, rightly, places emphasis on the protection of agricultural land, with emphasis on contiguous agricultural land (no matter the lot size or ownership) that is protected from land use conflict. The subject site, and indeed, the surrounding area, represents a pocket of agricultural land, bound by established residential development. The surrounding area, despite the high quality of the soil,

	<p>shows various uses, all with a level of significance to the Devonport economy. These include the use of Devonport as a freight centre (sea, air and land transport) and for associated uses (Industrial and storage) alongside residential demand coupled with residential goods and services.</p> <p>With land releases called for by the GDRGS, and rezoning across Devonport imminent, there is a question of compromise over land use designation and how to supply appropriate land for competing interests.</p> <p>Where a compromise must be made, trading agricultural land for residential land, the subject site is ideally placed. It is adjoining and contiguous to existing residential development, connected to local transport and access to employment, schools and shops. The land is demonstrated to be constrained for agricultural use, despite the high quality of the soil, and this is qualified by the agricultural assessment provided at Annexure 5.</p>
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4. Places for People –liveable and sustainable communities

- The Region's long-term prosperity, environmental health and community well-being depend on wisely managed growth and change in the places provided for people.
- Sustainable land use and settlement patterns support complete and inclusive communities and provide healthy, safe and pleasant places where people want to live, work, play and invest.
- The settlements of the Cradle Coast Region are small in size, geographically dispersed and separate, but are also physically, economically and socially well-connected.
- Each settlement has a distinctive identity. Located within a variety of wilderness, rural and coastal landscapes, settlements offer an enviable association with land and nature and a high standard of community and culture.
- The Cradle Coast Region has many attributes which offer a high degree of liveability.
- Liveability is increasingly recognised as a driver to building the health, stability, well being and economic prosperity of communities and is a key consideration in location decision making.

Strategic Outcomes

Land Use Outcomes for Liveable and Sustainable Communities

Regional settlements provide liveable and sustainable communities where -

- the growth and development of centres is contained to create functional places which optimise use of land and infrastructure services and minimise adverse impact on resources of identified economic, natural or cultural value
- the pattern of settlement provides a network of compact, well connected and separate centres each with individual character and identity

- land supply is matched to need and there is a balance of infill and expansion
- there is coordinated and equitable access to provision of regional level services
- each settlement provides an appropriate level of local development and infrastructure facilities to meet locally specific daily requirements in employment, education, health care, retail, and social and recreation activity for its resident population
- each settlement provide a healthy, pleasant and safe place in which to live, work and visit
- there is diversity and choice in affordable and accessible housing
- people and property are not exposed to unacceptable levels of risk
- transport, utility and human service infrastructure is planned and available to meet local and regional need
- energy and resource efficiency is incorporated into the design, construction and operation of all activities

4.3 Land Use Policies for Managing Growth and Development

4.3.1 Urban Settlement Areas

<p><i>Land use planning manages sustainable growth and development of settlements within the Cradle Coast Region and allocates land for housing, industry, commerce and community purposes in accordance with current and reasonably foreseeable need, land capability, and the availability of infrastructure services.</i></p> <p><i>Land use planning processes for:</i></p>	Response
Assume a low growth scenario under which demand is driven by internal population change and low rates of inward migration	The GDRGS supersedes the assumption of low growth.
Promote established settlement areas as the focus for growth and development.	The subject site is connected to the established settlement of East Devonport.
Promote optimum use of land capability and the capacity of available and planned infrastructure service	The rezone will result in 39 fully serviced lots.
Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years	The resulting supply of land is in line with the goals of the GDRGS.
<p>Accommodate growth and development for each of the centres identified in Table B4.5 through either:</p> <ol style="list-style-type: none"> i. A Stable Growth Strategy which promotes growth and development within the established boundaries of the nominated settlement area without priority for intensification; or ii. A Contained Growth Scenario which promotes a mix of intensification and strategically planned expansion on 	The GDRGS supersedes the assumption of Low/Contained growth scenario listed for Devonport.

the established boundaries of the nominated settlement centre	
<p>Provide a pattern of settlement which maintain:</p> <ul style="list-style-type: none"> i. Separated towns, villages and communities ii. Visual and functional transitional space between each individual centre iii. Absence of linear development or expansion aligned to coastline, ridgeline, or river or road frontage 	<p>The proposed is compliant with these goals.</p>
<p>Implement structure plans and regulatory instruments for each centre which:</p> <ul style="list-style-type: none"> i. Identify arrangements for intensification through infill, redevelopment and conversion of vacant and under-developed land, including for intensity of buildings and density of population ii. Identify arrangements for the expansion of urban boundaries when: <ul style="list-style-type: none"> a. There is insufficient capacity within existing designated land to accommodate forecast growth; b. Areas of expansion are contiguous with established settlement areas; c. Sequence of release is progressive from established settlement areas and consistent with the capacity and orderly provision of infrastructure services d. Compact urban form is retained iii. Embed opportunity for a mix of use and development within each centre sufficient to meet daily requirements for employment, education, health care, retail, personal care and social and recreation activity iv. Avoid encroachment or adverse impact on places of natural or cultural value within the designated urban boundary v. Avoid exclusion or restraint on areas significant for natural or cultural value, resource development or utilities in the vicinity of the designated urban boundary vi. Minimise exposure of people and property to unacceptable levels of risk to health or safety vii. Promote active and healthy communities through arrangements for 	<p>The GDRGS is not a structure plan but provides guidance on future development ideals.</p> <ul style="list-style-type: none"> i. The GDRGS recognises dispersed infill opportunities, being estimated at 520 lots in the GRZ. ii. The GDRGS has identified areas for expanded urban boundaries (and the establishment of urban growth boundaries) which this proposal is compliant with. iii. Areas for mixed use development are yet to be fully understood, however there are existing networks of services and opportunities within East Devonport and Devonport. iv. The subject site has not been identified for natural values and does not represent encroachment on them. v. Although there is no urban boundary at this time, the subject site is well connected and within the future investigation area, likely to become urban land. vi. The subject site has a small area identified as low risk landslip hazard. This is considered acceptable or manageable to the proposed development. vii. The subject site has reasonable access to pathways and bike path as well as being in walking distance to a variety of open space and recreational spaces. viii. There is no proposal for a buffer or interface at this time between the subject site and the adjoining agricultural land. The site to the east (CT: 238939/1), which is zoned for Agriculture has a dwelling on it and is used for pasture/cropping. The level or intensity of use is not known at this time. Given that the site at CT: 238939/1 is in a similar

<p>activity centres, public spaces, and subdivision layout which facilitate walking and cycling</p> <p>viii. Buffer the interface between incompatible use or development</p> <p>ix. Facilitate any agreed outcomes for future character</p> <p>x. Facilitate reduced carbon emission and improved energy efficiency through requirements for the orientation and placement of lots and buildings, access</p> <p>xi. to solar energy and daylight, and the application of energy generation and efficiency technology and construction techniques</p> <p>xii. Acknowledge the transient and cyclic nature of resource-based activity in towns such as Rosebery, Zeehan and Grassy and require the legacy of new development for housing, commercial, community, recreation and utility infrastructure does not unreasonable burden the permanent population</p> <p>xiii. Acknowledge the specialist role of centres such as Cradle village, Strahan, Stanley and Waratah as tourist destinations and require new development be consistent with this purpose without alienation or disadvantage to ability for the centre to remain a liveable community for the permanent resident population</p>	<p>situation to the subject site, being Criteria 3 constrained, topographically challenging for agricultural use apart from pasture/cropping, and also being within the GDRGS Investigation E area, the land may become further developed.</p> <p>The proposal plan provided at Annexure 3 includes an internal buffer zone, for the purpose of bushfire hazard management, meeting BAL19 standards. This affords a small buffer to adjoining land use.</p> <p>ix. Future character outcomes are unknown, the proposal is harmonious with the existing character of the residential development.</p> <p>x. The proposed lots are not north facing but are adequately sized to allow solar penetration upon development, subject to individual housing design. Vehicle crossovers have been placed on the south boundary of each lot to encourage setbacks of dwelling development to the northern aspect of each lot.</p> <p>xi. Not applicable to this application.</p> <p>xii. Not applicable to this application.</p> <p>xiii. Not applicable to this application.</p>
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4.4 Land Use Policies for Protecting People and Property

<p><i>The Region's long-term prosperity, environmental health and social well-being depend on reducing the potential for risk to people, property and the environment from natural or human induced hazards.</i></p> <p><i>Land use planning is to direct the places where people live and work away from areas where there is an unacceptable level of risk for the health and safety of people, property, and the environment from natural or man-made hazard.</i></p> <p><i>Land use planning processes for risk management:</i></p>	Response
Recognise land exposed to future or enhanced risk is a valuable and strategic resource that should not be sterilised by unnecessarily excluding use or development	Not applicable
Establish the priority for risk management is	The priorities for risk management are

to protect the lives of people, the economic value of buildings, the functional capacity of infrastructure, and the integrity of natural systems	captured in the Tasmanian Planning Scheme for Devonport. The application is required to be compliant with any risk hazards.
Avoid new essential service, sensitive or inappropriately located use or development on undeveloped land exposed to or affected by a high level of an existing, likely future or enhanced risk, including from inundation and erosion by the sea, flooding, bush fire or landslip	The land is identified for low risk landslip hazard, which is generally acceptable to residential subdivision development.
Limit opportunity for expansion of existing essential service, sensitive or inappropriately located use and development onto land exposed to or affected by an existing, likely future or enhanced level of risk	Not applicable
Limit opportunity for redevelopment and intensification of existing essential service, sensitive or inappropriately located use or development on land exposed to or affected by an existing, likely future or enhanced level of risk unless the impact can be managed to be no greater or less than the existing situation	Not applicable
Promote guidelines and technical measures that which will assist to reduce impact of an existing, likely future or enhanced level of risk and make existing strategically significant places, uses, development and infrastructure assets less vulnerable, including provision for protection, accommodation and abatement, or retreat	Not applicable for this application
Require a hazard risk assessment for new or intensified use or development on land exposed to an existing, likely future or enhanced risk, such assessment to address the nature and severity of the hazard, the specific risk factors for the proposed use or development, and the measures required to mitigate any risk having exceedance probability of greater than 1% at any time over the life of the development	This application is subject to any assessments that are seen necessary but the planning authority.
Ensure current and future landowners and occupiers are put on notice of the likelihood for a future or enhanced level of risk	Not applicable to this application.

4.5 Land Use Polices for facilitating access to business and community services

<i>Liveability of the Region is dependent in part on local or convenient and equitable access to a range of business and community services to meet both daily and specialist</i>	Response
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<i>requirements.</i>	
<i>Land use planning processes:</i>	
Require each settlement area facilitate a mix of use and development of a nature and scale sufficient to meet for basic levels of education, health care, retail, personal services and social and economic activity and for local employment opportunities for the convenience of the local resident and catchment population	The subject site is within an existing settlement that has established use and development that is suited to the needs of residents.
Locate business and community service activity reliant for operational efficiency on a regional-scale population or on a single or limited number of sites at Burnie or Devonport, and at Latrobe, Ulverstone, Sheffield, Wynyard, Smithton, Currie and Queenstown	Not applicable to this application

4.7 Land Use Policies for Housing Land – places to live

<i>Land use planning promotes equitable provision, choice and distribution of housing which is adequate, affordable and suitable to meet requirements of the Region.</i>	Response
<i>Land use planning processes:</i>	
Identify at all times the ability to accommodate forecast housing demand for a minimum future period of 10 years: <ul style="list-style-type: none"> i. through infill, redevelopment or increased densities within each settlement area ii. on land designated for settlement growth and immediately available for residential development under the planning scheme 	The GDRGS has begun the process of identifying land supply and the current shortfall. It has identified areas for investigation toward fulfilling the land supply needs and goals.
Facilitate choice and diversity in location, form and type of housing to meet the economic social, health and well-being requirements and preferences of all people	Not applicable to this application
Direct development for new housing into locations where appropriate levels of employment, business, infrastructure and community service facilities are available or planned	The subject site is well located for neighbourhood services and infrastructure development.
Promote higher dwelling density to optimise use of land and infrastructure and community service facilities	The proposed density is within the scope of the proposed zone (General Residential).
Rationalise or remove opportunity for housing in locations where oversupply is identified,	Not applicable

and in locations where access, servicing, safety or impact are unacceptable	
Require housing land is separated from and buffered against adverse effect from existing and potential adjacent non-residential use	See 4.3.1 Urban Settlement Areas (viii)
<p>Provide land for housing development requirements which do not unreasonably or unnecessarily constrain -</p> <ul style="list-style-type: none"> i. efficient use of land and infrastructure ii. housing market or supply iii. location of housing outside designated residential estates iv. tenure, including for public housing, rental and temporary accommodation v. accessibility and affordability vi. diversity in type, mix and density within a single urban locality as appropriate to lifestyle preference and changing housing needs vii. housing for the elderly, disadvantaged and disabled viii. orientation, configuration, design, materials and technologies ix. inclusion of housing in business and mixed use areas 	<p>The subject site is ideally positioned for:</p> <ul style="list-style-type: none"> i. efficient infrastructure extension, being contiguous development to the existing. ii. The GDRGS has identified a deficit in supply and increased housing demand. iii. Not applicable iv. The proposal does not affect existing tenure or housing. v. The proposal will facilitate a subdivision to allow sale ready residential lots suited for development. vi. The lot design is suited to the GRX and development of residence can be made according to need. vii. This is not a focus of this application at this stage. viii. Considered and included for subdivision stage. ix. Not applicable for this application.
Facilitate housing forms which incorporate climate sensitive design, the use of low energy materials, reduction in waste and emissions, and technologies which encourage efficient water and energy use	Not applicable to this application.
<p>Provide opportunity for housing in rural areas where -</p> <ul style="list-style-type: none"> i. Required as part of a rural resource use, unless the unique circumstances of the King Island economy require a nuanced approach and that approach is consistent with the State Policy on the Protection of Agricultural Land 2009 ii. There is no adverse effect for access to and use of rural resource land, including to land significant for agriculture iii. There is no adverse effect on key natural resource values, including areas of biodiversity significance and landscape aesthetics 	Not applicable to this application.

iv. iv. Adequate arrangements are available for transport and there is convenient access to basic retail needs, community services, and employment opportunities, whether or not in an alternate settlement area	
v. v. There is no restraint on options for settlement expansion or provision of employment land	
vi. vi. There is an acceptable level of risk from exposure to natural or man-made hazard	
vii. Capacity is available to meet basic utility needs at reasonable cost or there is capacity for self-sufficiency in on-site generation, collection and disposal without risk to human or environmental health	

4.8 Land Use Policies for Healthy and Educated Communities

<i>Liveability requires access to facilities which enable opportunity for an active, healthy, informed and inclusive community.</i> <i>Land use planning processes:</i>	Response
Align to State and regional health, education, community support and recreation strategies, policies and programs	Additional local plans and strategies are addressed in sections 3.8 to 3.11 of this report.
Focus community services dependent on a regional or sub-regional catchment or a single or limited number of sites into locations where there is a high degree of accessibility and a synergy with existing facilities of a like kind, including at Burnie and Devonport	Not applicable to this application.
Facilitate local development of community service facilities in locations accessible and convenient to the population they serve	Not applicable to this application.
Facilitate education and training facilities within residential, business and industrial locations	Not applicable to this application.
Facilitate co-location, integration and shared use of community service facilities including schools, medical centres and local recreation spaces on land allocated for housing and business purposes	Not applicable to this application.
Restrict new housing development until there is adequate available or planned community service capacity to meet requirements from new development	The subject site is located within an existing network and can integrate into the services in East Devonport and Devonport as well as the extended area.

4.9 Land Use Policies for Active Communities

<p><i>Land use planning assists provision of active, connected and healthy places which are attractive to residents and visitors.</i></p> <p><i>Land use planning processes:</i></p>	Response
<p>Assist implementation of the Tasmanian Open Space Policy and Planning Framework 2010 and the Cradle Coast Regional Open Space Strategy 2009 and other related sport and recreation plans and strategies endorsed by government agencies and planning authorities</p>	<p>It is recognised that the subject site has good proximity to recreation and open space opportunities. The resulting population boost will help to foster continued and active use of these facilities and spaces. The subject site also has good proximity to bike networks, the East Devonport Connections in particular (See Figure 37).</p>
<p>Recognise recreation, leisure and well being opportunities are integrated with settlement activity and do not always require a discrete land allocation, such as urban trails and walkways as detailed in the North West Coastal Pathway project</p>	<p>Recognised.</p>
<p>Facilitate equitably distribution of accessible built and natural settings in a variety of locations for formal and informal recreation, including for unstructured and structured physical and contemplative activity, sport, personal enjoyment, positive social interaction, spiritual well-being and the achievement of human potential</p>	<p>Not applicable to this application.</p>
<p>Facilitate opportunity for recreation and open space land within all settlement, nature conservation and resource areas in accordance with population requirements and environmental capacity</p>	<p>Not applicable to this application.</p>
<p>Require adequate open space and recreation capacity is available or planned to meet requirements from new development applying a process consistent with that outlined in Appendix 3 of the Tasmanian Open Space Policy and Planning Framework 2010</p>	<p>This application is subject to any required open space policies as directed by Devonport City Council.</p>

5. Planned Provision for Infrastructure - support for growth and development

- Secure and reliable access to appropriate infrastructure is critical for regional prosperity and liveability.
- 70% of the region's population live within the central northern coastal area. However, the individual and discrete nature of settlement and considerations of distance and landform present challenges for efficient physical provision and equitable access to infrastructure services.
- The Cradle Coast Regional Land Use Strategy cannot of itself deliver infrastructure outcomes.
- It can promote improved coordination and consistency in infrastructure planning, investment and use between all levels of government and providers by identifying directions for growth and development.

Strategic Outcomes**Land Use Outcomes for Integrated Land Use and Infrastructure Planning**

Economic prosperity, liveable settlement and environmental health is underpinned by integrated land use and infrastructure planning to facilitate provision of adequate, appropriate and reliable infrastructure in a manner that –

- ensures infrastructure is planned and available commensurate with the use and development of land
- prioritises optimum use of existing infrastructure over provision of new or expanded services
- protects the function, capacity and security of existing and planned infrastructure corridors, facilities and sites

5.3 Land Use Policies for Integrated Land Use and Infrastructure Planning

<p><i>Land use recognises the purpose of land use planning is closely linked to infrastructure planning and provision.</i></p> <p><i>Land use planning processes:</i></p>	Response
Are integrated and coordinated with strategies, policies and programs contained in or derived from the Tasmanian Infrastructure Strategy planning processes	Additional local plans and strategies are addressed in sections 3.8 to 3.11 of this report.
Recognise existing and planned infrastructure provision for services and utilities	Not applicable to this application.
<p>Promote compact contained settlement areas to:</p> <ol style="list-style-type: none"> i. Assist climate change adaptation and mitigation measures ii. Optimise investment in infrastructure provision 	Not applicable to this application.
Direct new and intensified use or development to locations where there is available or planned infrastructure capacity and function appropriate to the need of communities and economic activity	Not applicable to this application.
Require the scale and sequence of growth and development be in accordance with arrangements for the provision of infrastructure	Not applicable to this application.
Require use or development optimise capacity and function in available and planned infrastructure services and utilities	The subject site is located within an existing network and can integrate into the services in East Devonport and Devonport as well as the extended area.
Restrict use or development in locations where provision or upgrade in capacity or function of infrastructure services and utilities cannot be economically or sustainably provided	Reticulated services are available and can be extended to the subject site.

Recognise strategic and substantial infrastructure assets such as airports, railways, major roads and seaports as a distinct land use category	Not applicable to this application
Protect infrastructure assets, corridors, facilities sites and systems from use or development likely to create conflict or interference to the operational capacity, function or security of services and utilities, including for road and rail corridors, airport and seaport land, energy generation and distribution corridors, and water catchment and storage areas	The proposal would not detrimentally affect infrastructure assets.
Minimise permit and assessment requirements for works involving replacement or improvement in the capacity, function or safety of existing infrastructure	Not applicable to this application
Limit use or development which has no need or reason to locate on land within an infrastructure corridor, facility or site	Not applicable to this application
Promote infrastructure corridors, sites and facilities that <ul style="list-style-type: none"> i. Minimise adverse effect on areas of natural or cultural value ii. Minimise adverse effect on the amenity, health and safety of designated settlement areas iii. Minimise exposure to likely risk from natural hazards iv. Collocate services and facilities 	Not applicable to this application

5.4 Land Use Policies for Transport Systems – moving freight and people

5.4.1 Integrated Planning

	Response
Are aligned to the Tasmanian Infrastructure Strategy and the Cradle Coast Integrated Transport Strategy 2006 goals to deliver connected communities and efficient and safe movement of people and freight in a manner that will drive economic growth, social inclusion and meet climate change challenges	<p>This application aims to be in line with all strategies, noting the proposal is minor in effect to the transport network.</p> <p>The proximity of the site to already connected communities will allow alternative transport methods to vehicles and encourage active transport.</p>

5.4.2 Sea Transport – Not applicable to this application

5.4.3 Air Transport

	Response
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Recognise the strategic significance of air transport for movement of people and specialist freight into and out of the Region	Not applicable to this application.
Protect the operation of airports by ensuring– <ul style="list-style-type: none"> i. development for residential and other sensitive use is not exposed to excessive noise intrusion due to operation of the airport ii. use and development does not create a hazard to air navigation from obstacles such as height of buildings or structures or to activity which may increase likelihood of the hazards such as bird strikes to aircraft 	This application is subject to the related overlays and codes that protect the safe operation of the airport.

5.4.4 Road Transport

	Response
Recognise the strategic importance of major road freight and passenger transport corridors identified in the Tasmanian State Road Hierarchy 2006; and <ul style="list-style-type: none"> i. Limit access between priority roads and adjoining land and ii. Limit creation of junctions with local roads iii. Avoid ribbon development aligned along frontages to major transport corridors iv. Direct use or development dependent on high volume freight capacity to locations with ability to readily integrate with major freight routes v. Restrict use or development dependent on high volume freight capacity in locations where there is not an appropriate standard of road freight capacity 	The subject site is reliant on the location being connected to the larger road network, however, the subject site is removed from major roads. Generally, not applicable to this application.
Require local road networks provide a high level of accessibility and connectedness to local destinations, including for pedestrian, cycle and public transport	The proposal includes a new road with vehicle connection to Upper Drew Street and pedestrian only connection to Brooke Street. The infrastructure planned will allow vehicle and pedestrian connection. The start of the bike line is approximately 100m west of the site (inbound) and ends at Beachrock View opposite the subject site (outbound).
Require traffic generating use or development make arrangements for vehicular access, freight and passenger handling, parking of vehicles, pedestrian and cycle access, and connection to public transport	The application is subject to the relevant Codes of the Tasmanian Planning Scheme – Devonport.

Promote mixed use communities and use of communication and digital technologies to minimise frequency and distance of travel for daily requirements for employment, education, health care, retail and personal services, and social and recreation activity	All digital and communications connectivity can be provided to the site.
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5.4.5 Rail Transport – Not applicable to this application

5.4.6 Active Transport

	Response
Recognise policies for improved pedestrian, cycle and public transport forms as an alternative to personal car travel contained in the Tasmanian Walking and Cycling Active Transport Strategy	Devonport has an updated cycling strategy which is addressed at Item 3.11.

5.5 Land Use Policies for Energy Systems – generation, distribution and supply

<i>Land use recognises reliable, secure and sustainable energy is an essential ingredient for economic activity and the wellbeing of communities.</i> <i>Land use planning processes:</i>	Response
Recognise strategic importance of inter-State connections via Bass Link and the Natural Gas Pipeline for the import and export of energy	The gas pipeline that occupies the frontage of the subject site is recognised and accommodated in the services plans.
Facilitate commercial-scale renewable energy generation	Not applicable to this application.
Facilitate small-scale renewable energy generation and energy efficiency technology and practices in domestic, commercial and industrial use or development	Subject to future development.

5.6 Land Use Policies for Supply Water

<i>Land use acknowledges a clean, reliable and secure water supply as a fundamental resource for the Region's environmental, economy and human systems.</i> <i>Land use assists arrangements for capture, storage and distribution of urban and rural water supplies and the collection, treatment and disposal of waste water</i> <i>Land use planning processes:</i>	Response
Require growth and development has secure access to water supply and waste water disposal system that:	All lots will be able to connect to reticulated services. Details are included on the servicing plans provided at Annexure 4.

<ul style="list-style-type: none"> i. are sustained by the water resources upon which such services rely ii. are economically viable iii. protect human and environmental health 	
Facilitate water conservation and water use efficiency including water sensitive urban design, stormwater and waste water re-use, and on-site water storage	Not applicable to this application.
<p>Require reticulated water supply and waste water disposal systems as the priority arrangement for servicing of settlement areas unless:</p> <ul style="list-style-type: none"> i. reticulated services are not available or planned or are not of sufficient capacity ii. alternative water supply and/or waste water disposal systems that provide are at least as effective as a reticulated system; and iii. site conditions are suitable for long-term operation of alternate systems, without human or environmental health impact 	As detailed at Annexure 4.
Facilitate arrangements under designated irrigation schemes for water storage and distribution for agricultural use	The land is within a declared irrigation district. The land is unlikely to be improved with irrigation infrastructure as detailed in the Agricultural Assessment at Annexure 6.

5.7 Land Use Policies for Information Technology – moving data, information, knowledge and services

<p><i>Land use supports arrangements for the provision and utilisation of telecommunication and digital networks as facilities critical to economic prosperity and liveable communities</i></p> <p><i>Land use planning processes:</i></p>	Response
Facilitate installation and upgrade of digital communication infrastructure in accordance with the statutory requirements for telecommunication infrastructure and the National Broadband Network	All lots will have NBN connectivity available according to Devonport City Council requirements.
Recognise application of cyber infrastructure may displace conventional arrangements for use and development of land and require flexibility to accommodate economic, community development and service and social activity within a virtual rather than physical location	Not applicable to this application.

5.8 Land Use Policies for Policies for Waste Management

<i>Land use supports waste management principles for reduction, recovery and reuse. Land use planning processes facilitate:</i>	Response
Waste minimisation	Each lot will be in the General Residential Zone and have access to all waste and recovery services offered by Devonport City Council.
Recovery and reprocessing	
Reuse of waste materials in use and development	

5.9 Land Use Policies for Community Services

Not applicable to this application.

3.8 Devonport local plans and strategies

3.8.1 Greater Devonport Residential Strategy

The Greater Devonport Residential Growth Strategy 2021-2041 was endorsed by the Devonport Council in June 2022.

The Strategy provides an updated status on residential growth in Devonport as well as projections for growth. The strategy also encompasses aspirational goals for residential growth.

The strategy covers important factors to residential development such as housing scarcity and affordability acknowledging that land supply is a critical issue in addressing these impediments.

The Strategy provides understanding on thresholds for land supply and demonstrates that Devonport is well under the desired level.

Strategic policy actions are summarised here:

Policy Direction	Key objectives
Aspirational population growth	Actively encourage population growth to recognise and enhance Devonport's status as the major population centre in the North-West region and to promote Devonport as an attractive and prominent destination to live, work and invest.
Residential land supply	Maintain an adequate supply of residential land to accommodate future residential growth (including aspirational growth).
Strategic direction for future residential growth	Provide overarching strategic direction for the logical and orderly growth of residential settlement areas in the Greater Devonport area.
Providing diversity in housing options	Encourage the provision a range of housing types and densities.
Monitoring and review	Maintain a contemporary policy and strategic planning context for residential settlement growth.

Response:

One of the critical items related to this application is the need to release land to rectify the gap in land supply, as well as fill the aspirational goals; also, Strategic direction three seeks the logical and orderly expansion of settlement areas. The investigation areas provided at the conclusion of the Strategy include that of the subject site.

The subject site falls neatly into Investigation Area E, and, being contiguous to the existing GRZ and settlement area, represents logical and orderly development with sound expansion practices for new infrastructure.

The resulting 39 lots from approval of the development plan will provide ignition to the stated ambition of 372 estimated additional dwellings in 2022 (563 in 2023).

3.8.3 Devonport City Council Annual Plan 2021

Devonport City Council has a robust planning framework which focuses on short and midterm objectives to deliver on priorities outlined in Council's Strategic Plan 2009-2030.

Specific strategies and plans, where necessary, provide an expansion on the Strategic Plan outlining in more detail the medium-term intent in important areas or functions.

Annual Plan Actions are targeted one-off actions or goals aimed at focusing on strategic priorities rather than tasks or functions that could be considered core business-as-usual activities.

Included in the plan is the goal of the development of a residential strategy for Devonport (detailed at Item 3.8).

3.8.2 East Devonport Community Plan Review

The purpose of the East Devonport Community Plan is to provide a strategic approach to meeting the changing and diverse needs of the East Devonport and surrounding community, as well as enhancing its economic, social, cultural, and environmental sustainability. (Devonport City Council).

Objectives of the Community Plan are to provide opportunities for participation in decision making and support and address community issues and advocacy. The Special Interest Group for East Devonport has a role in identifying local needs and issues and to represent the community and promote the Community Plan objectives.

Strategic objectives are summarised below:

Strategic objectives
Increased access and availability of transport services
Beautification which fosters a sense of place through planned infrastructure and enhanced landscaping
Enhanced visitor experience
Improved use of existing recreational facilities to improve health and wellbeing
Increased participation and engagement of young
Support quality of life and healthy living through affordability of fresh food
Increased awareness of existing services, and advocacy for improved services
Increased sense of safety in public areas through developing a vibrant sense of place
Enhanced engagement and local decision making

Response

The Community Plan focuses on localised issues and resolutions. The Plan has no specific relevance to the proposal, however, the proposal is not in opposition to the goals of the plan. Ultimately, an increased resident population and boost to residential choices should contribute to these goals, and this application would aim to do so where possible.

3.8.4 Bike Riding Strategy 2015-2020

The Devonport City Cycling Network Strategy 2010-2013 was first adopted in 2010 and revised for 2015-2020. The Bike Riding Strategy focuses on the desires of the riders and would-be-riders to have safe, accessible and well-connected bike routes. It aims to make bike riding an attractive activity for the whole community.

The Strategy aims to make bike riding more accessible and safer for everyone through the provision of a network of bike lanes and paths.

East Devonport Connections On road bike lanes on Brooke Street and John Street would complete the links to the school, shopping centre and recreation facilities using John & Brooke Streets.

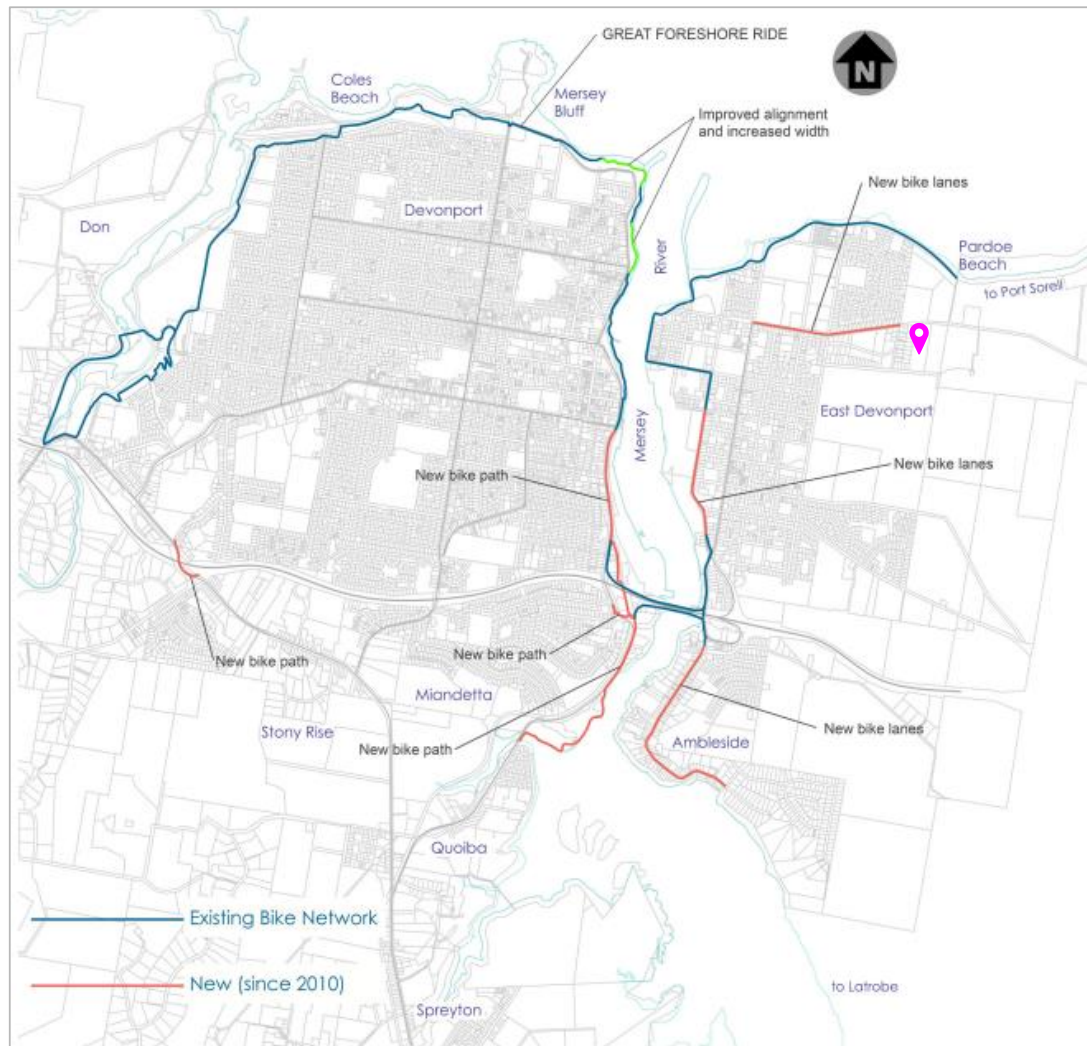


Figure 36 Devonport's existing bike riding network (Source: (Devonport City Council, 2015))

Subject Site



The strategy identifies bicycle pathways near to the subject site as included in Devonport's Future Key Bike riding Routes (Figure 37):

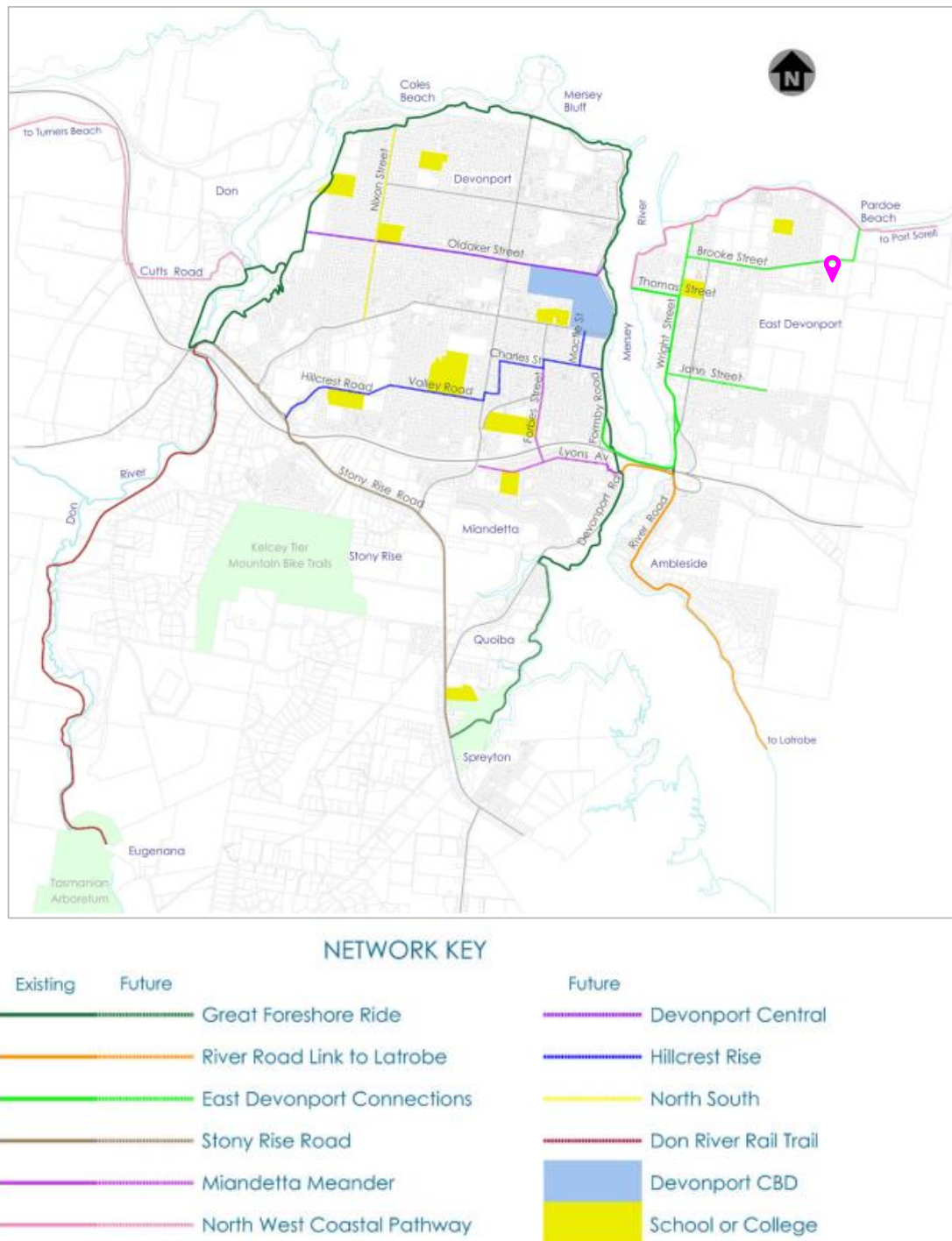


Figure 37 - Devonport's future key bike riding routes (Devonport City Council, 2015)

North West Coastal Pathway

Connecting the communities on the North West Coast from Wynyard to Latrobe and Port Sorell. Plans have been completed for the Devonport to Latrobe Section.

West - Part of the Coastal pathway, this would close the missing link to our Central Coast neighbours. East - Extending from Pardoe Beach and ultimately to Port Sorell. (Devonport City Council, 2015) pg. 12.

3.12 Land Use Conflict

This application seeks to rezone the land from Agriculture Zone to General Residential Zone and then to subdivide the land. According to general planning principles and compliance with the overarching goals of Schedule 1 of the Land Use and Approvals Act 1993, the potential for land use conflict should be examined and reduced where possible.

The rezoning allows the following use classes, according the *Tasmanian Planning Scheme - Devonport*, within the General Residential Zone.

8.0 General Residential Zone

8.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling
Utilities	If for minor utilities.
Permitted	
Use Class	Qualification
Residential	If not listed as No Permit Required.
Visitor Accommodation	
Discretionary	
Use Class	Qualification
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.
Community meeting and entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and occasional care	If not for a tertiary institution.
Emergency Services	
Food services	If not for a take away food premises with a drive through facility.
General retail and hire	If for a local shop
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.

The development is primarily expected to produce residential use on the new lots. The lots on the north and east side will adjoin the Agriculture Zone.

21.0 Agriculture Zone

21.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: a) on land other than prime agricultural land; or b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.
Utilities	If for minor utilities.
Permitted	
Use Class	Qualification
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	If for: a) a home-based business in an existing dwelling; or b) alterations or extensions to an existing dwelling
Discretionary	
Use Class	Qualification
Bulky Goods Sales	If: a) a supplier for Extractive Industry, Resource Development or Resource Processing; b) a garden and landscape supplier; or c) a timber yard.
Domestic Animal Breeding, Boarding or Training	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and occasional care	If not for a tertiary institution.

Emergency Services	
Extractive Industry	
Food services	If not listed as Permitted.
General retail and hire	If not listed as Permitted.
Manufacturing and Processing	If for: a) the manufacturing of agricultural equipment; or b) the processing of materials from Extractive Industry.
Research and Development	
Residential	If: a) not restricted by an existing agreement under section 71 of the Act; and b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If for: a) a contractors yard; b) freezing and cooling storage; c) a liquid, solid or gas fuel depot; or d) a woodyard.
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	

The development of residential land at this site does not alter the situation as present, with General Residential zoned land adjoining Agriculture zoned land. The adjoining lot (to the east) does have a dwelling on it (compatible use) while the remainder of the lot is used for pasture/cropping. This adjoining land has more topographical variation than the subject site, with underutilised sections of land (hillsides). It is reasonable to assume the land is used similar to the subject site, and this has been done in proximity to GRZ land for some time as residential development in East Devonport has encroached on this farming area.

Generally speaking, the land uses that are permissible on Agriculture Zoned land, with higher attenuation factors, are unlikely to be developed on the sites adjoining and surrounding the subject site, due to the topography of the area and site, and limitations on the existing road network (Upper Drew Street being unformed at this locality and not a through road).

The land that is south of the subject site is being actively used for agriculture, but it is contained to the site and presents no overt conflict potential. The topography of the land creates a natural buffer with

the majority of the proposed residential lots being on the other side of the hill. The agricultural use is above ground polytunnels used for growing foods and they are setback generously within the property boundaries. This activity is low impact to neighbouring uses in terms of amenity effects.

In addition to this, the whole of the immediate area has been identified for future investigation for residential growth, so incremental change is to be expected, and can be planned for to create better land use transition from residential land to farming and other uses that require large, remote spaces. As the area itself is toward the municipal border, the inclusion of neighbouring land uses in Latrobe should also be recognised and planned for. The change in topography east of the subject site lends itself to low intensity uses, whether agricultural or residential.

The GDRGS has identified areas for potential residential growth with an understanding of current context and the necessary concessions to increase residential land release. The subject site and immediate area represent high quality farming soils but the location has been surrounded by residential development for many years. The resulting residential encroachment has created a small pocket of isolated farmland (over differing ownership) that is less connected or contiguous with other farmland in the region. Furthermore, it is separated from larger, contiguous segments of farm land by the Bass Highway. As such, the area is under consideration for future use.

The Cradle Coast RLUS speaks of contiguous units to be recognised and preserved, but this has not been the case in East Devonport. The Strategy finds that Devonport has the least area in land mass and the second least area of land dedicated to farming activity. Local Government Areas (LGA), such as Circular Head, King Island and Waratah/Wynyard have a much higher proportion of land for farming than Devonport (Cradle Coast Regional Planning Initiative, 2022), (page 46).

Devonport, as a major service centre for the region, faces many competing demands for land use. Residential demand competes with land for industry, port services, agriculture and commerce. The development of the GDRGS shows that residential demand requires some attention and forward planning. In relation to the subject site, the rezoning of the land to GRZ will not alter the current situation, but more reflects the necessary changes that will take place to satisfy this need for more housing.

The competing demands from recognised and important land use perspectives mean that renewed consideration over the zoning of the land must be made, in accordance with demand.

4. The Development Proposal

The development application is assessed against the provisions of the General Residential Zone of the *Tasmanian Planning Scheme - Devonport*

The development seeks to subdivide 39 residential lots, 1 pedestrian link lot and 1 road lot from the existing title Volume: 9450 Folio: 29.

The title lot is 3.389ha in area with a western boundary length of 314.52m and an east boundary length of 326.69m. The south boundary is 105.24m and the northern boundary is angled, providing 107.33m of frontage to Brooke Street.

Proposed lots are between 531m² and 871m² averaging at 1030m² per lot.

The proposed road lot will be 4771m² and will form a cul-de-sac with access from Upper Drew Street.

The road lot will include pedestrian infrastructure on the west side and vehicle crossings are planned to the south of each lot (where applicable and appropriate) to encourage distance between dwellings that allows solar penetration to each. The pedestrian link will join the development to Brooke Street allowing pedestrian and/or bicycle connectivity.

Each lot will be provided with reticulated sewer, water and stormwater.

4.1 Zone assessment

8.0 General Residential Zone

8.1 Zone Purpose

8.1.1 Zone Purpose Statements

- 8.1.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.1.3 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.
- 8.1.1.4 To provide for Visitor Accommodation that is compatible with residential character.

8.6 Development Standards for Subdivision

8.6.1 Lot design

Objective

That each lot:

- a) has an area and dimensions appropriate for use and development in the zone;
- b) is provided with appropriate access to a road;
- c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and
- d) is orientated to provide solar access for future dwellings.

Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> a) have an area of not less than 450m² and: <ul style="list-style-type: none"> i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and ii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; b) be required for public use by the Crown, a council or a State authority; c) be required for the provision of Utilities; or d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> a) the relevant requirements for development of buildings on the lots; b) the intended location of buildings on the lots; c) the topography of the site; d) the presence of any natural hazards; e) adequate provision of private open space; and f) the pattern of development existing on established properties in the area.

Response

A1 The acceptable solution is achieved.

The lots are adequately sized and dimensioned to the requirements of the zone with each lot meeting the minimum requirements, most lots being generous sized.

Each lot can contain an area of 10m x 15m with at least a 4.5m setback from the frontage.

Lots 25; and 26 have a gradient of 1:5.6 (average) across the indicative building area and this is the steepest section of the development.

The contours for this parcel of land are not dissimilar to that of the residential land at Bovill Street, demonstrating that the land can be developed for residential use. Each lot has adequate size and dimensions to place a building in an advantageous way to minimise the effects of slope if necessary.

<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> a) the width of frontage proposed, if any; b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; c) the topography of the site; d) the functionality and useability of the frontage; e) the ability to manoeuvre vehicles on the
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	<p>site; and</p> <p>f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</p>
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Response

- P2 The performance criteria are addressed.
- Of the proposed lots, Lot 16, 17, 24 and 25 have reduced frontages.
- a) Lot 24 has a frontage of 4.0m.
 - b) There are no proposed rights of carriageway on any of the lots.
 - c) Although the site is sloped, the access to each lot can be made.
 - d) All lots have separate access and all frontage is compliant.
 - e) Each lot has appropriate vehicle access to the site for normal residential use.
 - f) The proposed is consistent with the development at Beachrock View.
- All access is compliant with the minimum requirement of 3.6m.

<p>A3 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 in accordance with the requirements of the road authority.</p>	<p>P3 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:</p> <ul style="list-style-type: none"> a) the topography of the site; b) the distance between the lot or building area and the carriageway; c) the nature of the road and the traffic; d) the anticipated nature of vehicles likely to access the site; and e) the ability for emergency services to access the site.
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Response

- A1 The acceptable solution is achieved. Each lot will have a vehicle crossing built to Council standards.

<p>A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p>P4 Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> a) the size, shape and orientation of the lots; b) the topography of the site; c) the extent of overshadowing from adjoining properties; d) any development on the site; e) the location of roads and access to lots; and f) the existing pattern of subdivision in the area.
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Response

- P4 The performance criteria are addressed.
- The majority of the lots have the long axis east/west, but facing either Brooke Street or Upper Drew Street are compliant.
- a) The lots are generally sized and dimensioned above the minimum lot size, with Lots 18 and 19 being smaller but still compliant. These lots have the option of being north facing having

frontage to Brooke Street. The remaining lots have generous dimensions to allow advantageous orientation on the lot, dependent of future dwelling design.

- b) As the site is sloped, and north facing, each dwelling will be able to take advantage of the sunlight.
- c) Overshadowing from adjoining sites will be minimal, and where in effect, will only be in the later hours of the day.
- d) The site is currently undeveloped.
- e) The road is orientated from the north to the south of the lot, which allows it to be joined to the road network (Upper Drew Street). Each vehicle crossing is provided to the south of the lot to promote distance between dwellings on the north side of the adjoining lot.
- f) The proposal is sympathetic to the adjoining subdivision pattern to the west at Bovill Street, being regular shaped lots at predictable and orderly intervals. The developments that are north of the subject site (such as Beachrock View) are generally made with cul-de-sacs and smaller residential lots. As such, the proposed subdivision has shown regard to the existing pattern of subdivision in the area.

8.6.2 Roads

Objective	
<p>That the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> a) safe, convenient and efficient connections to assist accessibility and mobility of the community; b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and c) the efficient ultimate subdivision of the entirety of the land and of surrounding land. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision includes no new roads.	<p>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:</p> <ul style="list-style-type: none"> 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.
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Response

- P1 The performance criteria are addressed. The proposal includes a new road.
- a) The proposed road joins the existing network and no other plans are known.
 - b) The proposed road will be a local road built for the purpose of access to the new lots, and will join to Upper Drew Street which is a local road.
 - c) Connections for bicycles and pedestrians will be made to Brooke Street to allow connectivity to existing pedestrian and bicycle links.
 - d) The proposed road will allow connection to existing transport networks.
 - e) The new road makes efficient use of the lot in a location with excellent services and transport options.
 - f) There is a bus stop in Triton Road in reasonable proximity to the subject site. The advancement of residential development in the area may see the increase of public transport options further east to the area.
 - g) The access to transport networks will be direct, using straight pathways with easy navigation qualities.
 - h) As detailed in Figures 36 and 37, the subject site is in good proximity to existing bicycle infrastructure and planned routes. The roadside bike lane begins west of Bovill Street, but a continuation of this to the east (towards the subject site) is not possible currently due to table drains in the area.
 - i) The topography of the site, although steep in parts, will not pose undue challenge to road construction. East Devonport has several steep access roads in the area.
 - j) No balance lots are proposed. The future subdivision of adjoining land is not constrained.

8.6.3 Services

Objective	
That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	P1 A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> a) flow rates; b) the quality of potable water; c) any existing or proposed infrastructure to provide the water service and its location; d) the topography of the site; and e) any advice from a regulated entity.
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	P2 No Performance Criterion.
A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	P3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for

the future use and development of the land, having regard to:

- a) the size of the lot;
- b) topography of the site;
- c) soil conditions;
- d) any existing buildings on the site;
- e) any area of the site covered by impervious surfaces; and
- f) any watercourse on the land.

Response:

- A1 The acceptable solution is achieved. Each lot will have reticulated water supply.
- A2 The acceptable solution is achieved. Each lot will have reticulated sewerage access.
- A3 The acceptable solution is achieved. Each lot will be able to connect to the public stormwater system.

4.2 Code assessment

C2.0 Parking and Sustainable Transport Code

C2.2.1 Unless stated otherwise in a particular purpose zone, or subclause C2.2.2, C2.2.3 or C2.2.4, this code applies to all use and development.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective	
That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; b) the site is contained within a parking precinct plan and subject to Clause C2.7; c) the site is subject to Clause C2.5.5; or d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> i. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or ii. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p> 	<p>P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> a) the availability of off-street public car parking spaces within reasonable walking distance of the site; b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> i. variations in car parking demand over time; or ii. efficiencies gained by consolidation of car parking spaces; c) the availability and frequency of public transport within reasonable walking distance of the site; d) the availability and frequency of other transport alternatives; e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; g) the effect on streetscape; and h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
	<p>P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> 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. |
|--|--|

Response:

- A1 The acceptable solution is achieved. Each lot requires 2 spaces for residential use and each lot is adequately sized and dimensioned to allow car parking spaces accordingly within the future development.

C3.0 Road and Railway Assets Code

Please refer to Annexure 6, Traffic Impact Assessment for a full response to this code.

C13.0 Bushfire-Prone Areas Code

Please refer to Annexure 7, Bushfire Hazard Report and Plan for a full response to this code.

C15.0 Landslip Hazard Code

The purpose of the Landslip Hazard Code is: C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

C15.4 Use or Development Exempt from this Code

C15.4.1 The following use or development is exempt from this code:

- (a) use of land within a low or medium landslip hazard band, excluding for a critical use, hazardous use or vulnerable use;

The use is exempt from this code as the land is affected by a Low Landslip Hazard Band.

C15.7 Development Standards for Subdivision**C15.7.1 Subdivision within a landslip hazard area**

Objective	
That subdivision within a landslip hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from a landslip.	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must:</p> <ul style="list-style-type: none"> a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area; b) be for the creation of separate lots for existing buildings; c) be required for public use by the Crown, a council or a State authority; or d) be required for the provision of Utilities. 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> a) any increase in risk from a landslip for adjacent land; b) the level of risk to use or development arising from an increased reliance on public infrastructure; c) the need to minimise future remediation works; d) any loss or substantial compromise, by a landslip, of access to the lot on or off site; e) the need to locate building areas outside the landslip hazard area;

	<p>f) any advice from a State authority, regulated entity or a council; and</p> <p>g) the advice contained in a landslip hazard report.</p>
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Response

- P1 The performance criteria are addressed. A small number of lots will be within the low landslip hazard band of the Landslip Hazard Code.
- a) Due to the orientation and slope of the land the risk from a landslip to adjacent land would be minor or non-existent.
 - b) No increased reliance on public infrastructure is anticipated.
 - c) The development of the site for the subdivision will prepare the site with appropriate infrastructure, minimising future works.
 - d) The likelihood of landslip is low according to the data, the occurrence of landslip is not likely to cause damage that affects other sites.
 - e) As the mapping shows low risk for landslip, there is no anticipation of needing to relocate building areas. Each lot that is affected may undertake a more site specific study if considered necessary upon development.
 - f) No advice has been sought and this application is dependent on the advice provide by Council.
 - g) Given the low level of risk, no further advice has been sought at this time.

C16.0 Safeguarding of Airports Code**C16.1 Code Purpose**

The purpose of the Safeguarding of Airports Code is:

C16.1.1 To safeguard the operation of airports from incompatible use or development.

C16.1.2 To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.

C16.7 Development Standards for Subdivision**C16.7.1 Subdivision**

Objective	
<p>To provide for subdivision:</p> <ul style="list-style-type: none"> a) that allows for sensitive use to be suitably located to avoid exposure to excessive aircraft noise; and b) so that future development for sensitive use does not compromise the operation of airports. 	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, within an airport noise exposure area must be:</p> <ul style="list-style-type: none"> a) be for the creation of separate lots for existing buildings; b) be required for public use by the Crown, a council or a State authority; c) be required for the provision of Utilities; d) be for the consolidation of lots; e) be for the creation of a lot that contains a building area not less than 10m x 15m 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, within an airport noise exposure area must not create an opportunity for a sensitive use to be exposed to excessive aircraft noise, having regard to:</p> <ul style="list-style-type: none"> a) the location, orientation and elevation of the site relative to aircraft flight paths; b) the current and future type and frequency of aircraft operating from the airport; c) the type of use and the operational requirements for the use;

entirely located outside of the airport noise exposure area; or f) not be intended for a sensitive use.	d) the layout and construction of buildings associated with the use; e) the need to not compromise the future operation of the airport; f) the requirements of any relevant airport master plan; and g) any advice from the airport operator or Airservices Australia.
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Response

This clause is not applicable as the subject site is located outside of the airport noise exposure area.

5.0 Conclusion

This application to rezone the subject site from Agriculture Zone to the General Residential Zone. This proposal has demonstrated that the land is generally unsuited to viable agricultural use and would be better utilised as residential land.

A response to the Cradle Coast Regional Land Use Planning Framework is provided and shows that the proposal is in compliance with the objectives of this, noting that the population projections are outdated. The Greater Devonport Residential Growth Strategy addresses this and calls for land release suitable for residential use for known and aspirational population growth. This Strategy identifies potential areas for investigation, including that of the subject site.

Given the current constraints on the subject site for agriculture, as demonstrated by the Agricultural Assessment provided, this application requests that the land be considered for rezoning, in line with the Strategy. The subject site is demonstrated to be suitable for residential use and would provide 39 new residential lots to accommodate projected demand. It is contiguous to the zone and existing development, so the extension of required infrastructure could be made efficiently.

The potential for land use conflict is considered to be minimal. No change to the way the lot adjoining at the east is used is anticipated, and given the topography of this site, agricultural use is reasonably limited. In light of the projected needs of the GDRGS it is likely that incremental change in the area will further reduce any occurrence of land use conflict between residential and agricultural activity. That said, the current arrangement has residential land adjoining the subject site with minimal conflict evident. This is anticipated to transition similarly upon development.

East Devonport has good access to services and retail outlets as well as local schools, all of which contribute towards established and thriving neighbourhoods. The local area has existing residences and new developments underway in the immediate area and throughout East Devonport. The Heritage Walking Track to the north is an excellent open space destination, as is Girdlestone Park to the south for recreation. All these factors contribute to the wellbeing and living standards that are recognised as desirable by general planning principles and by the Planning Scheme itself, as it aims to protect amenity for residents where possible.

In summary, the proposal would have a net positive impact when considered against environmental, economic and social terms and will contribute significantly to the objectives of the Greater Devonport Residential Growth Strategy.

Annexure 1 – Certificate of Title Plan and Folio Text

Annexure 2 – Proposed Rezoning Plan

Annexure 3 – Subdivision Proposal Plan

Annexure 4 – Preliminary Engineering Design

Annexure 5 – Agricultural Assessment

Annexure 6 – Traffic Impact Assessment

Annexure 7 – Bushfire Hazard Report and Plan



Land Surveying | Town Planning | Project Management
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10 Goodman Court
Invermay 7250
p (03) 6332 3760

St Helens
East Coast office
48 Cecilia Street
St Helens 7216
p (03) 6376 1972

Hobart
South office
Rear studio, 132 Davey Street
Hobart 7000
p (03) 6227 7968

Devonport
North west office
2 Piping Lane
East Devonport 7310
p (03) 6332 3760

Form No. 1

Owners' consent

Requests for amendments of a planning scheme or Local Provisions Schedule and applications for combined permits require owners' consent. This form must be completed if the person making the request is not the owner, or the sole owner.

The person making the request must clearly demonstrate that all owners have consented.

Please read the notes below to assist with filling in this form.

1. Request made by:

Name(s):

Email address

Contact number:

2. Site address:

Address:

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner :

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

Registered owner
(please print):

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

Registered owner
(please print):

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner : WILLIAM DAVID BOVILL

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

9450/29

Position (if applicable): -

Signature: x [Signature] Date: x 20-06-2022.

Registered owner (please print): WILLIAM DAVID BOVILL

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable):

Signature: x [Signature] Date: 20-06-2022.

Registered owner (please print): WILLIAM DAVID BOVILL

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position (if applicable):

Signature: x [Signature] Date: 20-06-2022.

NOTES:

a. When is owners' consent required?

Owners' consent is required for:

- amendments to an interim planning scheme or to a Local Provisions Schedule¹; or
- combined permits and amendments².

Owners' consent must be provided before the planning authority determines to initiate, certify or prepare the amendment.

b. Who can sign as owner?

Where an owner is a natural person they must generally sign the owner's consent form personally.

Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, for example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

c. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the *Strata Titles Act 1998*. For common property, permission can be provided in one of the following ways:

- i. a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
- ii. the consent of each owner of each lot on the strata plan.

d. Companies

If the land is owned by a company the form is to be signed by a person with authority in accordance with the *Corporations Act 2001 (Cwth)*.

e. Associations

If the land is owned by an incorporated association the form is to be signed by a person with authority in accordance with the rules of the association.

f. Council or the Crown

If the land is owned by a council or the Crown then form is to be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate.

The name and positions of those signing must be provided.

Effective Date: September 2021

¹ under section 33(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* or section 37 of the current provisions.

² under section 43A of the former provisions or section 40T of the current provisions of the Act

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 9450	FOLIO 29
EDITION 3	DATE OF ISSUE 04-Jun-2014

SEARCH DATE : 17-May-2022

SEARCH TIME : 03.41 PM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 29 on Sealed Plan 9450

Derivation : Part of Lot 181 Gtd. to R. Stewart.

Prior CT 3624/59

SCHEDULE 1

M468921 TRANSFER to WILLIAM DAVID BOVILL Registered
04-Jun-2014 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FOLIO PLAN

RECORDER OF TITLES

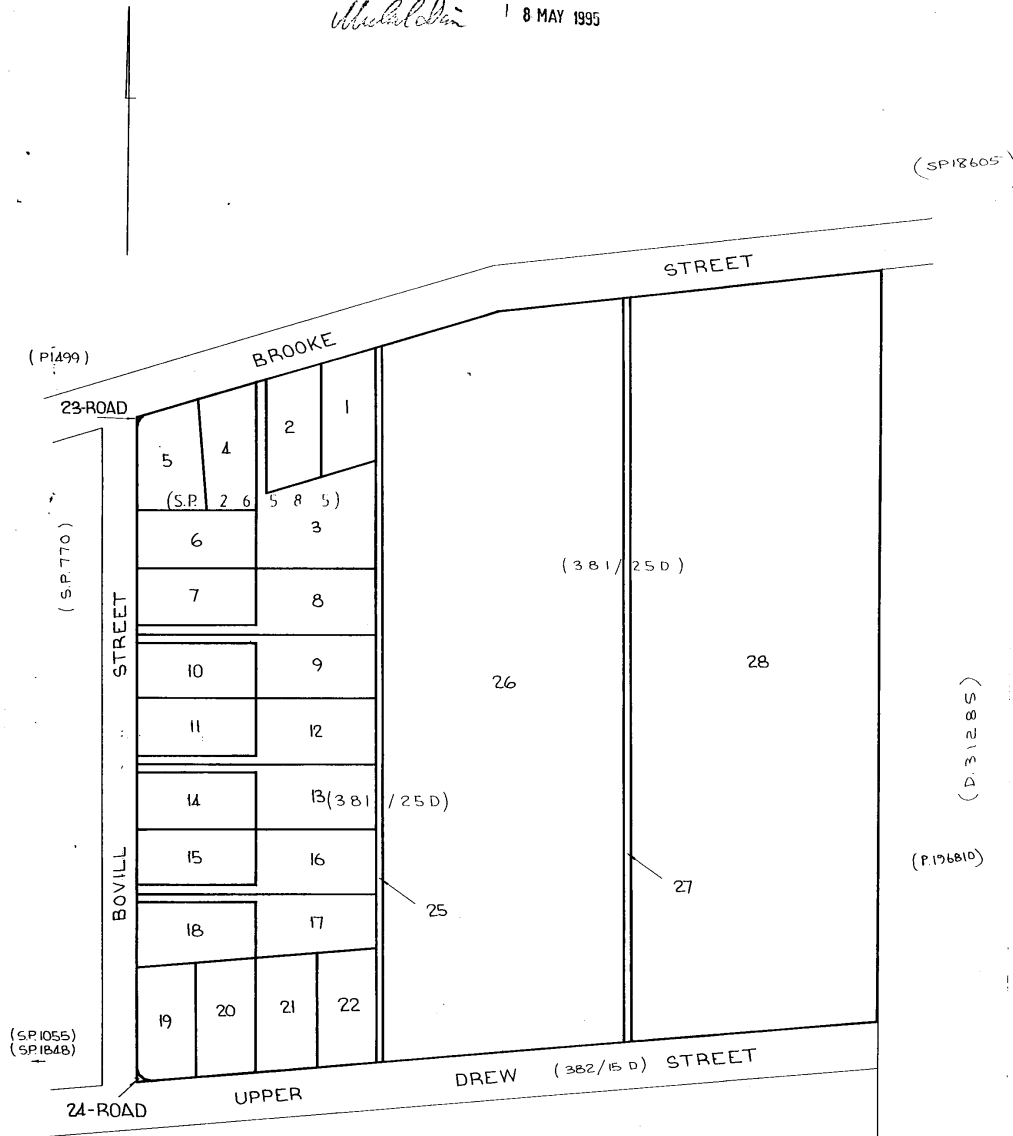
Issued Pursuant to the Land Titles Act 1980

Owner: MF Savage & Anor C.D. Savage MF Savage & Anor		CT: 3145-10 CT: 2965-78 CT: 3145-11	PLAN OF SURVEY by Surveyor MR. N.D. LESTER of land situated in the TOWN OF DEVONPORT Scale 1:1500 Measurements in metres.	Registered Number: S.P.9450 Effective from 25 JUL 1977 <i>Michael Lester</i> Recorder of Titles
Title Reference: See above				
Grantee: Part of Lot 181, 460 Acres, Robert Stewart, pur.				

17 MAY 1977


LOT 25 AND LOT 26 TOGETHER FORM LOT 29
 LOT 27 AND LOT 28 TOGETHER FORM LOT 30

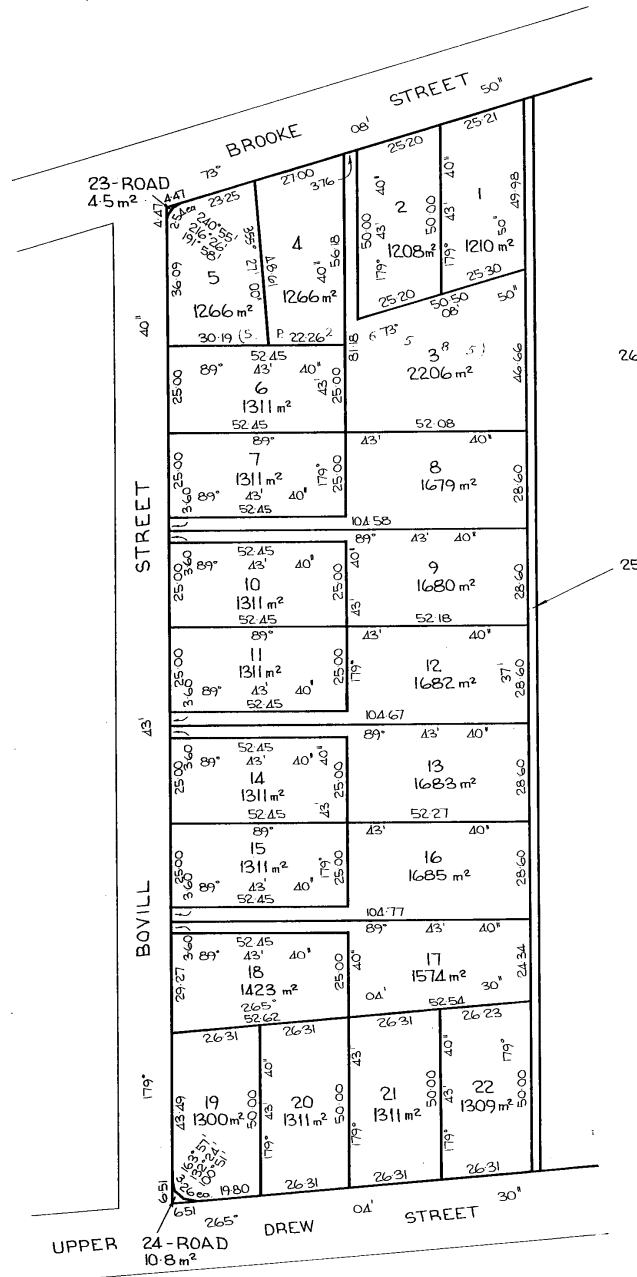
Michael Lester 8 MAY 1995



FOLIO PLAN**RECORDER OF TITLES**

Issued Pursuant to the Land Titles Act 1980


ANNEXURE SHEET No. 1 (of 2 annexures) to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 21-12-76 and that certificate extends to the detail shown on this sheet.	Registered Number: S.P.9450
Signed for the purposes of identification	Surveyor: MR. D. LESTER 21-12-76	
Council Clerk: 	Owner: M.F. Savage & Another.	
Scale: 1:1000 Measurements in metres.	Title Reference: CT 3145-11	



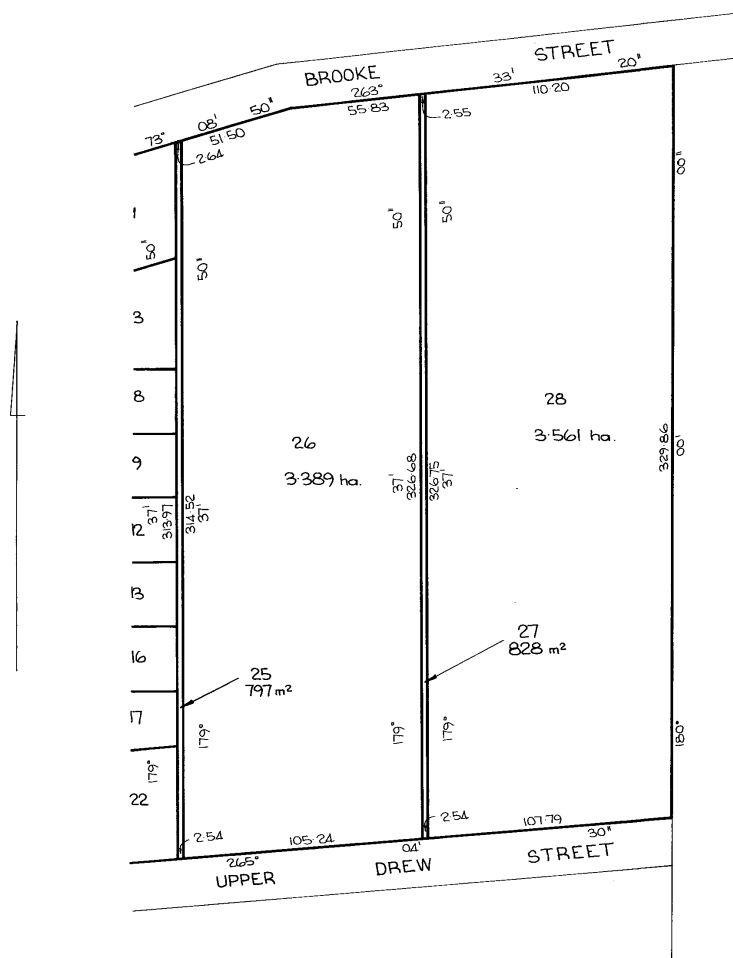
FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

ANNEXURE SHEET No. 2 (of 2 annexures) to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 21-12-76 and that certificate extends to the detail shown on this sheet.	Registered Number: S.P9450
Signed for the purposes of identification  Council Clerk	Surveyor: MR. N.D. LESTER Owner: M.F. Savage, C.D. Savage, M.F. Savage & Anor. Title Reference: CT 3145-10, CT 2965-7B, CT 3145-11	

Scale 1:1500 Measurements in metres



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

**SCHEDULE OF EASEMENTS**

Plan No.

S.P9450

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

No easements profits a preponder or covenants are created to benefit or burden any lots shown on the plan

SIGNED by ARTHUR WILLIAM FULLER)
as solicitor for MAURICE FULLER)
SAVAGE the registered proprietor)
of Certificate of Title Volume)
3145 Folio 10 in the presence of :)

*Cheryl
Clark
Deputy Clerk*

SIGNED by ARTHUR WILLIAM FULLER)
as solicitor for AUSTRALIA AND)
NEW ZEALAND BANKING GROUP LTD)
as Mortgagee under Memorandum)
of Mortgage No. A187166 in the)
presence of :)

*Cheryl
Clark
Deputy Clerk*

SIGNED by ARTHUR WILLIAM FULLER)
as solicitor for CAROLINA DOROTHEA)
SAVAGE the registered proprietor)
of Certificate of Title Volume)
2965 Folio 78 in the presence of :)

*Cheryl
Clark
Deputy Clerk*

SIGNED by ARTHUR WILLIAM FULLER)
as solicitor for MAURICE FULLER)
SAVAGE and MARGARET MAY SAVAGE)
the registered proprietors of)
Certificate of Title Volume 3145)
Folio 11 in the presence of :)

*Cheryl Clark
Deputy Clerk*

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Certified correct for the purposes of the Real Property Act 1862, as amended.

FULLER & STACE

PER: 

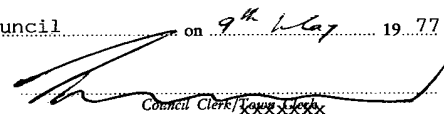
Subdivider/Solicitor for the Subdivider

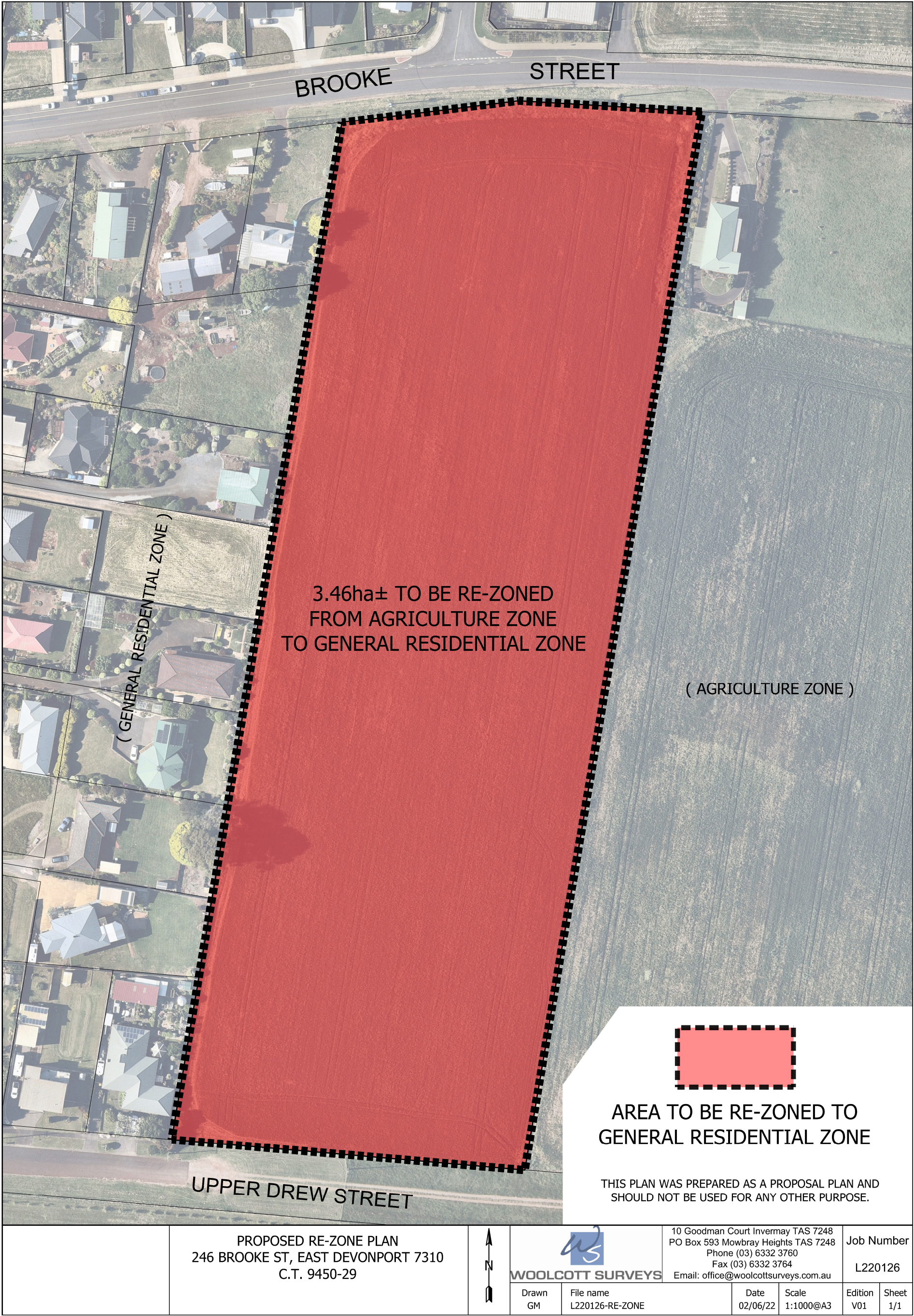
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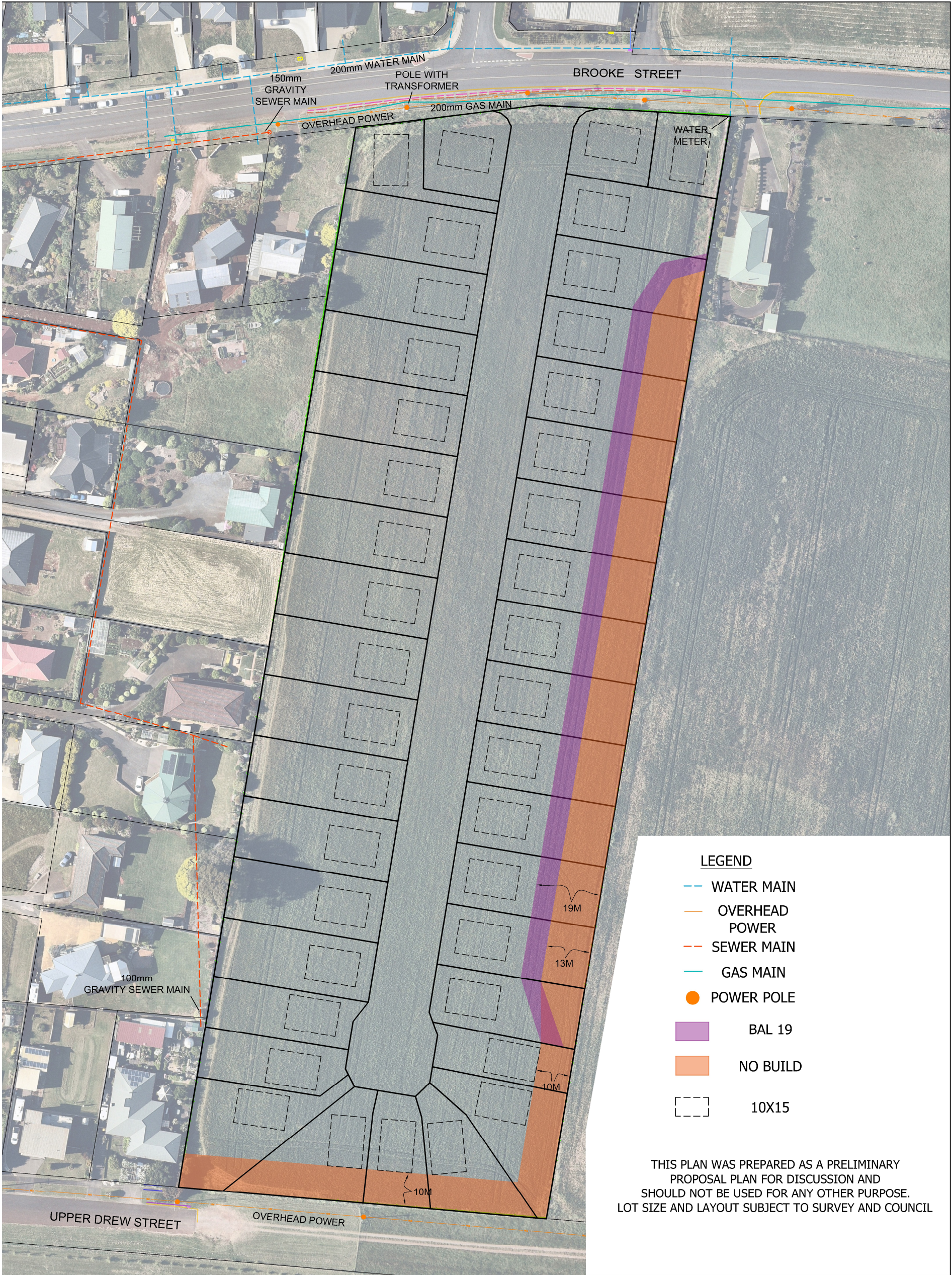
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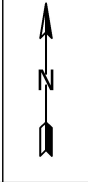

Council Clerk/xxxxxx





Notes: Existing service infrastructure is based on relevant authority GIS databases. Contours are based on GPS survey

PROPOSED 38 LOT SUBDIVISION
246 BROOKE ST, EAST DEVONPORT 7310
C.T. 9450-29

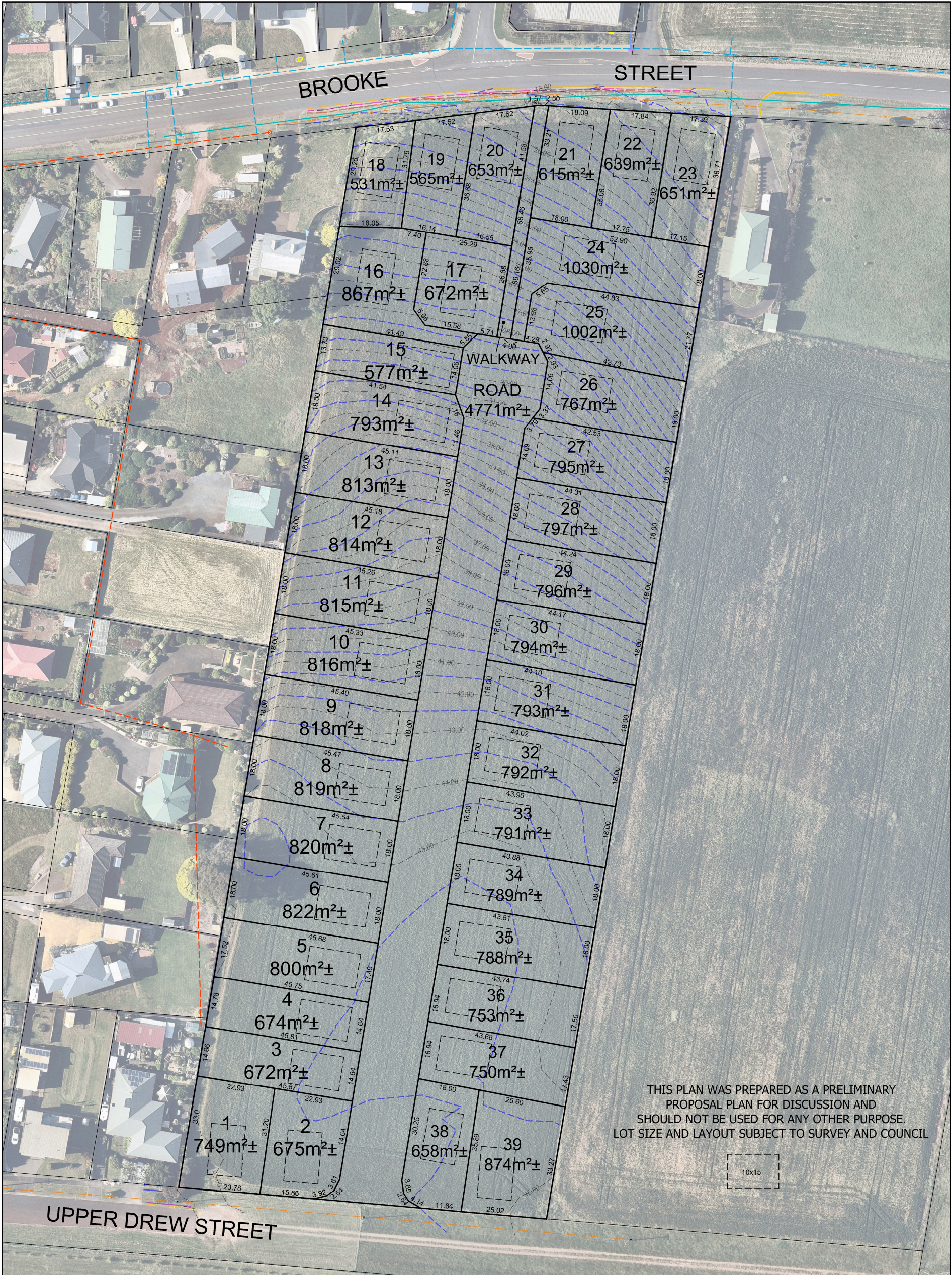




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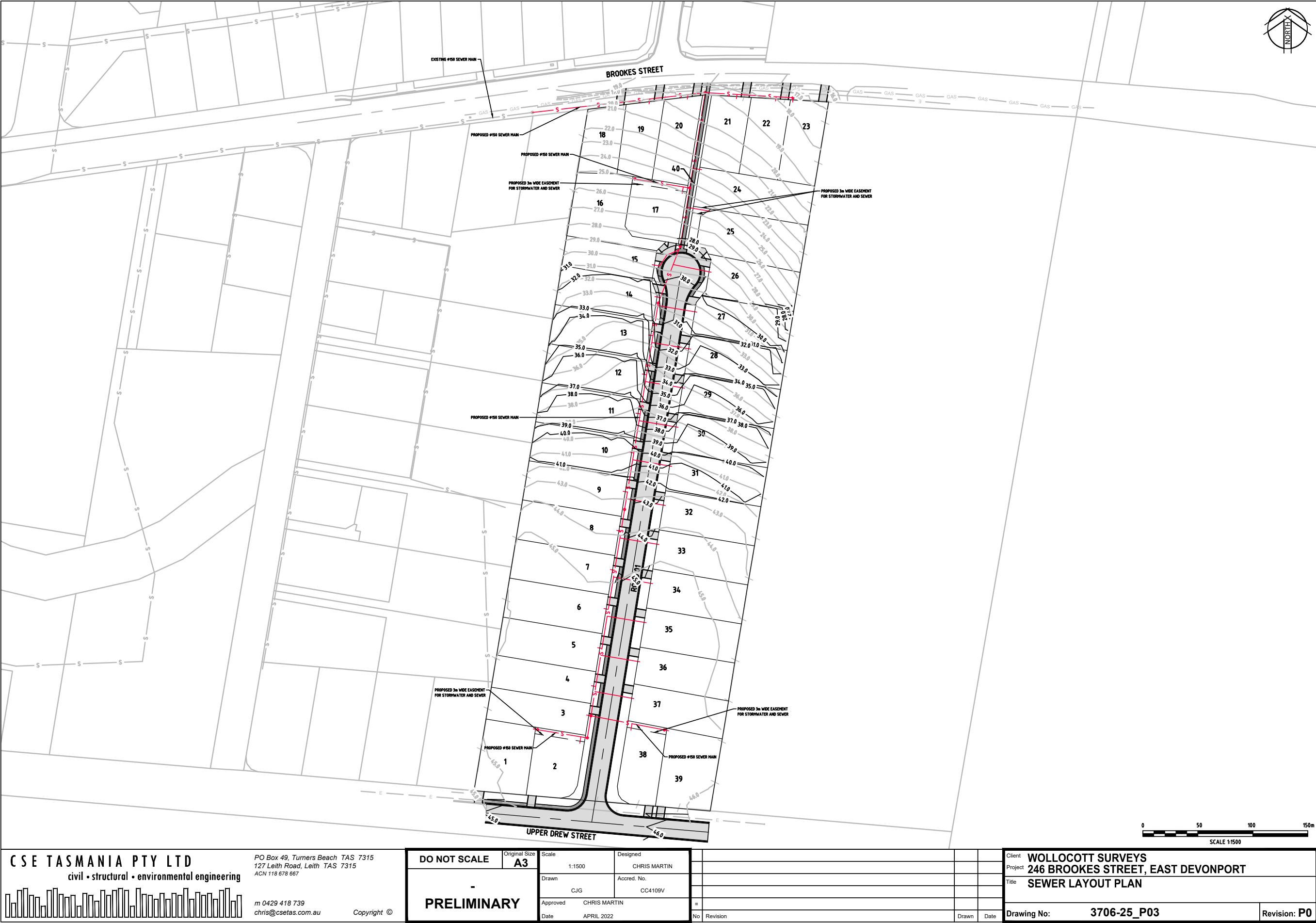
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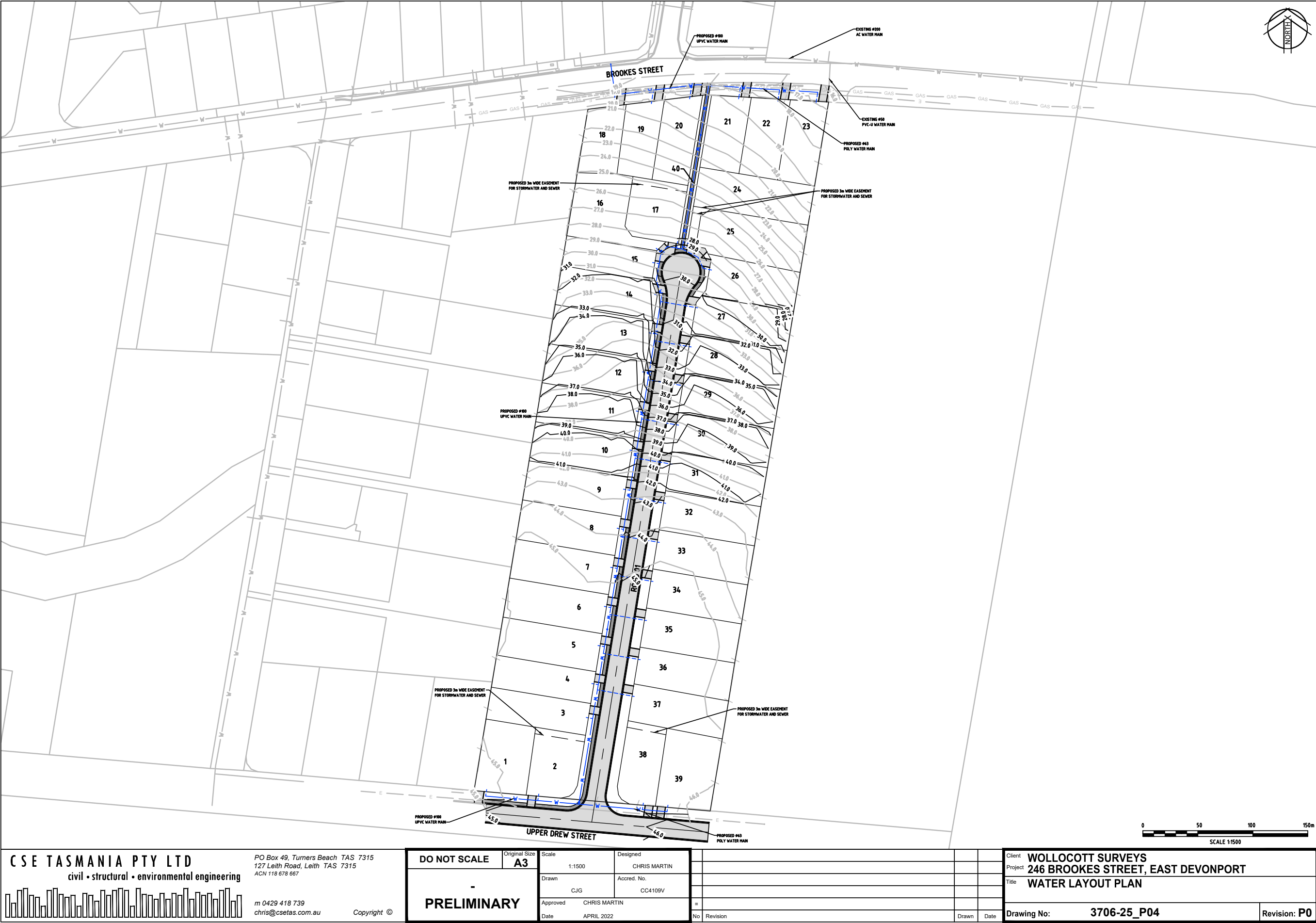


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PRIME PLUS INVESTMENTS PTY. LTD.

Agricultural assessment and rezoning report

246 Brooke St, East Devonport TAS 7310

MAY 2022





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Executive Summary

This agricultural assessment and rezoning report have been prepared on behalf of the proponent, Prime Plus Investments Pty. Ltd., and covers the various aspects for the proposed rezoning of the property at 246 Brooke St, East Devonport TAS 7310, under the Tasmanian Planning Scheme. The proponent proposes the property (title ref 9450/29) be zoned General Residential.

The property (title 9450/29) in question covers approximately 3.47ha of land. The property consists of land capability class 2e, 3e and 4ew (Figure 6). Approximately 74% of the land is prime agricultural land. The land is suitable for cropping with slight to moderate limitations on class 2 (approx. 34% or 1.17ha) and 3 (approx. 40% or 1.39ha) land and restricted cropping on class 4 (approx. 26% or 0.91ha) land. All land classes are suitable for pastoral use with slight to moderate limitations. However, the proximity to the dwellings in the General Residential Zone to the west and north and the single dwelling to the east, makes the property severely constrained and fettered for agricultural activities.

Thus, the property (title 9450/29) is incapable of supporting meaningful commercial scale agriculture due a range of limitations including its size, block layout, topography and location, which restricts both the current and future potential productivity and diversity of agricultural land use activity and enterprise mix. If a livestock enterprise were to be established on the title, the bordering General Residential Zone to the north and west would result in exposure to a high level of fettering due to issues associated with biosecurity incursions, dog menace, unauthorised visitors, disturbance to the livestock and also highly likely to result in complaints associated with noise, odours and dust emissions and the application of agricultural chemicals and possible spray drift.

Thus, the property (title 9450/29) in question is severely limited in its current and future agricultural potential. It is constrained agriculturally and would not be able to support a profitable cropping or grazing enterprise and has been identified as having a negligible level of local or regional agricultural significance.

Therefore, the proposed rezoning from Agriculture Zone to General Residential Zone for the property (title 9450/29) at 246 Brooke St, East Devonport can be supported.

1 Purpose

This report has been undertaken on behalf of Prime Plus Investments Pty. Ltd. (the proponent) to assess the General Residential Zoning potential of the property title 9450/29 at 246 Brooke St, East Devonport TAS 7310, under the Tasmanian Planning Scheme.

1.1 General Overview

1.1.1 Land Capability

The currently recognised reference for identifying land capability is based on the class definitions and methodology described in the Land Classification Handbook, Second Edition, C.J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

Most agricultural land in Tasmania has been classified by the Department of Primary Industries and Water at a scale of 1:100,000, according to its ability to withstand degradation. A scale of 1 to 7 has been developed with Class 1 being the most productive for agriculture and resilient to degradation and Class 7 the least suitable to agriculture. Class 1, 2 and 3 is collectively termed “prime agricultural land”. For planning purposes, a scale of 1:100,000 is often unsuitable and a re-assessment is required at a scale of 1:25,000 or 1:10,000. Factors influencing capability include elevation, slope, climate, soil type, rooting depth, salinity, rockiness and susceptibility to wind, water erosion and flooding.

1.1.2 Report Author(s)

In providing the opinion enclosed here, it is to be noted that Faruq Shahriar Isu, holds a Master of Applied Science (Agricultural Science) and has over two years’ experience in agribusiness and agricultural research in Tasmania. Faruq is trained to carry out land capability and suitability assessments. He has previously used these skills to select trial sites for agricultural research and more recently engaged to undertake agricultural assessment within several municipalities in northern Tasmania.

In providing the opinion enclosed here, it is to be noted that Jason Lynch possesses a Bachelor of Agricultural Science (horticulture) and is a certified practising agriculturalist (CPAg) and has over 20 years’ experience in the agricultural industry in Tasmania. Jason is skilled to undertake agricultural and development assessments as well as land capability studies. He has previously been engaged by property owners, independent planners, and surveyors to undertake assessments across 22 municipalities across Tasmania.

1.1.3 Tasmanian Planning Scheme - LPS

The Tasmanian Planning Scheme sets out the requirements for use and development of land in the Devonport municipality in accordance with the *Land Use and Approvals Act 1993*.

2 Property details

2.1 Location

The property at 246 Brooke St, East Devonport TAS 7310 is owned by William David Bovill (Figure 1, Table 1).

Table 1 Property location identification details

Address	Property ID	Title Reference	Hectares (Approx.)
246 Brooke St, East Devonport TAS 7310	3494341	9450/29	3.47

Title 9450/29 at 246 Brooke St, East Devonport is located east of the Mersey River and adjacent to the eastern boundary of the General Residential Zone of East Devonport. The topography of the property (Figure 2) is complex and consists of undulating plains and low hills with steep open slopes formed on tertiary non-marine deposits and basalt rock.

Vegetation present on the property (title 9450/29) consists of recently sown improved pasture.

The property (title 9450/29) is held as private freehold land and immediately surrounded by the same (Figure 3).

The property (title 9450/29) is zoned Agriculture under the Tasmanian Planning Scheme and immediately surrounded by land of the same zoning to the east and south. It borders General Residential Zone to the west and across Brooke Street to the north (Figure 4).

The 'Land Potentially Suitable for Agriculture Zone' layer on the LIST shows the property (title 9450/29) as being Potentially Constrained under Criteria 3 (Figure 5).

The property is in the Sassafras Wesley Vale Irrigation District.

There are no Threatened Native Vegetation Communities species present on the property (title 9450/29).

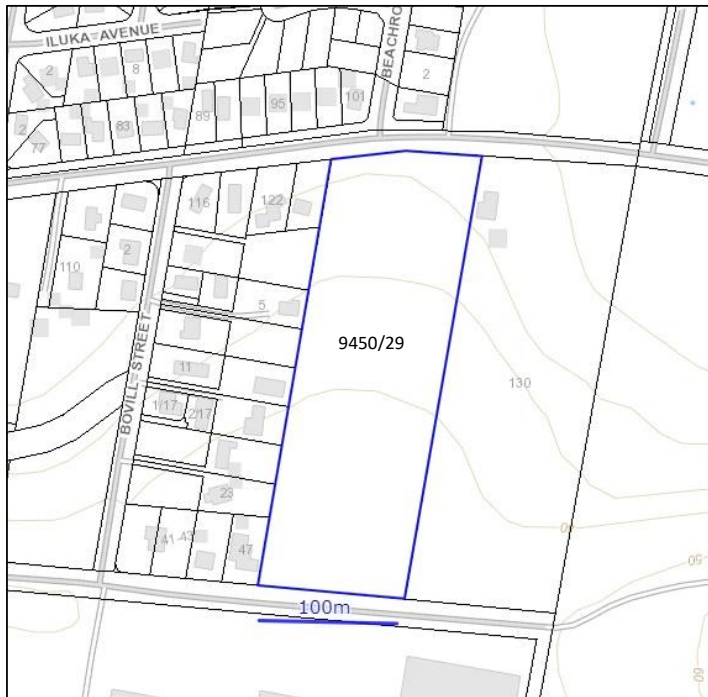


Figure 1. Location of the property with tile (9450/29) boundary outlined in blue (Source: The LISTMap).



Figure 2. Topographic grey scale map of the property (Source: The LISTMap).

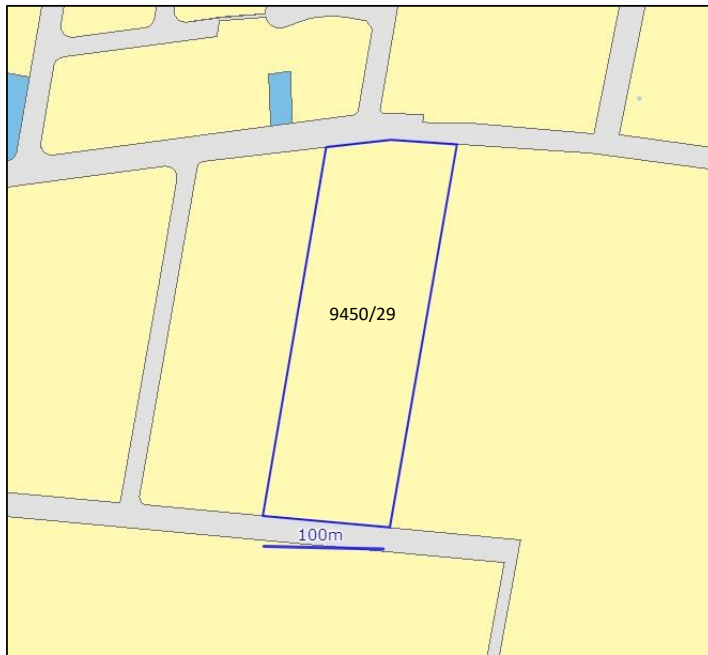


Figure 3. The property is held as private freehold (pale yellow) and immediately surrounded by the same. Blue titles indicate authority freehold (Source: The LISTMap).

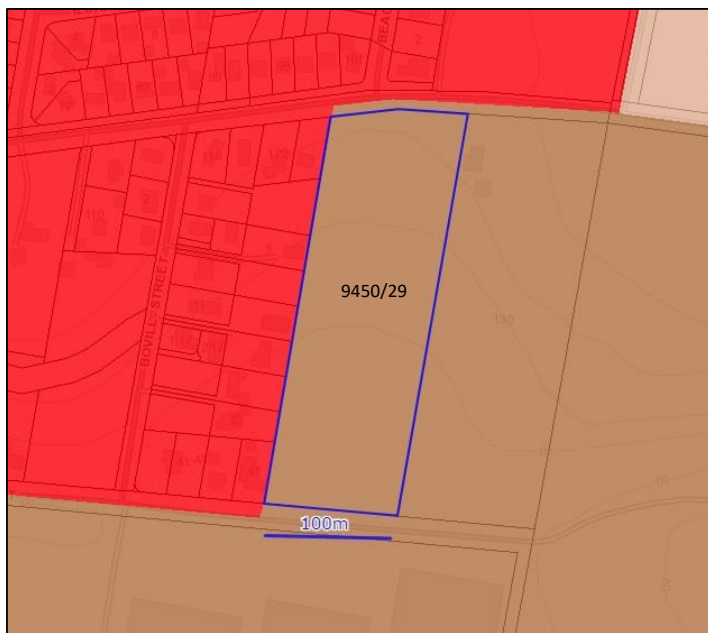


Figure 4. The property is zoned Agriculture (brown). Red areas indicate General Residential Zones and brown area indicates Agriculture Zone (Source: The LISTMap).

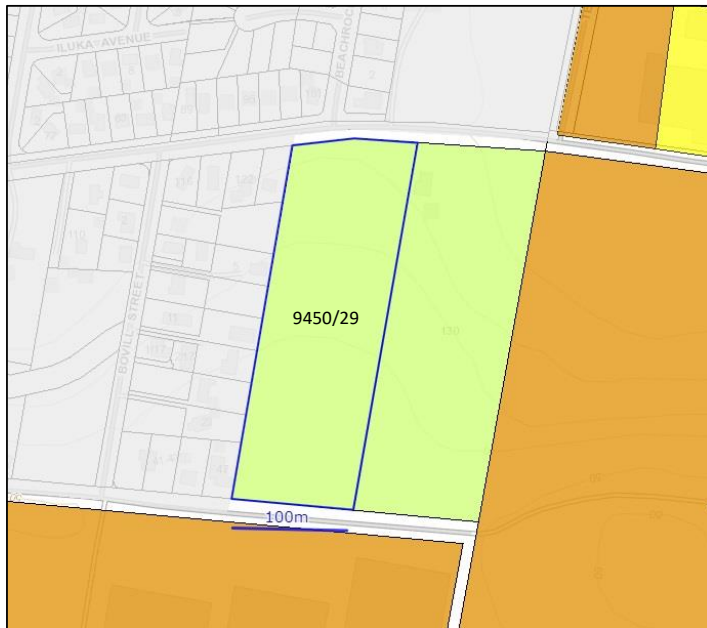


Figure 5. The 'Land Potentially Suitable for Agriculture Zone' layer on the LIST identifies the property as Potentially Constrained (green) under Criteria 3. Yellow area indicates Potentially Constrained title under Criteria 2A and grey areas are excluded from study area due to being General Residential Zones (Source: The LISTMap).

3 Land capability

Land capability of the property was assessed according to the Tasmanian Land Capability Classification System (Grose, 1999). Land is ranked according to its ability to sustain a range of agricultural activities without degradation of the land resource. Class 1 land is considered to be prime agricultural land and Class 7 land is unsuitable for agriculture due to severe limitations. A wide range of limitations are considered, and the most significant limitation determines its final classification. Limitations in relation to soils include stoniness, topsoil depth, drainage and erosion hazard. Limitations to topography include slope and associated erosion hazard.

The East Devonport property consists of land capability class 2e, 3e and 4ew (Figure 6). Approximately 74% of the land is prime agricultural land. The land is suitable for cropping with slight to moderate limitations on class 2 (approx. 34% or 1.17ha) and 3 (approx. 40% or 1.39ha) land and restricted cropping on class 4 (approx. 26% or 0.91ha) land. All land classes are suitable for pastoral use with slight to moderate limitations. However, the proximity to the dwellings in the General Residential Zone to the west and north and the single dwelling to the east, makes the property severely constrained to agricultural activities.

The primary limitation of the property, across all land classes, is erosion with the possibility of mass movement on steep slopes if soil is left bare. Wetness is also a limiting factor in the flatter, class 4 land area of the property, where waterlogging conditions can limit vegetation growth. Complex topography is a secondary limitation that is present on the property, given the undulating nature and steep open slopes on a relatively small, rectangular block of land.

Class 2 land is defined as:

Land suitable for a wide range of intensive cropping and grazing activities. Limitations to use are slight, and these can be readily overcome by management and minor conservation practices. However, the level of inputs is greater and the variety and/or number of crops that can be grown is marginally more restricted, than for Class 1 land. This land is highly productive but there is an increased risk of damage to the soil resource or of yield loss. The land can be cropped five to eight years out of ten in a rotation with pasture or equivalent during 'normal' years, if reasonable management inputs are maintained.

Class 3 land is defined as:

Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use.

Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

Class 4 land is defined as:

Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.

Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.)

The key land capability limitations associated with this property are:

- Erosion (e): caused by wind and/or water if soils are exposed or left bare. Recommended to keep under vegetation cover.
- Wetness (w): caused by the movement of water from surface runoff accumulating in areas on the flatter soil and depressions. The result is areas remaining wet for prolonged periods in winter and spring. This restricts the usable arable areas in winter predominantly, allowing for grazing only during dry periods.
- Complex topography (x): caused by irregular, uneven or dissected topography which limit ease of management of the property, holistically.

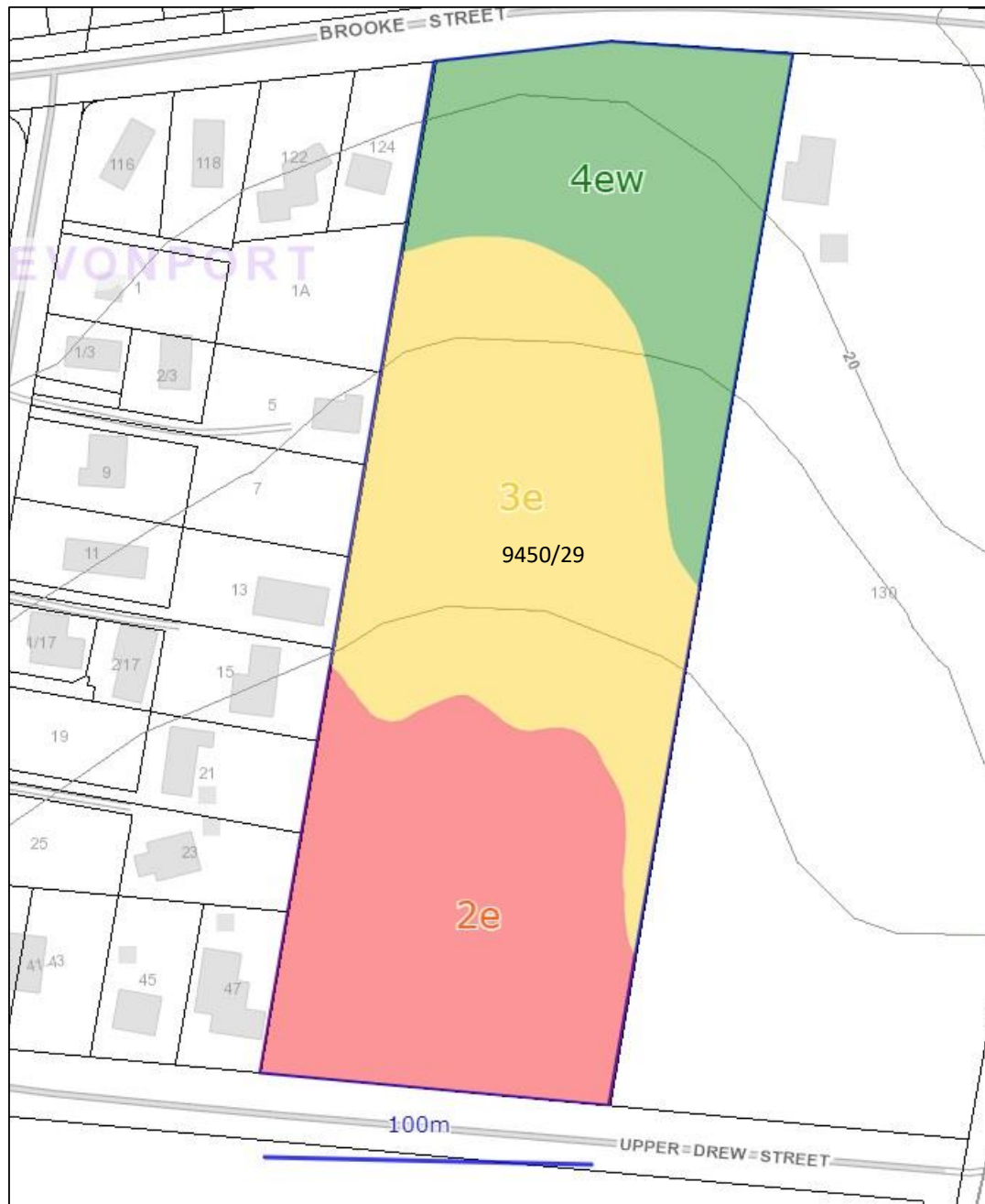


Figure 6. Land capability map of the property. The property consists of class 2e (red), 3e (yellow) and 4ew (green) land (Source: The LISTMap).

Table 2 Land capability assessment over titles.

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
2 (approx. 1.17ha)	Ferrosol Red, friable, moderately deep, clay loam topsoil.	0-5%	Undulating plains atop low hill 40m above sea level.	Low sheet and wind erosion risk if soil is exposed.	Moderately well drained to well drained and moderately permeable soil Topsoil depth approximately 30-35cm.	Suitable for intensive cropping and grazing with slight limitations.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations. This region experiences mild winter and warm summer conditions. Receives an average of 800mm annual rainfall, can experience 1-3 frost days annually, 1098 GDD (October – April) and 494 chill hours (May – August).

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
3 (approx. 1.39ha)	Ferrosol Red, friable, shallow, clay loam topsoil over clay loamy to clayey subsoil, lacking texture contrast.	5-30%	Undulating plains with rugged, steep, rocky hills and crests. 20-40m above sea level.	Moderate to high sheet and wind erosion and mass movement risk if soil is exposed.	Moderately well drained to well-drained soil and moderately permeable soil. Topsoil depth approximately 10-15cm.	Suitable for cropping with moderate limitations and suitable for grazing with slight to moderate limitations.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations. This region experiences mild winter and warm summer conditions. Receives an average of 800mm annual rainfall, can experience 1-3 frost days annually, 1098 GDD (October – April) and 494 chill hours (May – August).

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
4 (approx. 0.91ha)	Ferrosol Red, friable, clay loam topsoil. Presence of stones and coarse fragments of various sizes.	0-5%	Undulating plains and foot slopes. 10-30m above sea level.	Moderate wind, and sheet erosion risk if soil is exposed. Moderate waterlogging.	Moderately well drained to well-drained soil and moderately permeable soil. Topsoil depth approximately 25-30cm.	Restricted for cropping with moderate limitations to pastoral use.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations. This region experiences mild winter and warm summer conditions. Receives an average of 800mm annual rainfall, can experience 1-3 frost days annually, 1098 GDD (October – April) and 494 chill hours (May – August).

3.1 Soils

Soils present on the property (title 9450/29) are red, friable, clay loam ferrosols developed on tertiary non-marine deposits and basalt rock.

The topography of the property (title 9450/29) is complex, given the area, with undulating plains and low hills with steep open slopes. The soil is generally well drained and is moderately permeable. Topsoil depth varies according to location, ranging from approximately 10-30cm deep.

The soil type is consistent with the geology, topography and elevation at the property (title 9450/29). These clay loam soils are characterised by being well drained and fertile. Having good drainage, these soils are well suited to cropping (Class 2 and 3 land) and grazing, but can dry out over the summer, unless irrigated. Practically, cropping potential is limited on the property, as class 4 land and the majority of class 3 land are on open slopes, requiring careful management. Intensive grazing immediately following heavy rainfall, when soils are saturated, can lead to compaction.

The key limitations associated with the soil type are:

- Wetness (w) resulting in waterlogging during winter or periods of heavy rainfall.
- Erosion (e) when soil exposed without vegetation are subject to sheet and wind erosion. Possible mass movement. Therefore, maintaining sufficient ground cover is advised.

Given the soil types, topography, climate and range of land capability classes, the property is suitable for agricultural use, in theory. However, the close proximity to neighbouring dwellings, particularly in the General Residential Zone to the west, severely constrains the potential for cropping operations at the property by restricting spray areas and irrigation regimes.

It is noted that dryland cereal cropping has been conducted in the past and although there is no irrigation infrastructure at the title in question, irrigation water allocation is available to the other title at 246 Brooke St. Title 9450/29 is seldom irrigated (once in the last two years), due to the difficulty presented by neighbouring dwellings, topography and logistical challenges. This is relatable given this title (9450/29) is an isolated small parcel of land and is Potentially Constrained (Criteria 3) for agriculture, unlike the other title at the property. Therefore, non-agricultural land use and rezoning of the property can be supported.



Image 1. Soil profile 1. Red, clay loam Ferrosol on class 4 land (photo taken at site assessment on 13/0422).



Image 2. Various sizes of stones found in soil profile 1 (photo taken at site assessment on 13/0422).



Image 3. Soil profile 2. Red, clay loam ferrosol over clayey subsoil on class 3 land (photo taken at site assessment on 13/0422).



Image 4. Shiny faces on pedes of clay loamy to clayey soil in soil profile 2 (photo taken at site assessment on 13/0422).



Image 5. Soil profile 3. Deep, red, friable clay loam ferrosol on class 2 land (photo taken at site assessment on 13/0422).



Image 6. Neighbouring dwellings in General Residential Zone to the west. View looking west from the approximate middle of class 2 land, about 55m from the western boundary of the title (photo taken at site assessment on 13/0422).



Image 7. View looking south from class 2 land at the property. Poly tunnels of Costa Strawberry Farm beyond southern title boundary fence (photo taken at site assessment on 13/0422).



Image 8.View looking north from property entrance at NE corner of the property (photo taken at site assessment on 13/0422).



Image 9. View looking north along the eastern property boundary. Neighbouring dwelling to the east on adjoining land is in Agriculture Zone and dwellings to the north, across Brooke St in General Residential zone (photo taken at site assessment on 13/0422).



Image 10. Brooke Street along northern property boundary. Dwelling and land across the street are in General Residential Zone (photo taken at site assessment on 13/0422).

4 Land Use Activity

4.1 Current agricultural activities conducted

The property title (9450/29) is under a contract of sale, subject to rezoning approval. The title has been recently sown with pasture for low intensity grazing. It has been historically used for dryland cropping (wheat) and pasture rotation, grazing three out of 12 months. There is no existing agricultural or primary industry infrastructure at the property, apart from water troughs and boundary fencing.

4.1.1 Adjacent land use activity

There are no agricultural activities conducted to the north and west, being General Residential Zones. There is low intensity grazing conducted on the adjoining title to the east, which also contains a residential dwelling, and to the south is controlled environment agriculture, namely Costa Strawberry Farm under poly tunnels.

4.2 Potential agricultural land use activity

4.2.1 Pastoral use

The property is suitable for pastoral use with slight to moderate limitations. Pastoral use is currently limited to dryland, as title (9450/29) does not have any irrigation infrastructure. Based on the property's size, land capability, topography and in conjunction with growing season duration and rainfall, it would be reasonable to consider that it can support a potential carrying capacity of 22 DSE/ha, or a total of approximately 76 DSE/year.

Thus, it is reasonable to consider that the property has the potential to support 76 head of dry ewes, which represents an approximate total annual gross margin of \$3,420 (at a gross margin of \$45/hd) or \$985.59/ha.

A total gross margin income of \$3,420 constitutes a marginal income from an agricultural business and requires a significant investment from the owner to support its financial commitments to land, infrastructure, maintenance, replacement livestock purchases, animal husbandry and business operation costs. It is relevant to note that livestock enterprises require supervision and attention to livestock regularly during the day and night, particularly during calving/lambing, but also other times during weaning, for animal husbandry and animal health and wellbeing. Most livestock tasks are conducted during the day, including checking livestock, feeding out and moving livestock to fresh paddocks. However, attending to livestock health and wellbeing requires the use of small machinery and lights during the evening, night and early morning outside normal business hours, but is normal for an agricultural operation. This may result in current and future conflicts with local residential landholders if the animals are in close proximity to the residential dwellings.

4.2.2 Cropping use

The property title (9450/29) is comprised of approximately 74% prime agricultural land (class 2 and 3) and 26% class 4 land, which in theory could be cropped for 2 in every 10 years (Grose 1999). Given the relatively small size of the property title (9450/29) and the constraints imposed by dwellings in the adjoining General Residential Zone, investment in irrigation infrastructure is unfeasible. Dryland cereal production in high rainfall areas has a gross margin of \$1,160/ha (DNRET gross margin analysis).

Therefore, assuming the class 4 area is appropriately managed and the entire land area is used, the cropping gross margin on the title would contribute to \$4,025 annually.

It is to be noted that the gross margin estimate does not incorporate the cropping area that would need to be reduced due to the proximity of dwellings in General Residential Zone to the north and west, to account for spray drift buffers and other impacts of agriculture activities on residential amenities.

4.2.3 Perennial horticulture use

While the topography, soil type and climate are suitable to horticultural crops, in the absence of irrigation infrastructure and the close proximity to the residential dwellings in East Devonport, there are significant constraints and potential conflicts making it unfeasible to operate a horticultural enterprise, including berries and viticulture.

4.3 Impact on agricultural activities and residential amenity of neighbouring land

The agricultural land at title 9450/29 at 246 Brooke St, East Devonport, borders residential dwellings in the General Residential Zone to the west and north. There are seven dwellings that border the property to the west, some with setbacks of less than 5m, to the north the setback is approximately 25m. There is also a single dwelling on the adjoining property to the east, with a setback of approximately 5m. The title (9450/29) has been identified as Potentially Constrained (Criteria 3) for agriculture under the '*Land Potentially Suitable for Agriculture Zone*' layer in the LIST (Figure 5). Thus, the risk of impact on residential amenity would be considered high given the proximity to the agricultural land, if activity is intensified in the future.

In the Tasmanian Planning Scheme, setback distances in the Agriculture Zone (21.4.2) Acceptable solutions A2 states that buildings for sensitive use (i.e. residential dwellings) must be separated from an agriculture zone by not less than 200m. It is noted that when 200m setback circles are placed on dwellings to north, east and west (northern and southern most), to show the setback from the residential dwellings bordering the property, it encroaches the entire title and extends to the adjoining land (Figure 7).

After inspecting the site (site assessment completed April 13th, 2022), it has been concluded that the current land use and existing setback distances are insufficient to prevent unreasonable impact, interference and conflict between agriculture and residential amenity and vice versa.



Figure 7. 200m setbacks (yellow circles) from selected residential dwellings (black pins) bordering title 9450/29 (blue outline) (Source: The LISTMap).

4.4 Impact of agricultural activity on neighbouring land to the proposed re-zoning

This assesses the impact of agricultural land use activities on the neighbouring land uses, including agricultural and residential. An assessment of the key risks is summarised in Table 3. This has been compiled on the basis that the neighbouring farm activities are likely to include cropping and livestock grazing.

Table 3 Potential risk from agricultural land use activities on neighbouring land

Potential risk from agricultural land activity on neighbouring properties	Extent of risk & possible mitigation strategy
1. Spray drift and dust	Risk = High. Residential dwellings and urban streets with foot and vehicle traffic are in close proximity on the windward side to the prevailing north-westerly wind. Buffer distances and topography will mitigate the impact of sprays and dust if applied under normal recommended conditions. Spraying events should be communicated in a timely manner to the inhabitants of all neighbouring dwellings. Spray applications near residential dwellings are expected to create concern and conflict with residents. The use and application of agricultural sprays must abide by the Tasmanian Code of practice for ground spraying 2014.

2. Noise from machinery, livestock and dogs	Risk = High. Machinery traffic will occur when working and undertaking general farming duties. Most traffic would be during normal agricultural working hours (between 6am-8pm). Checking on stock throughout the night is required during lambing or calving using a side-by-side farm vehicle. Stock movements will include dog and farm vehicles.
3. Irrigation water over boundary	Risk = Low. Irrigation is not used on the property (title 9450/29). If irrigation was developed in the future there is the risk of irrigation water going onto the road and over the fence to the west.
4. Stock escaping and causing damage	Risk = low. Provided that boundary fences are maintained in sound condition and checked regularly.
5. Electric fences	Risk = low. Mitigated by the proponent attaching appropriate warning signs on boundary fencing.

4.5 Impact of proposed re-zoning on agricultural activity

The proposed rezoning, in consideration with the buffer zones, physical barriers and agricultural land use, have all been assessed as low risk impact to agricultural activity on neighbouring land. These potential impacts are usually manifested as complaints that could be made by residents of nearby dwellings. Other risks to neighbouring agricultural activity are outlined in Table 4. Some of these risks rely on an element of criminal intent and it could well be argued that this is very much lower with inhabitants of the dwelling than with other members of the public.

Table 4 Potential risk from proposed rezoning on neighbouring agricultural land use and activity

Potential Risk to Agricultural Land Activity	Extent of Risk & Possible Mitigation Strategy
1. Trespass	Risk = Medium. Mitigation measures include installation and maintenance of sound boundary fencing, lockable gates and appropriate signage to warn inhabitants and visitors about entry onto private land; report unauthorised entry to police.
2. Theft	Risk = Low. Ensure there is good quality boundary fencing on neighbouring properties and appropriate signage to deter inadvertent entry to property; limit vehicle movements and report thefts to police.
3. Damage to property	Risk = Low. As for theft.
4. Weed infestation	Risk = Medium. Risks are expected to be of medium risk, with the proponents needing to conduct weed management to improve productivity. Biosecurity practices are followed with dirt covered vehicles washed down before visiting the property and vehicles staying on established gravel roads.

5. Fire outbreak	Risk = Medium. Native and semi-improved grasslands and pastures need to be grazed or mown to lower fuel loads. Fire risk can be mitigated by careful operation of outside barbeques and disposal of rubbish. A bushfire management plan may be required for the proposed development.
6. Dog menace to neighbouring livestock	Risk = Medium. Mitigated by ensuring that good communication is maintained between the proponent and residents of the neighbouring properties. Dogs would be managed as per the guidelines determined by the council.

4.6 Impact of proposed development on amenity of dwellings on nearby land

There are approximately 98 residential dwellings within 500m of title 9450/29 (Figure 8). All of the dwellings, except one to the east, are in the General Residential Zone to the north and west.

By zoning the proposed title (9450/29) as General Residential, it will form a logical extension of the existing General Residential Zone adjoining the subject title to the north and west. Overlaying 200m setback circles on each corner of the property, on top of the setback circles in figure 7, shows that there will be no significant change in land use interaction with surrounding land nor will it impose significant additional constraints on agricultural land use to the east and south (Figure 9) if the property (title 9450/29) were to be zoned General Residential and developed in the future.



Figure 8. Approximately 97 residential dwelling in lots (black outline) within 500m of the property (title 9450/29) represented by the blue circle. 1 dwelling to the east indicated by black pin is in the Agriculture Zone while the remaining are in General Residential Zone (Source: The LISTMap).



Figure 9. No significant change in land use interaction as evident by 200m setback (red circles) on each corner of the property overlayed over 200m setback (yellow circles) from selected residential dwellings (black pins) surrounding the subject title (9450/29) outlined in blue.

4.7 Water storage and resources

The property is serviced by TasWater for drinking water and sewerage service (The LISTMap).

The property is located in the Sassafras Wesley Vale Irrigation District, however, the scheme is fully allocated and there is no existing irrigation infrastructure at title 9450/29.

5 Local and Regional Agricultural Significance

The property (title 9450/29) in question holds a negligible level of recognised local and regional agricultural significance. The percentage of respective land capability class is shown in table 6 below, which shows that the property in question only represents 0.017% of class 2, 0.009% of class 3 and 0.002% of class 4 land in the Forth mapped area, which is not significant in the area.

Table 5 Land capability Forth area.

Land Capability Class*	Forth land capability mapping area		
	Land area (hectares)	Total mapped land area (hectares)	% of land class in mapped area
2	1.17	6,506	0.017%
3	1.39	14,735	0.009%
4	0.91	40,841	0.002%

*Percentage of class 5+6 land area have been incorporated into class 5 (60%) and class 6 (40%) land area, as per definition.

This local area in East Devonport has seen residential dwellings develop over time along Brooke Street with little to no development to agriculture or rural land for primary industry use. The property (title 9450/29) borders General Residential Zone to the north and west. Some low intensity agriculture is carried out to the east, in a similar sized small block of land, that is also identified as being Potentially Constrained (Criteria 3) for agricultural use. To the south is controlled environment agriculture, which is not affected by any potential future development. Therefore, the the property (tile 9450/29) would form a logical and realistic extension of the existing General Residential Zone along Brooke Street and provide required space for future residential development, without jeopardising surrounding land use.

6 Property Improvement and Development Consideration

The property (title 9450/29) is Potentially Constrained (Criteria 3) for agriculture and borders General Residential Zone to the north and west. Given the proximity to residential dwellings, there is high likelihood of conflict arising from agricultural land use and the area is not severely constrained for cropping and grazing. Given the estimated gross margin return for livestock and cropping, agricultural infrastructure development at the property would be economically unfeasible.

7 Potential Constraint Analysis and Review

The property (title 9450/29) has been identified as Potentially Constrained (Criteria 3) for agriculture under the '*Land Potentially Suitable for Agriculture Zone*' layer in the LIST (Figure 5) due to:

- Title size significantly less than the minimum area for the identified Enterprise Suitability (ES) cluster.
- Adjoining residential development.
- Not adjoining unconstrained land.

These factors contribute to a number of constraints which severely limits the current and future agricultural land use activity of the block and includes, but not limited to:

1. Limited scope for agricultural land use activity with severely restricted cropping area in the small sized title (approx. 3.47ha) due to proximity of residential dwellings. Pastoral use also limited to a low carrying capacity, due to lack of irrigation infrastructure and challenges to irrigation, given the topography and bordering General Residential Zone to the north and west.
2. To lift the level of productivity which could be realised, it would require a very significant level of investment. However, in reality due to the economics involved, existing constraints and challenges and the very long breakeven period, this type of development (i.e. irrigation) would not occur on this title.
3. Operational challenges to a potential sheep grazing enterprise which would exist on the property, includes:
 - a) Requirement for supplementation with fodder (e.g. silage, hay and/or nitrogen fertiliser) at times (e.g. late summer and during winter) of the year when there is insufficient pasture growth to meet the livestock feed requirements.
 - b) High level of exposure to toxoplasmosis, from the presence and activity of domestic and feral cats, which results in poor sheep breeding outcomes due to early/late abortions.
 - c) This area is subject to extended dry periods and drought during which significant levels of destocking and/or significant levels of supplementary feeding would be required.
 - d) The level of economic return generated would not be considered as a commercially viable agricultural enterprise.
4. Existing and future significant expansion of residential development on the land adjacent to the northern and western boundary of the property and heightened risk of issues relating to incompatible land use activity, as per agricultural versus residential issues including complaints and objections against:
 - a) Noise from normal farming practices such as the use of machinery (e.g. tractors) and livestock.
 - b) Odours from livestock, fertiliser and soil conditioners.
 - c) The application of agricultural chemicals and associated risk of spray drift and chemical trespass, and this can also include both actual and the perceived threats.
 - d) Dust when paddocks are being cultivated and the application of fertilisers and soil conditioners.

- e) Stock escaping and causing damage and the needs for higher level fencing including the use of electric fencing units.
 - f) Inability to use firearms within 200m of a residential dwelling and as a result, browsing wildlife control would be constrained.
5. Existing and future significant expansion of residential development on the land adjacent to the southern boundary of the property and heightened risk of issues relating to incompatible land use activity, as per residential uses fettering agricultural land use activity including:
- a) Disturbance to livestock, particularly during lambing, from noise generated and emanating from normal residential use such as music, lawnmowers, dogs barking.
 - b) Dog menace to livestock.
 - c) Presence of domestic cats and the risk of transmission of toxoplasmosis to sheep.
 - d) Trespass by unauthorised visitors.
 - e) Biosecurity issues primarily associated with weed infestation due to the movement of garden weeds and challenges associated with managing weed incursions from multiple sources.
 - f) Traffic volumes along Brooke Street and other nearby suburban roads causing disturbance to livestock, particularly during lambing/calving.
6. The property in question is isolated from other extensive areas of agricultural land which could offer the opportunity for being formed into broad parcels of farmland which can attract benefits such as scale of economy, enterprise diversification and access to irrigation water. Land to the north and west are General Residential Zone. Land to the south is controlled environment agriculture. Adjoining land to the east is also Potentially Constrained (Criteria 3) for agricultural land use and subject to severe constraints and limitations similar to that of the property (title 9450/29) in question.

8 PAL Policy Compliance

An assessment is required to ensure that the proposed development does not conflict with the principles outlined in *State Policy on the Protection of Agricultural Land 2009 (PAL Policy)*. The purpose of the PAL Policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

Note that, no one 'Principle' should be read in isolation from the others to imply a particular action or cause and that generally the principles are to be implemented through the planning scheme as it states in the PAL Policy.

8.1 Principles

8.1.1 Principle 1

Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development.

Response:

- Due to the size of the property (title 9450/29), topography, lack of irrigation water, likely fettering issues and constraints imposed from adjacent general residential land use activity and ultimately the financial returns which could be generated from the property (title 9450/29), it has negligible potential in terms of further development for agricultural and to increase productive capacity of the land.
- The adjoining land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling and is also Potentially Constrained (Criteria 3) for agriculture (Figure 5) and is similarly impacted by the General Residential Zone to the north and west (Figure 9). Therefore, there is minimal likelihood of agricultural development or intensification surrounding the subject title (9450/29).
- The property has a negligible level of local and regional significance (*see section 5 of the agricultural assessment*).

8.1.2 Principle 2

Use and development of prime agricultural land should not result in unnecessary conversion to non-agricultural use or agricultural use not dependent on the soil as the growth medium.

Response:

- The title in question is Potentially Constrained (Criteria 3) for agricultural land use and borders General Residential Zone to the north and west, which significantly increases the residential uses fettering agricultural land use (*see figure 7 and section 7 of the agricultural assessment*).
- Although in an irrigation district, the title has no existing irrigation infrastructure. The development of irrigation at the property is unlikely given the estimated gross margin returns,

challenges to irrigation and with the limitations imposed on agricultural land use (*see section 4 of the agricultural assessment*).

- The title does not adjoin unconstrained land and forms a logical extension of the General Residential Zone to the north and west.

8.1.3 Principle 3

Use and development, other than residential, of prime agricultural land that is directly associated with, and a subservient part of, an agricultural use of that land is consistent with this Policy.

Response:

- The proposal is for rezoning to General Residential and therefore, any potential future development will be residential in nature and therefore, this is not applicable.

8.1.4 Principle 4

The development of utilities, extractive industries and controlled environment agriculture on prime agricultural land may be allowed, having regard to criteria, including the following:

- (a) *minimising the amount of land alienated;*
- (b) *minimising negative impacts on the surrounding environment; and*
- (c) *ensuring the particular location is reasonably required for operational efficiency.*

Response:

- This is not applicable as the proposal is for a General Residential Zoning.

8.1.5 Principle 5

Residential use of agricultural land is consistent with the Policy where it is required as part of an agricultural use or where it does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land.

Response:

- The property is already fettered by the adjacent residential land use activity along its northern and western boundary and is therefore, severely constrained for agricultural land use (*see figure 7 and section 7 of the agricultural assessment*).
- The land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling, is also Potentially Constrained (Criteria 3) for agriculture (Figure 5) and is similarly impacted by the General Residential Zone to the north and west (Figure 9). Therefore, there is minimal likelihood of agricultural development or intensification surrounding the subject title (9450/29).
- The property has a negligible level of local and regional agricultural significance (*see section 5 of the agricultural assessment*).

8.1.6 Principle 6

Proposals of significant benefit to a region that may cause prime agricultural land to be converted to non-agricultural use or agricultural use not dependent on the soil as a growth medium, and which are not covered by Principles 3, 4 or 5, will need to demonstrate significant benefits to the region based on an assessment of the social, environmental and economic costs and benefits.

Response:

- The property (title 9450/29) is severely constrained for agricultural land use as it borders General Residential Zone to the north and west and falls entirely within 200m of the zone (see figures 4,5 and 7).
- The adjoining land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling, is also Potentially Constrained (Criteria 3) for agriculture (Figure 5) and is similarly impacted by the General Residential Zone to the north and west (Figure 9). Therefore, there is minimal likelihood of agricultural development or intensification surrounding the subject title (9450/29).
- The property has a negligible level of local and regional agricultural significance (see section 5 of the agricultural assessment).
- General Residential Zoning of the title will form a logical extension of the existing General Residential Zone to the north and west and provide much required space for future green fill residential development without significantly impacting existing land use interaction.
- East Devonport saw an increase in median sale price of 36.9% in 12 months from February 2021 to January 2022, with an average 9 days on the market and a vendor discounting of -0.03% (East Devonport House Prices & Property Trends, 2022). This indicates an increase in demand for residential dwellings in the region, which is corroborated by a study conducted by the University of Tasmania that predicts a population growth of 0.4% for the Devonport region and shortage of housing supply by 500 dwellings in 2022 for all of Tasmania, except Hobart (The Tasmanian housing market: update 2020-21). The rental market in the Greater Devonport area has also seen an increase in rental prices with the median weekly rent increasing by 7% for a two-bedroom and 13% for a three-bedroom dwelling, for the year as of December 2021 (Tasmanian Rents, 2021), thus, further indicating a demand for residential development.
- Any future development will create employment opportunities in the region and also increase consumer intake in terms of home furnishings. As more people move in, this will also create a positive flow on effect in the local market and help local businesses.

8.1.7 Principle 7

The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.

Response -

- The property in question holds a very limited level of local and regional importance due to:
 - Relatively small property area (approx. 3.47ha).
 - Challenging topography given the size and scale of the property (title 9450/29).
 - No critical agricultural infrastructure and/or natural features, such as dams, waterways or pipelines, are present on the property (title 9450/29).
 - Negligible percentage of both prime and non-prime land area within the Forth mapped area (*see section 5 of the agricultural assessment*).
 - The land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling is also Potentially Constrained (Criteria 3) for agriculture (Figure 5) and is similarly impacted by the General Residential Zone to the north and west (Figure 9). Therefore, there is minimal likelihood of agricultural development or intensification surrounding the subject title (9450/29).
 - The development of irrigation at the property is unlikely given the estimated gross margin returns, challenges to irrigation and with the limitations imposed on agricultural land use (*see section 4 of the agricultural assessment*).

8.1.8 Principle 8

Provision must be made for the appropriate protection of agricultural land within irrigation districts proclaimed under Part 9 of the 'Water Management Act 1999' and may be made for the protection of other areas that may benefit from broad-scale irrigation development.

Response:

- Although in an irrigation district, the title has no existing irrigation infrastructure. The development of irrigation at the property is unlikely given the estimated gross margin returns, challenges to irrigation and with the limitations imposed on agricultural land use (*see section 4 of the agricultural assessment*).
- Due to the nature of the topography of the block, it would likely need to build an irrigation dam if irrigation was to be considered. The associated ANCOLD safety issues and subsequent high costs of building and compliance, means that the property is unlikely to be considered suitable for and/or benefit from broad scale irrigation development.

8.1.9 Principle 9 to 11

Not applicable.

Response:

- The remaining principles are not relevant to the subject area. These principles relate to the following:
 - Planning schemes facilitating agricultural use on land zoned for rural purposes (Principle 9); and
 - Plantation forestry (Principles 10 and 11).

9 Conclusion

1. The property (title 9450/29) at 246 Brooke Street covers a total area of approximately 3.47ha.
2. The title is zoned Agriculture and borders General Residential Zone to the north and west.
3. The property (title 9450/29) is covered by Class 2, 3 and 4 land.
4. The title is identified as Potentially Constrained (Criteria 3) for agricultural land use.
5. The property is incapable of supporting meaningful commercial scale agriculture due a range of constraints, including its size, block layout, topography and lack of infrastructure which limits both the current and future potential productivity and diversity of agricultural land use activity and enterprise mix.
6. Although in an Irrigation District, the property (title 9450/29) has currently no access to irrigation water and in the future, this is unlikely to improved.
7. The property is currently exposed to a high level of fettering due to the large residential development adjacent to the northern and western boundary of the property (title 9450/29) in question.
8. If the property was improved and developed for agricultural use, such as for intensive grazing, it would likely create issues and result in conflict with the residents in the General Residential Zone to the immediate north and west.
9. The property is effectively isolated from potentially being adhered to adjacent agriculture and forming a larger parcel of contiguous agricultural land which would be considered capable of supporting commercial scale agricultural land use activity.
10. The adjoining land to the south is under controlled environment agriculture and not affected by any potential future development and vice versa. The adjoining land to the east is of similar size to the subject property and undertakes low intensity agriculture. It contains a dwelling is also Potentially Constrained (Criteria 3) for agriculture and is similarly impacted by the General Residential Zone to the north and west.
11. There is minimal likelihood of agricultural development or intensification surrounding the subject title or on the property (title 9450/29) itself.
12. The property has a negligible level of local and regional prominence.

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11 Declaration

I declare that I have made all the enquiries which I consider desirable or appropriate, and no matters of significance which I regard as relevant have, to my knowledge, been withheld.

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May 2022



Woolcott Surveys
246 Brooke Street, East Devonport
Traffic Impact Assessment
November 2022





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1. Introduction

1.1 Background

Midson Traffic were engaged by Woolcott Surveys to prepare a traffic impact assessment for a proposed residential subdivision development at 246 Brooke Street, East Devonport.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *Traffic Impact Assessment Guidelines*, August 2020. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses in C2.0, *Parking and Sustainable Transport Code*, and C3.0, *Road and Railway Assets Code*, the Tasmanian Planning Scheme – Devonport, 2021.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 26 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004



- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at 246 Brooke Street, East Devonport. The subject site is currently vacant land that fronts onto Brooke Street at its northern end and Upper Drew Street at its southern end.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network



Image Source: LIST Map, DPIWWE

1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Tasmanian Planning Scheme - Devonport, 2021 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019
- Austroads, *Guide to Road Design*, Part 4A: Unsignalised and Signalised Intersections, 2021
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, *Updated Traffic Surveys*, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1:2004)

2. Existing Conditions

2.1 Transport Network

For the purposes of this report, the transport network consists of Upper Drew Street, Brooke Street and Beachrock View only.

Upper Drew Street is a local access road that services a relatively small residential catchment, as well as some agricultural property along its length. Upper Drew Street is unformed near the subject site, and has a sealed pavement width of approximately 7 metres to the west of the subject site. The general urban speed limit of 50-km/h is applicable to Upper Drew Street. Upper Drew Street connects to Caroline Street at its western end. This intersection consists of a continuous road with the northern section of Caroline Street discontinuous as a cul-de-sac.

Upper Drew Street near the subject site is shown in Figure 2.

Figure 2 Upper Drew Street



Brooke Street is a major collector road that connects between Pardoe Street and Port Sorell Road, a distance of approximately 4 kilometres. It provides a major collector role function between East Devonport and Port Sorell Road. The western end of Brooke Street predominantly accesses residential and commercial property and the eastern end is mostly rural land.

The traffic volumes on Brooke Street are approximately 2,500 vehicles per day. The posted speed limit of Brooke Street is 60-km/h. Brooke Street near the subject site is shown in Figure 3.

Figure 3 Brooke Street



Beachrock View is a residential street that services a small number of properties. It terminates at a cul-de-sac at its northern end and provides connectivity to the small cul-de-sac of Sandwood Place. It is approximately 250 metres long and carries approximately 200 vehicles per day. The general urban speed limit of 50-km/h is applicable to Beachrock View.

Beachrock View viewed from opposite the subject site is shown in Figure 4.

Figure 4 Beachrock View



2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2017 and 31st March 2022 for the full length of Brooke Street and Upper Drew Street.

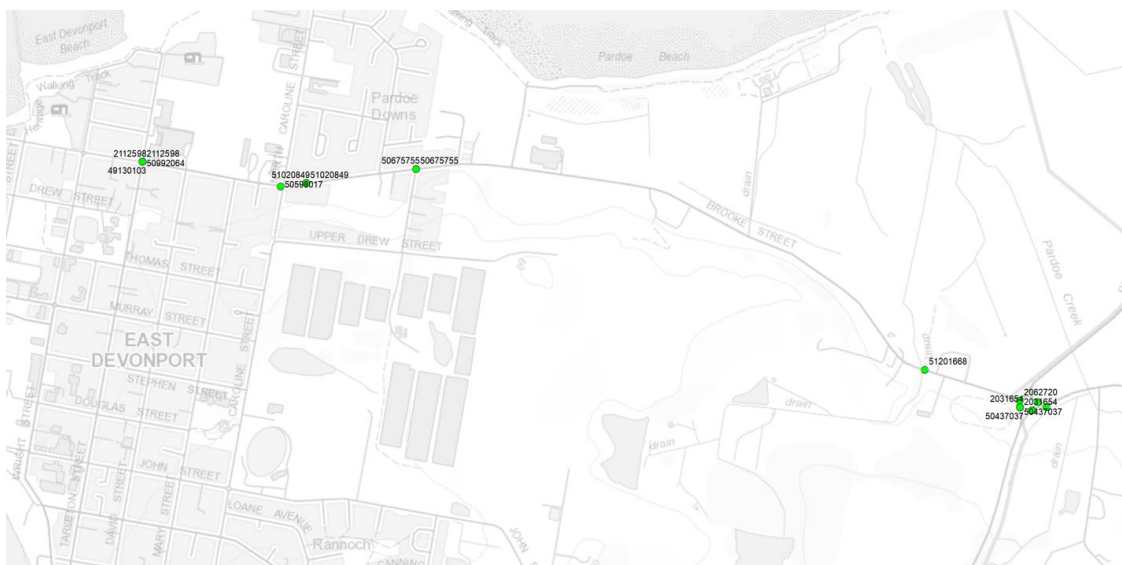
The findings of the crash data is summarised as follows:

- No crashes were reported in Upper Drew Street.
- A total of 14 crashes were reported in Brooke Street during this time.
- Severity. 3 crashes involved minor injury; 1 crash involved first aid at the scene; 10 crashes resulted in property damage only.
- Day of week. Crashes were relatively evenly distributed by day of week. 3 crashes were reported on Mondays and Fridays; 2 crashes were reported on Thursdays, Saturdays and Sundays; 1 crash was reported on a Tuesday and a Wednesday.
- Time of day. The majority of crashes were reported between 7:00am and 7:00pm (11 crashes); 1 crash was reported prior to 7:00am and 2 crashes were reported after 7:00pm.

- **Crash types.** 4 crashes involved 'cross-traffic' collisions at intersections; 3 crashes involved 'rear-end' collisions at intersections; 2 crashes involved a single vehicle losing control on a curve ('other-curve'); and various other crash types with no clear trend.
- **Crash locations.** 7 crashes were reported at the intersection of Port Sorell Road; 3 crashes were reported at the intersection of Tarleton Street; 1 crash was reported at the Bovill Street intersection; 3 crashes were reported at mid-block locations. The crash locations are shown in Figure 5.
- **Vulnerable road users.** 1 crash involved a motorcycle. This crash occurred at 5:30pm on Friday 16th 2017 involving a motorcycle losing control at the Port Sorell Road junction. The crash involved property damage only.

The crash data associated with Brooke Street is considered typical of a major collector road in an urban environment. The crash data does not provide an indication that there are any pre-existing road safety deficiencies that may be exacerbated by traffic generated by the development proposal.

Figure 5 Crash Locations



Source: Department of State Growth



3. Proposed Development

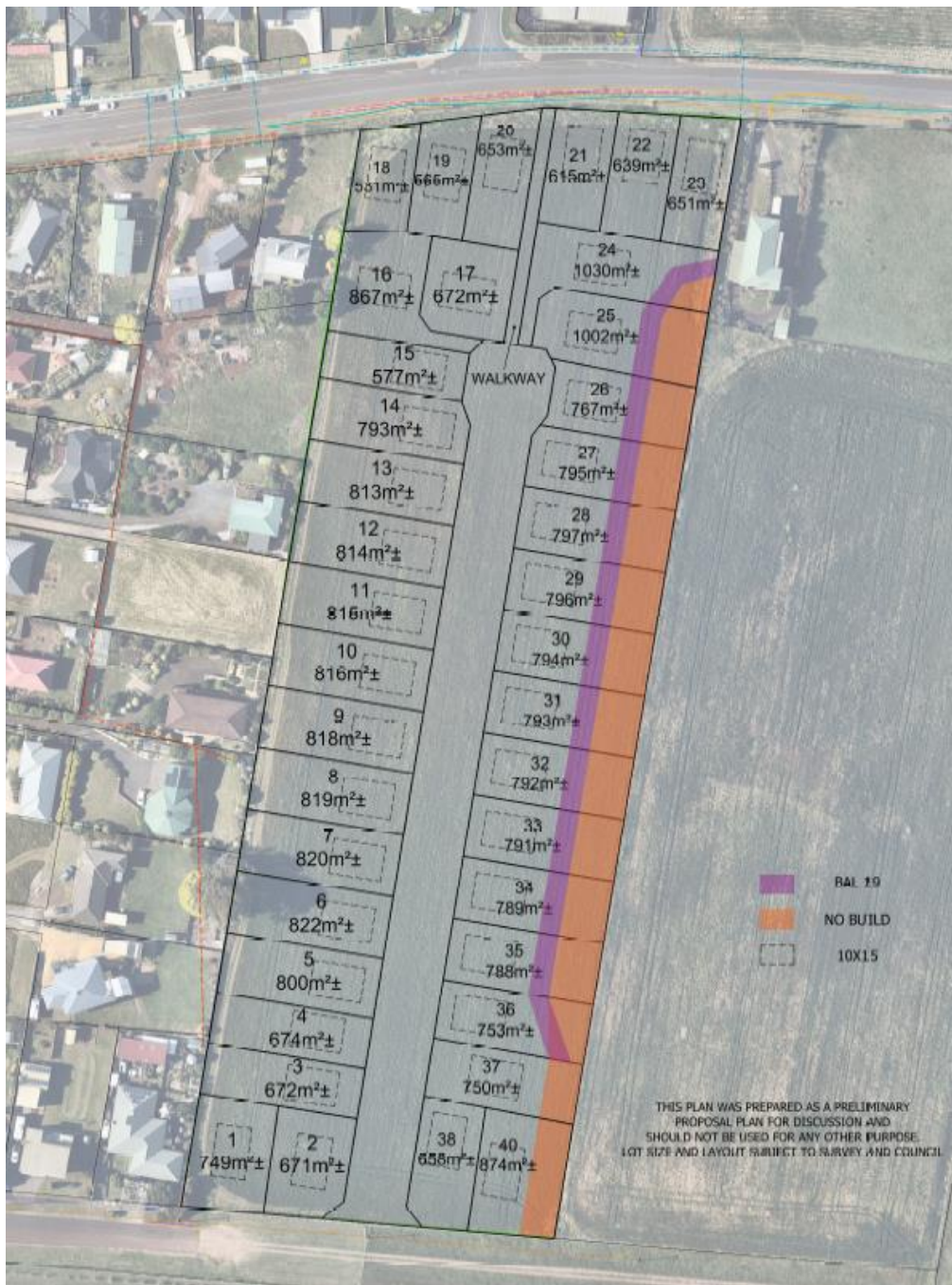
3.1 Development Proposal

The proposed development is a 40-lot residential subdivision. The subdivision includes a central access road with a straight alignment, terminating at a cul-de-sac at its northern end. A pedestrian path will connect between the cul-de-sac termination and Brooke Street. A total of 6 lots are proposed to have their own driveway connecting directly onto Brooke Street.

The residential lots vary in size between 531 m² to 1,030 m².

The proposed development is shown in Figure 6.

Figure 6 Proposed Development Plans





4. Traffic Impacts

4.1 Trip Generation

Traffic generation rates were sourced from the RMS Guide. The RMS Guide (and RMS updated surveys) states the following traffic generation rates for residential developments:

- Daily vehicle trips 7.4 per dwelling
- Weekday peak hour vehicle trips 0.78 per dwelling

Based on these rates, the traffic generation from the subdivision when fully developed (with all dwellings occupied within the subdivision) is likely to be in the order of 296 vehicles per day, with a peak of 31 vehicles per hour.

4.2 Trip Assignment

During the AM peak, 70% of traffic is outward/ 30% inward. During the PM peak, 40% of traffic is outward/ 60% inward.

The connectivity of Drew Street with the road network will result in all traffic movements being left-in/ right-out at the junction to the site.

4.3 Access Impacts

The Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme states: "*For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority*".

Council (as road authority) have not provided written consent for the new road junction at Upper Drew Street. The development includes one new road junction at Drew Street and six new driveway accesses on Brooke Street. The Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme is therefore not met.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

"Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*



- (e) *any alternative access to a road;*
- (f) *the need for the use;*
- (g) *any traffic impact assessment; and*
- (h) *any advice received from the rail or road authority”.*

The following is relevant with respect to the development proposal:

- a. Increase in traffic. The increase in traffic at the Upper Drew Street access will be approximately 252 vehicles per day. The peak traffic generation at the access will be approximately 27 vehicles per hour (less than 1 vehicle every two minutes on average). The new road junction access to the site can cater for the relatively small peak hour traffic generation with a high level of service. The increase in traffic on Brooke Street will be 44 vehicles per day (6 lots) with a peak increase of 5 vehicles per hour.
- b. Nature of traffic. The traffic generation will be residential in nature. This is consistent with traffic currently utilising Upper Drew Street and Brooke Street near the subject site.
- c. Nature of road. Upper Drew Street is a local access road that services Brooke Street is a collector road that carries traffic volumes that are consistent with the provision of road junctions along its length.
- d. Speed limit and traffic flow of road. The posted speed limit of Upper Drew Street is 50-km/h and the existing volumes near the subject site are less than 100 vehicles per day. The posted speed limit of Brooke Street is 60-km/h. Traffic volumes are estimated to be in the order of 2,500 vehicles per day.
- e. Alternative access. No alternative access is considered necessary or possible. It is considered preferable to have the primary site access on Upper Drew Street which has a lower traffic volume than Brooke Street.
- f. Need for use. The junction is required to provide access to the lots associated with the subdivision.
- g. Traffic impact assessment. This report documents the findings of a traffic impact assessment.
- h. Road authority advice. No written advice was received by Council (as road authority). Council provided advice that the development requires a TIA to accompany the development application.

Based on the above assessment, the development meets the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme. Specifically, the new junction with Upper Drew Street will generate 252 vehicle movements per day (two-way movements), with a peak of 27 vehicle per hour. The traffic generation will not have any significant adverse impacts on the capacity of the junction or the surrounding road network.



4.4 Sight Distance Assessment

The availability of sufficient sight distance at an access or junction of a road is critical for road safety. The proposed development will incorporate a new road junction onto Upper Brooke Street.

4.4.1 Upper Drew Street Sight Distance

Austrroads defines Safe Intersection Sight Distance (SISD) as follows:

"SISD Provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation (e.g. in the worst case, stalling across the traffic lanes) and to decelerate to a stop before reaching the collision point.

Is viewed between two points to provide inter-visibility between drivers and vehicles on the major road and minor road approaches. It is measured from a driver eye height of 1.1 m above the road to points 1.25m above the road which represents drivers seeing the upper part of cars.

Assumes that the driver on the minor road is situated at a distance of 5.0 m (minimum of 3.0 m) from the lip of the channel or edge line projection of the major road. SISD allows for a 3 second observation time for a driver on the priority legs of the intersection to detect the problem ahead (e.g. car from minor road stalling in through lane) plus the SSD.

Provides sufficient distance for a vehicle to cross the non-terminating movement on two-lane two-way roads, or undertake two-stage crossings of dual carriageways, including those with design speeds of 80-km/h or more.

Should also be provided for drivers of vehicles stored in the centre of the road when undertaking a crossing or right-turning movement.

Enables approaching drivers to see an articulated vehicle, which has properly commenced a manoeuvre from a leg without priority, but its length creates an obstruction.

Is measured along the carriageway from the approaching vehicle to the conflict point, the line of sight having to be clear to a point 5.0 m (3.0 m minimum) back from the holding line or stop line on the side road".

The Austrroads SISD requirements are applicable to new road junctions. Austrroads requires 97 metres of SISD for frontage road with an 85th percentile speed of 50-km/h (with a corresponding driver reaction time of 2.0 seconds). The available sight distance exceeds this requirement in both directions from the proposed access (noting that Upper Drew Street is not constructed to the east of the site).

4.4.2 Brooke Street Sight Distance

The proposed accesses on Brooke Street are residential driveways, not road junctions. The sight distance requirements for the six frontage lots on Brooke Street were therefore assessed against the requirements of AS2890.1.

For a frontage road speed of 60-km/h, the required sight distance is 55 metres. This minimum sight distance is available at all frontage lot driveway locations.

It is noted that sight distance is generally obscured by vegetation on the embankment adjacent to the site. It is recommended that vegetation removal be undertaken along the full frontage of the site to maximise sight distance for the six frontage lots on Brooke street. This is shown in Figure 7.

Figure 7 Brooke Street Sight Distance



4.5 Pedestrian and Cyclist Impacts

The proposed development is likely to generate a relatively small amount of pedestrian and cyclist activity associated with the residential lots.

A footpath has been constructed on the northern side of Brooke Street and a wide nature strip services pedestrian movements to and from East Devonport.

On-street cycle lanes have been installed on Brooke Street near the subject site, providing separated cycling facilities to and from East Devonport.

4.6 Road Safety Impacts

No significant adverse road safety impacts are foreseen for the proposed development. This is based on the following:

- The relatively small peak hour traffic generation of 31 vehicles per hour will not have any significant impact on the traffic efficiency and general operation of the surrounding road network.
- The existing road safety performance of the network in the vicinity of the subject site does not indicate that there are any current road safety deficiencies that may be exacerbated by the proposed development.



- Adequate sight distances will be available at the six frontage driveways for the prevailing vehicle speeds on Brooke Street. Sufficient sight distance is available in Upper Brooke Street for the proposed junction servicing 34 lots.

4.7 Internal Road Network Assessment

The subdivision will create a new road that will connect to Upper Drew Street at its southern end and terminate at a cul-de-sac at its northern end.

Council relies on the design criteria of LGAT Tasmanian Standard Drawings and Subdivision Guidelines, 2013. The requirements for residential subdivision roads are reproduced in Table 1. The following standards are applicable for the internal road network:

- Road design should be in accordance with Austroads Guidelines.
- LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

Table 1 LGAT Standard Drawings – Road Requirements, Residential

ROAD TYPES	ROAD TYPE	ROAD LENGTH / NUMBER OF TENEMENTS	MINIMUM ROAD WIDTH	MINIMUM RESERVATION WIDTH	MINIMUM FOOTPATH REQUIREMENTS
1 – Arterial	Detail design required				
2 – Sub Arterial					
3 – Collector	Through Road	Any length	11.0m	20.0m	Both Sides
4 – Local	Through Road	Any length	8.9m	18.0m	One Side Only
	Cul-De-Sac	Length > 150m	8.9m	18.0m	One Side Only
	Cul-De-Sac	Length ≤ 150m and / or No. of equiv. tenements ≤ 15	6.9m	15.0m	One Side Only

The appropriate road design for the internal road within the subdivision is a road reservation width of 18 metres with a sealed road width of 8.9 metres. The road reservation width of 18 metres is available on the subdivision plans.

The layout of the internal road network will ensure a low-speed environment (notably the relatively short length), with good connectivity to the external road network.



5. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts of a proposed 39-lot residential subdivision at 246 Brooke Street, East Devonport.

The key findings of the TIA are summarised as follows:

- The proposed development is likely to generate 296 vehicles per day, with 31 vehicles per hour during peak periods. The majority of this traffic will access Upper Drew Street.
- The traffic generation at the site's access meets the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.
- The available sight distance at the proposed junction in Upper Drew Street is acceptable in accordance with Austroads requirements. The sight distance for the six frontage lots on Brooke Street is acceptable in accordance with AS2890.1 requirements. It is recommended that vegetation removal be undertaken along the frontage of the site on Brooke Street to maximise sight distance.

Based on the findings of this report, and subject to the recommendations above, the proposed development is supported on traffic grounds.



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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	22 May 2022
1	Keith Midson	Zara Kacic-Midson	29 June 2022
2	Keith Midson	Zara Kacic-Midson	1 November 2022



BUSHFIRE HAZARD REPORT



**39 Lot Subdivision
246 Brooke Street, East Devonport**

June 2022

Job number: L220126
Prepared by: James Stewart (james@woolcottsurveys.com.au)
Town Planner & Bushfire Hazard Practitioner 157

Rev. no	Description	Date
1	FINAL	07/06/2022
2	Updated - FINAL	28/11/2022

Disclaimer

This report deals with the potential bushfire risk only, all other statutory assessments sit outside of this report. This report is not to be used for future or further development on the site, other than what has been specifically provided for in the certified plans attached. Woolcott Surveys Pty Ltd accepts no responsibility to any purchaser, prospective purchaser or mortgagee of the property who in any way rely on this report. This report sets out the owner's requirements and responsibilities and does not guarantee that buildings will survive in the event of a bushfire event. If characteristics of the property change or are altered from those which have been identified, the BAL classification may be different to that which has been identified as part of this report. In this event the report is considered to be void.

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Executive Summary

Development of a 39 lot residential subdivision is proposed for Brooke Street, East Devonport. The subdivision consists of 39 residential lots and one road lot. The development will be completed in one stage. Access to lots will be via the internal cul-de-sac road which runs south off Brooke Street.

The site is entirely within the boundary of a bushfire prone area shown on an overlay of a planning scheme map for the *Tasmanian Planning Scheme – Devonport Council*. A bushfire event at this site or within the immediate area is likely to impact on future buildings at this location and subject development to considerable radiant heat and ember attack.

A bushfire hazard management plan has been prepared and is provided as an appendix to this report. The plan sets out the owner's responsibilities to maintain a managed area for each lot, taking into consideration the relevant requirements under Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas*.

Conclusions and recommendations

- a) Hazard management areas meeting the requirements of BAL 19 can be achieved for lots 21-39. Lots 1-20 meet the requirements of BAL LOW, being over 50m from any bushfire prone vegetation.
- b) Future dwellings on lots 1-39 must maintain Hazard Management Areas and follow recommendations as outlined in the Bushfire Hazard Management Plan and section 5.2 of this report. Maintenance of these hazard management areas is to be in perpetuity.
- c) The proposed road must be in compliance with Table E, Element A, outlined in section 5.3 of this report, with the exception of a 12m outer radius turning head. A no parking zone and signage is to be provided around the cul-de-sac head.
- d) A gravel 9.5m radius turning head must be provided at the eastern end of the extension of Upper Drew Street. The turning head must be provided prior to the sealing of the final plan.
- e) New hydrants are required in accordance with the TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1 MRWA Edition 2:0. Hydrants to have a separation of not more than 60m.
- f) All lots are to be treated as a hazard management area in accordance with section 5.2 of this report. Maintenance of all hazard management areas must be in perpetuity.

Signed:



Author: James Stewart
Accreditation No: BFP-157

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1. Introduction

This Bushfire Hazard Report and Bushfire Hazard Management Plan (BHMP) has been prepared in support of a proposed 39 lot subdivision at 246 Brooke Street, East Devonport.

1.1 The subject site

The following is a summary of the application information:

Property address	246 Brooke Street, East Devonport
Certificate of title	CT9450/29.
Property ID (PID)	3494341
Property Owners	William Bovill
Existing Use and Development	Vacant Land.
Existing Zoning	Agriculture Zone
Proposed Zoning	General Residential
Planning Scheme	Tasmanian Planning Scheme – Devonport Council.
Identified on a Bushfire Overlay Map	Yes
Priority Habitat identified	No
Proposed Works	39 Lot Subdivision and associated infrastructure.
Water Supply	Reticulated water supply
Vehicular Access	Upper Drew Street (Council maintained road)

1.2 Bushfire Assessment

A bushfire assessment is a process of analysing information about the potential impacts on a proposed development that is likely to occur in a bushfire hazard scenario. A 'bushfire-prone area' is an area where a bushfire event is potentially likely to occur, and that may result in significant adverse impact on buildings and/or lives.

In Tasmania, most local Councils have a planning scheme overlay map that identifies bushfire-prone areas. Subdivision within a bushfire-prone area triggers the assessment of the Bushfire-Prone Areas Code under the planning schemes and subsequently requires assessment against the provisions of the Code. The assessment generally requires a BHMP to be provided as part of the application.

The bushfire assessment will determine the Bushfire Attack Level (BAL) for the future lots, which measures the possible exposure of a building to bushfire hazard. The BAL is assessed in accordance with Australian Standard AS 3959-2018 *construction of buildings in bushfire-prone areas*.

The subject site falls within the municipal area of Devonport Council. The assessment has been undertaken in accordance with C13.0 Bushfire-Prone Areas Code and to accompany a subdivision

application under the *Tasmanian Planning Scheme – Devonport*. Please refer to Section 6 of the report for detail.

A BAL assessment is required to understand the fuel management requirements for the subject site and to demonstrate that future new buildings within each proposed new lots can be constructed to a BAL19 level under the *Building Act 2016*.

1.3 References

The following documents were referred in the preparation of, and should be read in connection with, this bushfire assessment report:

- Tasmanian Government, C13.0 – Bushfire-Prone Areas Code
- Tasmanian Government, Director's Determination – Requirements for Building in Bushfire Prone Areas (transitional) Version 2.2.
- Tasmanian Government, Director's Determination – Application of Requirements for Building in Bushfire Prone Areas (transitional) Version 1.4.
- Tasmanian Planning Scheme – Devonport Council.
- Australian Standard, AS3959-2018 construction of buildings in bushfire-prone areas.
- Building Act 2016
- Tasmanian Fire Service, Bushfire Hazard Advisory Notes

2. Site Description

2.1 Site context

A 39-lot subdivision is being undertaken at 246 Brooke Street in East Devonport. The subdivision will be undertaken in one stage. The site consists of one regular shaped title, which has a total area of 3.4ha.

The site is vacant, with no use or development on site. The land is currently used for grazing purposes.

The block of land is located on the eastern side of the township, and adjoins the last sections of General Residential land to the west. Land to the south and east are both agricultural in zoning and use. This subdivision is contiguous to the existing residential areas within East Devonport. The site adjoins residential development to the north.

The site is relatively steep, rising to the south. The low point of 20m AHD is located in the north, while the highest point of 45m AHD is situated to the south. The block plateaus out in the southern section.



Figure 1 – Aerial view of the subject site and its surrounding area (source: The LISTMAP)

The subject site will be serviced by a reticulated water supply maintained by TasWater. There are currently hydrants located along Brooke Street to the north.

2.2 Planning controls

The site is within the municipal area of the Devonport City Council. Therefore, the planning instrument is the *Tasmanian Planning Scheme – Devonport (the Scheme)*

The subject site is currently within the Agricultural Zone. This bushfire report accompanies a planning scheme amendment application, which seeks to change the zone to General Residential. On this basis, the land has been treated and assessed as though it is within the General Residential Zone.

The subject site adjoins the General Residential Zone to the north, and west the site. The Agricultural Zone lies to the south and east of the site.

The subject site also entirely falls within the Bushfire-Prone Areas Overlay, and partially within landslip hazard bands.

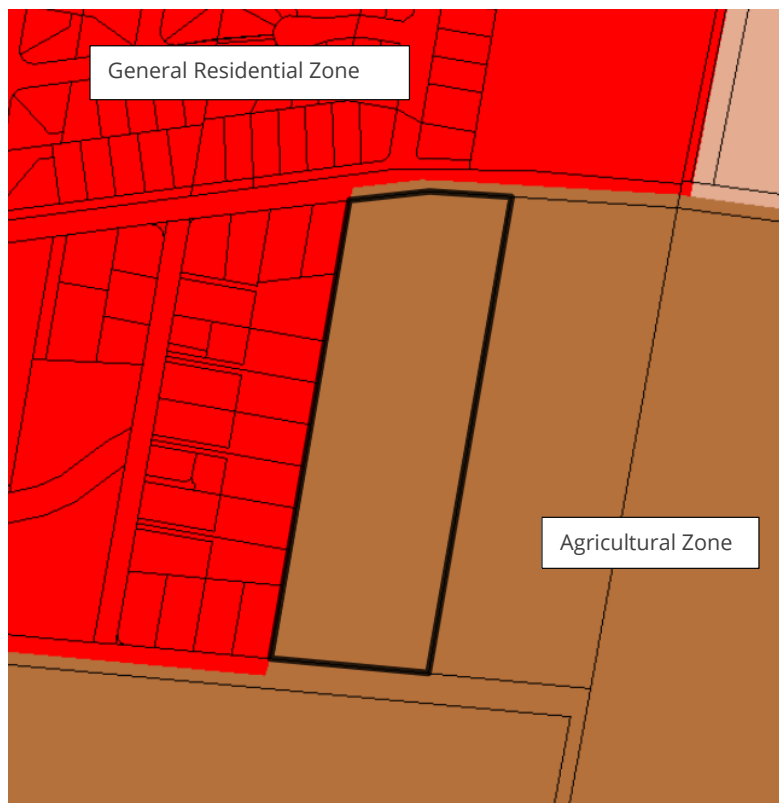


Figure 2 – Zoning Map (source: The LISTMAP)

3. The Proposal

It is proposed to subdivide the subject site into 39 residential lots. The lots are intended for residential development, ranging from 531m² to 1030m² in size. A new cul-de-sac road will provide vehicular access off Upper Drew Street. All lots will be connected to reticulated water, sewer and stormwater.

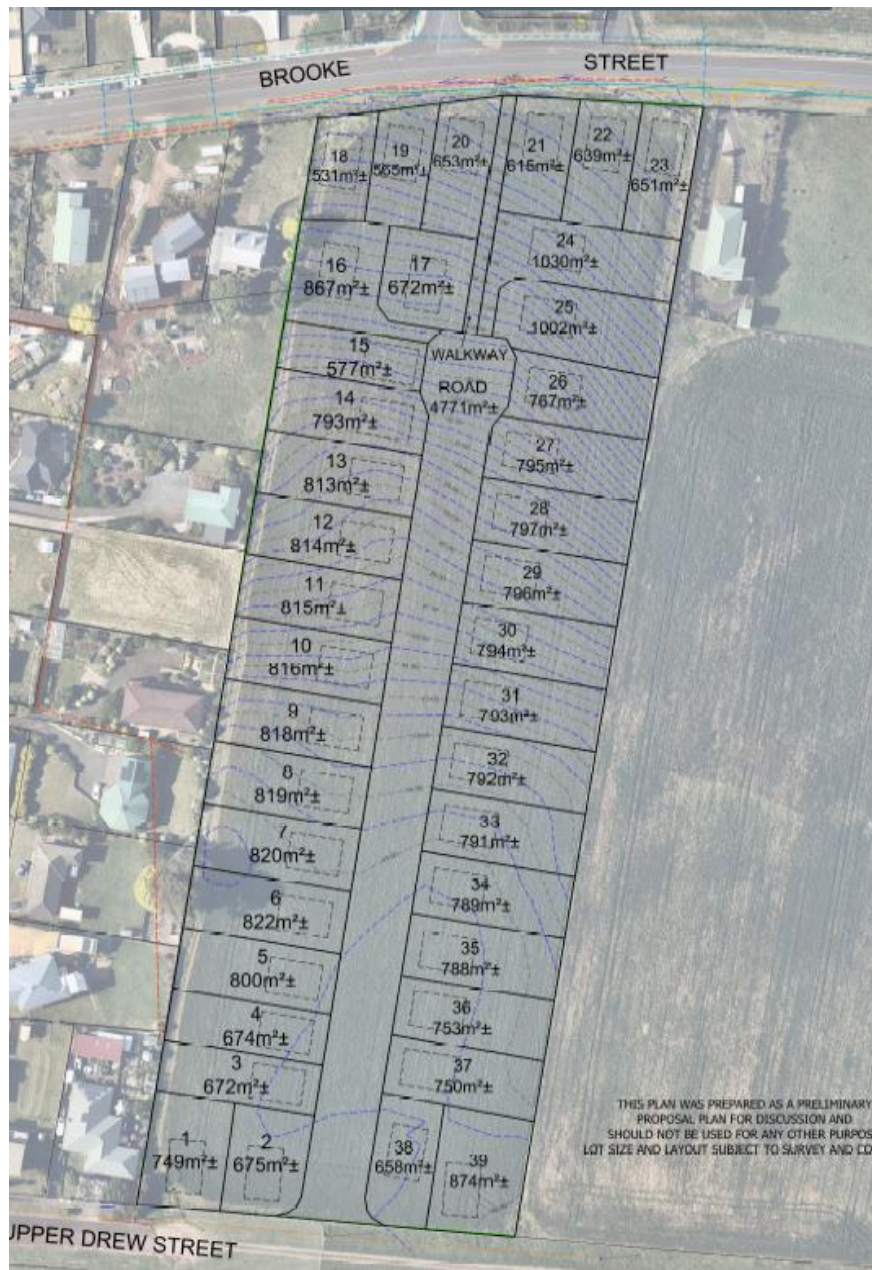


Figure 3 – Proposed subdivision layout. Refer to Annexure 2 for detail.

4. Bushfire Site Assessment

4.1 Vegetation Analysis

4.1.1 TasVeg Mapping

The TasVeg map 4.0 provides general information indicating potential bushfire prone vegetation in the area.

The mapping shows the vegetation community across the subject site as FAG, being agricultural land. This is consistent with the characteristics of the subject site as grassland, as well as land to the south and east, which is all used as pasture and as part of agricultural operates. Land to the north and west is developed for urban purposes, and correctly mapped as such.

No other vegetation has been identified in proximity of the subject site.

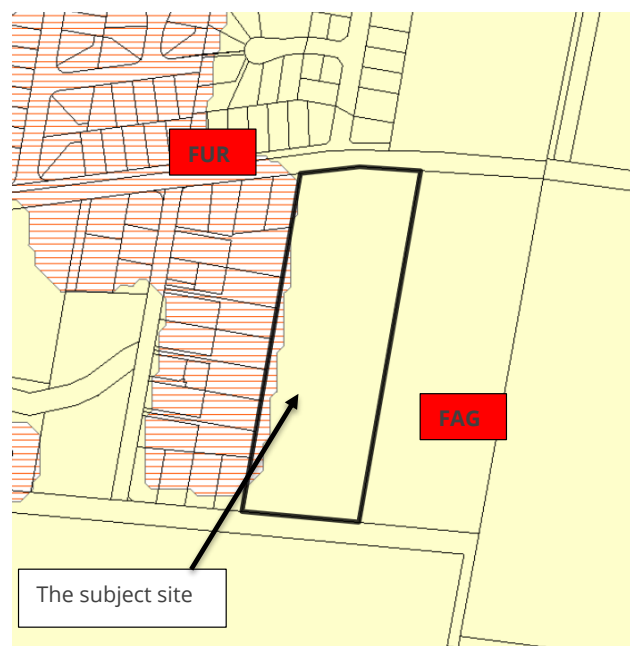


Figure 4 – TasVeg 4.0 map (source: The LISTMap)

4.1.2 Vegetation Type and Separation

A site visit was conducted on the 24th of May 2022. An analysis of the land and bushfire prone vegetation within 120m from the subject site is provided below.

Direction	Analysis
North	Land to the north is zoned General Residential. There is no bushfire prone vegetation within 100m of the site.
South	Land to the south east was classified as grassland. Directly adjoining the site was a 20m wide road reservation. This did appear to be mown recently, and it is understood the road was maintained by Council. Land on the southern side of Upper Drew Street was considered managed, and contained poly tunnels used for growing of berries. The land around these structures was all managed.
East	Land to the east is classified as grassland. The land is used for grazing and as pasture. It is understood the land is also cropped throughout the year.
West	Land to the west is classified as urban land. There is no bushfire prone vegetation within 100m of the site.



Figure 5 – Vegetation analysis within 120m of site.

4.2 Effective slope Analysis

Figure 6 below shows the effective slope which is the slope of land under the classified vegetation **in relation to** the subject site. The land drops down to the east, while land to the south is upslope from the subject site.

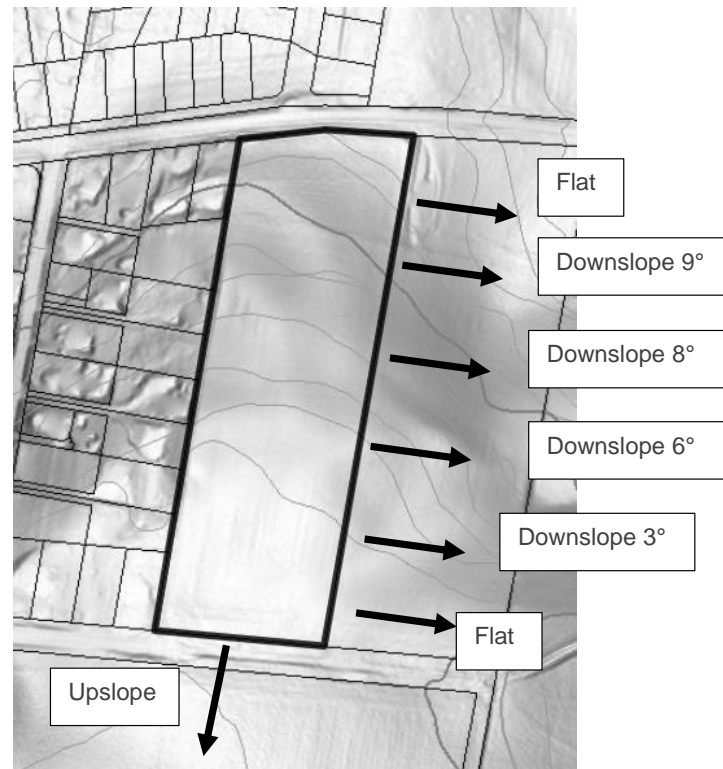


Figure 6 – Effective slope of site and surrounding bushfire prone vegetation.

4.3 Photos



Figure 7 – Looking south across Brooke Street and up subject site.



Figure 8 – Looking east across site and adjoining sites.



Figure 9 – Looking north from southern boundary of site.



Figure 10 – Looking south east at adjoining agricultural land.



Figure 11 – Looking east at road reserve, just south of the site.



Figure 12 – Looking west at adjoining agricultural land.

5. Bushfire Protection Measures

5.1 BAL Rating and Risk Assessment

The purpose of the BAL assessment is to identify the minimum separation between the bushfire prone vegetation and a building area within each proposed lot. The assessment aims to achieve the minimum requirements of **BAL 19**.

The definition of BAL 19 and 12.5, and BAL LOW are highlighted as follows:

Bushfire attack level (BAL)	Predicted bushfire attack and exposure level
BAL-LOW	Insufficient risk to warrant specific construction requirements
BAL-12.5	Ember attack, radiant heat below 12.5kW/m ²
BAL-19	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5-19kW/m ²
BAL-29	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19-29kW/m ²
BAL-40	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 29-40kW/m ²
BAL-FZ	Direct exposure to flames radiant heat and embers from the fire front.

The distances from each lot to the classified vegetation is presented below, along with the slope and type of vegetation. To better demonstrate the required separation as hazard management areas, a 10m x 15m building area is shown on each lot. As per the analysis in Section 4.1, the only identified bushfire-prone vegetation around the site is grassland.

Lots 1 – 20 are all over 50m from grassland. These lots are therefore classified as BAL LOW. A recommendation has been included in the report that these lots be maintained as hazard management areas in perpetuity.

Note: BAL setbacks are noted as 'No Setback Requirement', as entire lot can be developed at BAL 12.5. There are no need for building setbacks to meet BAL 12.5.

Lot 21	North	East	South	West
Vegetation within 100m of site	0m -32m Managed 32m-100m+ Grassland	0m -70m Managed 70m-100m+ Grassland	0m -100m Managed	0m -100m Managed
Slope (degrees, over 100m)	Downslope 0-5°	Upslope/Flat	NA	NA
BAL 19 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement

Lot 22	North	East	South	West
Vegetation within 100m of site	0m -20m Managed 20m-100m+ Grassland	0m -50m Managed 50m-100m+ Grassland	0m -100m Managed	0m -100m Managed
Slope (degrees, over 100m)	Downslope 0-5°	Upslope/Flat	NA	NA
BAL 19 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement

Lot 23	North	East	South	West
Vegetation within 100m of site	0m -20m Managed 20m-100m+ Grassland	0m -25m Managed 25m-100m+ Grassland	0m -100m Managed	0m -100m Managed
Slope (degrees, over 100m)	Downslope 0-5°	Upslope/Flat	NA	NA
BAL 19 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement

Lot 24	North	East	South	West
Vegetation within 100m of site	0m -50m Managed 50m-100m+ Grassland	0m -10m Managed 10m-100m+ Grassland	0m -100m Managed	0m -100m Managed
Slope (degrees, over 100m)	Downslope 0-5°	Upslope/Flat	NA	NA
BAL 19 Setbacks	No setback requirement	10m	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	14m	No setback requirement	No setback requirement

Lot 25-35	North	East	South	West
Vegetation within 100m of site	0m -100m Managed	0m -13m Managed 13m-100m+ Grassland	0m -100m+ Managed	0m -100m Managed
Slope (degrees, over 100m)	NA	Downslope 5-10°	NA	NA
BAL 19 Setbacks	No setback requirement	13m	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	19m	No setback requirement	No setback requirement

Lot 36	North	East	South	West
Vegetation within 100m of site	0m -100m+ Managed	0m -11m Managed 13m-100m+ Grassland	0m -100m+ Managed	0m -100m+ Managed
Slope (degrees, over 100m)	NA°	Downslope 0-5°	NA	NA
BAL 19 Setbacks	No setback requirement	11m	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	16m	No setback requirement	No setback requirement

Lot 37	North	East	South	West
Vegetation within 100m of site	0m -100m+ Managed	0m -10m Managed 10m-100m+ Grassland	0m -100m+ Managed	0m -100m+ Managed
Slope (degrees, over 100m)	NA°	Flat/Upslope	NA	NA
BAL 19 Setbacks	No setback requirement	10m	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	14m	No setback requirement	No setback requirement

Lot 38	North	East	South	West
Vegetation within 100m of site	0m -100m+ Managed	0m -25m Managed 25m-100m+ Grassland	0m -100m+ Managed	0m -100m+ Managed
Slope (degrees, over 100m)	NA°	Flat/Upslope	NA	NA
BAL 19 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	No setback requirement	No setback requirement	No setback requirement

Lot 39	North	East	South	West
Vegetation within 100m of site	0m -100m+ Managed	0m -25m Managed 25m-100m+ Grassland	0m -100m+ Managed	0m -100m+ Managed
Slope (degrees, over 100m)	NA°	Flat/Upslope	NA	NA
BAL 19 Setbacks	No setback requirement	10m	No setback requirement	No setback requirement
BAL 12.5 Setbacks	No setback requirement	14m	No setback requirement	No setback requirement

5.2 Hazard Management Areas

As outlined in *C13.0 Bushfire-Prone Areas Code*, a Bushfire Hazard Management Area (BHMA) will be managed in accordance with the provided plan. Existing vegetation needs to be strategically modified and then maintained within this area in accordance with the BHMP to achieve the following outcomes:

- to reduce the quantity of windborne sparks and embers reaching buildings;
- to reduce radiant heat at the building; and
- to halt or check direct flame attack.

The BHMA will be developed within and up to the property boundaries to provide access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present that will significantly contribute to the spread of a bushfire.

The BHMA will be achieved by adoption of the following strategies:

Maintenance of Fuel Management Areas

It is the responsibility of the property owner to maintain and manage the landscaping in accordance with the Bushfire Hazard Management Plan and the current Guidelines for Development in Bushfire-Prone Areas of Tasmania.

This area is to be regularly managed and maintained. Landscaping in this area will be minimised:

- Grass maintained to a maximum height of 100mm, with fuel loads kept to less than 2 tonnes per hectare which will be maintained at this level.
- Trees and any undergrowth will be clear of (BCA) class 1 – 9 buildings on all sides.
- All undergrowth and understorey of trees (up to 2m) will be removed within the bushfire hazard management area.
- Select larger trees can be retained within the BHMA, ensuring a minimum 5m canopy separation is provided between each established tree.
- Pathways to 1 metre surrounding the buildings and landscaping material, will be non-combustible (stone, pebbles etc.).
- The total shrub cover will be a maximum of 20% of the available area.
- There will be a clear space from the buildings of at least four (4) times the mature height of any shrubs planted.
- Shrubs will not be planted in clumps; this is to avoid build-up of debris and dead vegetation materials.

Landscaping

- vegetation along the pathways to comprise non-flammable style succulent ground cover or plants (avoid plants that produce fine fuel which is easily ignited, plants that produce a lot of debris, trees and shrubs which retain dead material in branches or which shed long strips of bark, rough fibrous bark or drop large quantities of leaves in the spring and summer, vines on walls or tree canopies which overhang roofs)
- timber woodchip and flammable mulches cannot be used and brush and timber fencing should be avoided where possible

5.3 Roads

Table C13.1 - Roads must be constructed as per the following table. In this instance, performance criteria have been addressed due to the size of the cul-de-sac outer radius.

Element	Requirement
A. Roads	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> (a) two-wheel drive, all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; (h) curves have a minimum inner radius of 10m; (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 meters in width; (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and <p>carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743-2001 Road signs-Specifications</i>.</p>

5.4 Access

Table C13.2 Private access roads must be constructed as per the following table:

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.

5.5 Fire Fighting Water Supply

Table C13.4 Reticulated water supply for firefighting.

Element		Requirement
A.	Distance between building area to be protected and water supply.	The following requirements apply: <ul style="list-style-type: none"> (a) the building area to be protected must be located within 120m of a fire hydrant; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Design criteria for fire hydrants	The following requirements apply: <ul style="list-style-type: none"> (a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition</i>; and (b) fire hydrants are not installed in parking areas.
C.	Hardstand	A hardstand area for fire appliances must be: <ul style="list-style-type: none"> (a) no more than 3m from the hydrant, measured as a hose lay; (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

6. Bushfire-Prone Areas Code Assessment

An assessment of C13.0 Bushfire-Prone Areas Code under the Scheme is provided as follows.

C13.6 Development Standards for Subdivision

C13.6.1 Subdivision: Provision of hazard management areas

Objective	
Subdivision provides for hazard management areas that:	
(a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision.	
Acceptable solutions	Proposed solutions
A1	A1a) Not applicable.
(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or	A1b) The acceptable solution is achieved. The BHMP:
(b) The proposed plan of subdivision:	i) shows lots within the bushfire prone area.
(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;	ii) shows a 10m x 15m building area each lot.
(ii) shows the building area for each lot;	iii) shows the entirety of each lot is to be maintained as a HMA.
(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas</i> ; and	iv) is prepared by an accredited bushfire hazard practitioner.
(iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas</i> ; and	A1c) not applicable as Part 5 agreement is not required.
(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the	

owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

C13.6.2 Subdivision: Public and firefighting access

Objective

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable solutions	Proposed solutions
<p>P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> a) appropriate design measures, including: <ul style="list-style-type: none"> i) two way traffic; ii) all weather surfaces iii) height and width of any vegetation clearances iv) load capacity v) provision of passing bays vi) traffic control devices vii) geometry, alignment and slope of roads, tracks and trails viii) use of through roads to provide for connectivity ix) limits on the length of cul-de-sacs and dead-end roads x) provision of turning areas xi) provision for parking areas xii) perimeter access; and xiii) fire trails b) the provision of access to 	<p>P1) Performance criteria is relied upon due to the outer radius of the proposed cul-de-sac. A response to the criteria and justification has been provided in section 7 of this report.</p> <p>All accesses will be less than 30m in length.</p>

<ul style="list-style-type: none"> i) bushfire-prone vegetation to permit the undertaking of hazard management works; and ii) fire fighting water supplies; and c) any advice from the TFS. 	

C13.6.3 Subdivision: Provision of water supply for firefighting purposes

Objective	
Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable solutions	Proposed solutions
<p>A1 In areas serviced with reticulated water by the water corporation:</p> <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. 	<p>A1</p> <ul style="list-style-type: none"> a) Not applicable b) The acceptable solution is achieved, noting that the proposed plan of subdivision shows the location of hydrants. Building areas are compliant with table C13.4, being within 120m of a hydrant.
<p>A2 In areas that are not serviced by reticulated water by the water corporation:</p> <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or (c) A bushfire hazard management plan certified by the TFS or an accredited 	<p>A2 Not applicable as the subject site is serviced by reticulated water.</p>

<p>person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	
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7. Justification of Cul-De-Sac Road

As noted in section 6 of this report, the application relies on performance criteria due to the cul-de-sac not proposing a 12m outer radius turning head. The cul-de-sac has instead proposed to be constructed in accordance with LGAT standards, being a 9.5m outer radius head. A 9m radius gravel turning head will also be provided at the conclusion of Upper Drew Street.

In providing justification on a reduced standard, it is noted that all parts of the access standards can be achieved as compliant with Table C13.1, with the exclusion of the cul-de-sac radius. The current cul-de-sac is proposed to be 9m outer radius, with regular kerb and channel, consistent with the remainder of residential areas in East Devonport.

In arguing that a cul-de-sac constructed to urban standards is appropriate, the following is noted:

- Lots 1-20 are considered as BAL LOW, being over 50m from bushfire prone vegetation.
- The surrounding area is not bushland, but predominantly urban and agricultural in character, made up of residential uses and grazing land. The closest bushfire prone vegetation is 40m from the cul-de-sac entrance.
- All lots can provide compliant accesses, as building areas for each of these lots is less than 30m from a road.
- Hydrants will be installed along the new cul-de-sac road, as well as on the surrounding road networks which adjoin the site.

It is subsequently argued that an urban cul-de-sac outer radius of 9m is appropriate for the location, given the nature of the lots and surrounding area, compliant accesses, and water provisions.

The safety of fire fighters has been considered when making this assessment. The urban environment ensures there will be no unmanaged fuels within the road reserve. The adjoining lots provide a suitable buffer from radiant heat and direct flame for fire fighters. A large tanker with a turning radius of 19.8m would require a three point turn at the end of the cul-de-sac, however as they are not considered to be in imminent danger (based on above factors), the risk of burn over is assessed as low.

It is noted the land is located within an Urban Growth Boundary, and considered a future investigation area. This applies to land to both the south and west. Over time, as Councils residential strategy is realised, it would be expected that this land and the cul-de-sac will not be classified as being within a bushfire prone area.

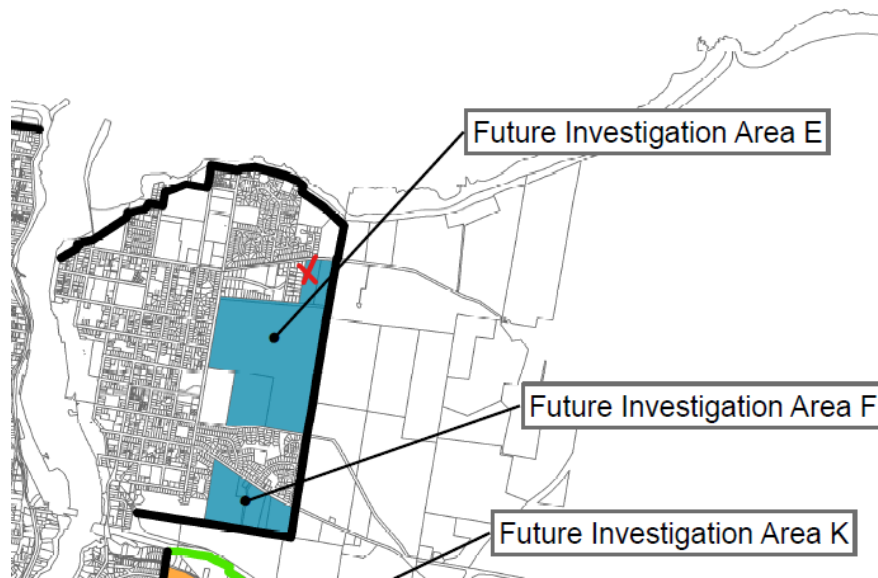


Figure 13 - Extract From Devonport Residential Strategy. Subject site marked in red.

A detailed response to the performance criteria of clause C13.6.2 Subdivision: Public and firefighting access is provided below.

P1) Performance criteria is relied upon as:

- a) The cul-de-sac head will be constructed in accordance with LGAT Standard drawings, having a radius of 9m. A gravel temporary turning head will be provided at the end of Upper Drew street, being 9.5m radius. The acceptable solution requires a radius of 12m for cul-de-sacs within a bushfire prone area.
 - i. The road provides for two way traffic, including access for fire vehicles in a bushfire event.
 - ii. The road will be sealed as per LGAT standards. The road will be suitable for use in all weather conditions.
 - iii. There is no vegetation above the road. The road has a horizontal separation to any potential grassland threat of 40m.
 - iv. The road has an appropriate load capacity to facilitate fire vehicles in a bushfire event.
 - v. Passing is achievable given the width of the road and road reserve (18m).
 - vi. A no parking area is recommended at the end of the cul-de-sac.
 - vii. The cul-de-sac head is level, and on a flat surface. The bushfire threat is on generally flat land in this part of the adjoining site.
 - viii. The road is a cul-de-sac road. The road joins to Upper Drew Street in the south.
 - ix. The cul-de-sac has a length of approximately 240m. It is considered there is ample opportunity for vehicles to exit in a bushfire event.
 - x. Turning area is provided. There are numerous access strips in the southern end of the proposed road, allowing for a three-point turn if required.
 - xi. Parking areas at the end of the cul-de-sac will be limited due to the number access strips in this part. It would be expected vehicles would park onsite. No parking zones are recommended around the cul-de-sac.

- xii. Perimeter access is provided via the Council maintained road of Upper Drew Street and Brook Street. It is expected all surrounding land would be developed for residential purposes over time.
- xiii. There are no proposed fire trails.
- b) The TFS can access the bushfire prone vegetation on the surrounding lots should a bushfire event occur. The risk of burn over is low based on the grassland vegetation.
- c) The application has been referred to TFS for input who have provided comments.

The bushfire threat in this area is assessed as low. The lots will be cleared in their entirety to provide for residential development. The entire lot will be treated as a bushfire hazard management area. The development is within an established and growing urban environment which is expected to expand as per the Devonport Residential Strategy. The requirements to provide a cul-de-sac with 12m radius would be out of character with this area, and not considered warranted given the level of threat. The risk is considered low based on the site characteristics and nature of the area.

Performance criteria is achieved.

8. Assessment of Risk – Lots 1-20

A large proportion of lots proposed as part of the subdivision have been determined BAL LOW as part of the assessment. These lots are all over 50m from the identified grassland. The grassland is the only vegetation within 100m of the site. In accordance with Table 2.6, and section 2.2.3.2 of AS3959: 2018, development over 50m from grassland, where that is the only identified vegetation, can be considered as low threat.

Based on the overall impact, it is assessed that the above-mentioned lots, as shown on the bushfire hazard management plan, are suitable to be classified as BAL LOW.

9. Conclusions and Recommendations

The proposal seeks planning approval for a 39-lot residential subdivision at 246 Brookes Street, East Devonport. The proposal will utilise existing Council roads, as well as constructing a new cul-de-sac road off Upper Drew Street. The subdivision will not be staged

All of the lots have demonstrated that a building area can be provided in an area meeting the requirements of BAL 12.5, with many future dwellings expecting to locate in areas subject to BAL LOW. Hydrants will be provided along the proposed cul-de-sac road ensuring all building areas can be adequately protected in a bushfire event. Access to each of the lots will be less than 30m in length, thus negating the need for any specific access considerations.

- a) Hazard management areas meeting the requirements of BAL 19 can be achieved for lots 21-39. Lots 1-20 meet the requirements of BAL LOW, being over 50m from any bushfire prone vegetation.
- b) Future dwellings on lots 1-39 must maintain Hazard Management Areas and follow recommendations as outlined in the Bushfire Hazard Management Plan and section 5.2 of this report. Maintenance of these hazard management areas is to be in perpetuity.
- c) The proposed road must be in compliance with Table E, Element A, outlined in section 5.3 of this report, with the exception of a 12m outer radius turning head. A no parking zone and signage is to be provided around the cul-de-sac head.
- d) A gravel 9m radius turning head must be provided at the eastern end of the extension of Upper Drew Street. The turning head must be provided prior to the sealing of the final plan.
- e) New hydrants are required in accordance with the TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1 MRWA Edition 2:0. Hydrants to have a separation of not more than 60m.
- f) All lots are to be treated as a hazard management area in accordance with section 5.2 of this report. Maintenance of all hazard management areas must be in perpetuity.

Annexure 1 – Bushfire Hazard Management Plan

Roads

Unless the development standards in the zone require a higher standard, the following apply:

- two-wheel drive, all-weather construction;
- load capacity of at least 20t, including for bridges and culverts;
- minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;
- minimum vertical clearance of 4m;
- minimum horizontal clearance of 2m from the edge of the carriageway;
- cross falls of less than 3 degrees (1:20 or 5%);
- maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
- curves have a minimum inner radius of 10m;
- dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 meters in width;
- a temporary gravel turning head with a 9.5m radius is to be installed at the end of Upper Drew Street.
- there is to be a no parking zone at the head of cul-de-sac.

Reticulated Water Supply for Fire Fighting.

The following requirements apply:

- the building area to be protected must be located within 120m of a fire hydrant; and
- the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

The following requirements apply:

- fire hydrant system must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition; and
- fire hydrants are not installed in parking areas.

Hazard Management – Vegetation Management

- Lots 16-39 in their entirety are to be treated and maintained as a bushfire hazard management area.
- Vegetation in the hazard management area (as dimensioned and shown) is to be managed and maintained in a minimum fuel condition (refer to section 5.2 of Bushfire Hazard Management Report)

Notes:

- Refer plans –Woolcott Surveys, Proposed 39 Lot Subdivision, dated 25/10/22, version 4, Job No L220126
- All future works to comply with Director’s Determination – Bushfire Hazard Area’s (v1.1). Table 1, 2, 3 and 4.
- Plan to be read in conjunction with Bushfire Hazard Management Report dated 28/11/22

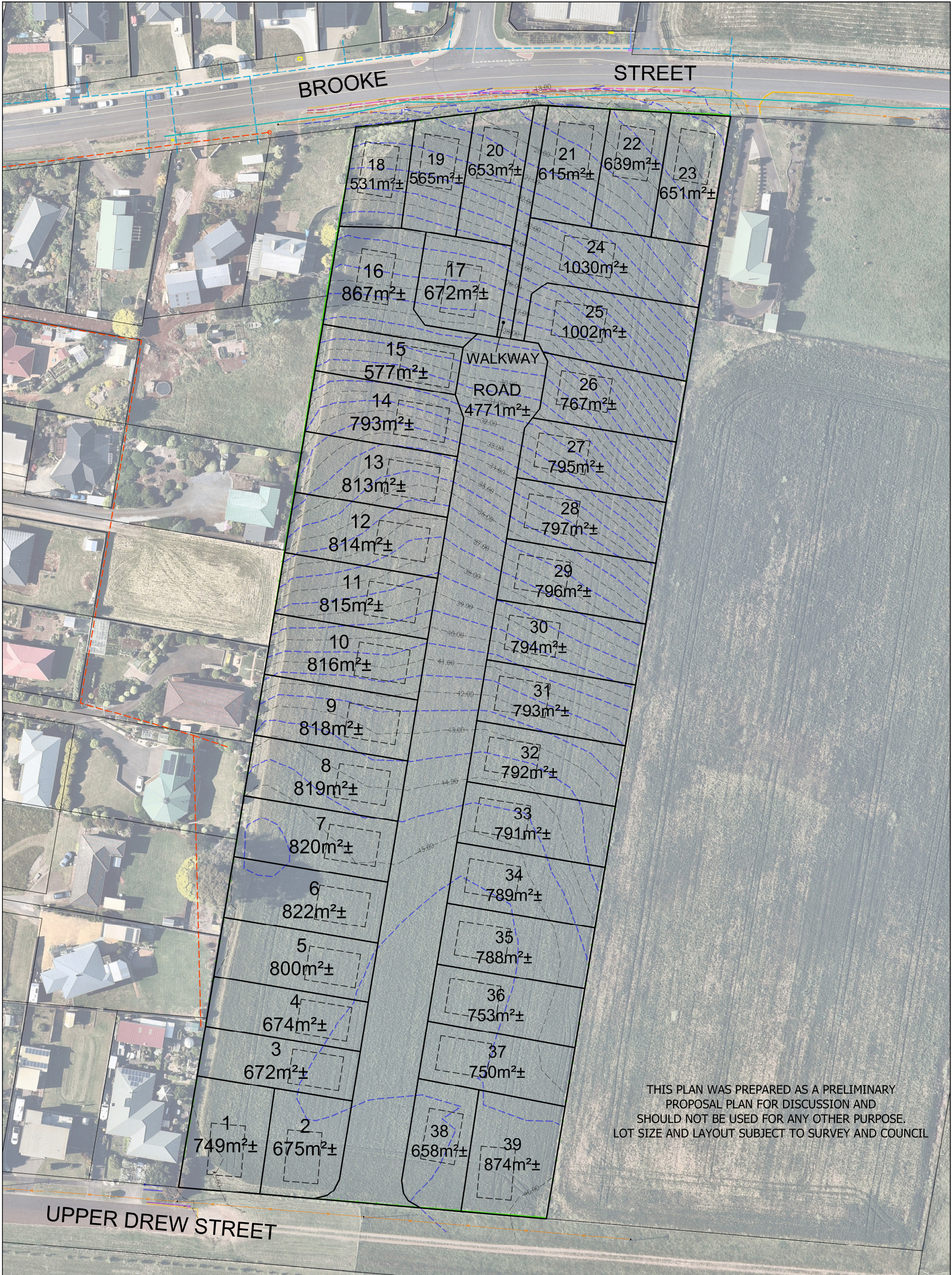
LEGEND:

- BAL LOW BUILD AREA
- BAL 12.5 BUILD AREA
- BAL 19 BUILD AREA
- NO BUILD ZONE
- BUILDING AREA
- TITLE BOUNDARIES
- - PROPOSED FIRE HYDRANT

Bushfire Assessment Based on Stamped Plans
James Stewart – BFP: 157, Scope of Work: 1, 2, 3B, 3C.
WOOLCOTT SURVEYS

BUSHFIRE HAZARD MANAGEMENT PLAN PROPOSED 39 LOT SUBDIVISION 246 BROOKE STREET, EAST DEVONPORT, 7310 C.T.9450/29, PID 3494341		 N	 WOOLCOTT SURVEYS	10 Goodman Court Invermay TAS 7248 PO Box 593 Mowbray Heights TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: office@woolcottsurveys.com.au		Job Number L220126
Drawn GM	File name L220126 BHMP 251022.dwg			Date 29/11/22	Scale 1:1000@A3	Edition v2.0

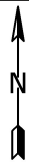
Annexure 2 – Subdivision Proposal Plan



THIS PLAN WAS PREPARED AS A PRELIMINARY
PROPOSAL PLAN FOR DISCUSSION AND
SHOULD NOT BE USED FOR ANY OTHER PURPOSE.
LOT SIZE AND LAYOUT SUBJECT TO SURVEY AND COUNCIL

Notes: Existing service infrastructure is based on relevant authority GIS databases. Contours are based on GPS survey

PROPOSED 39 LOT SUBDIVISION
246 BROOKE ST, EAST DEVONPORT 7310
C.T. 9450-29



WOOLCOTT SURVEYS

10 Goodman Court Invermay TAS 7248
PO Box 593 Mowbray Heights TAS 7248
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Job Number
L220126

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Annexure 3 – Planning Certificate

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

246 Brooke Street, East Devonport

Certificate of Title / PID:

CT9450/29 and PID3494341

2. Proposed Use or Development

Description of proposed Use and Development:

39 Lot Subdivision

Applicable Planning Scheme:

Tasmanian Planning Scheme – Devonport Council

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Report	Woolcott Surveys	28/11/2022	2
39 Lot Subdivision Proposal Plan	Woolcott Surveys	25/10/2022	4
Bushfire Hazard Management Plan	Woolcott Surveys	29/11/2022	2

¹ This document is the approved form of certification for this purpose and must not be altered from its original form.

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/>	E1.4 / C13.4 – Use or development exempt from this Code	
	Compliance test	Compliance Requirement
<input type="checkbox"/>	E1.4(a) / C13.4.1(a)	Insufficient increase in risk.

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk.
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input checked="" type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk.
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input checked="" type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk.
<input checked="" type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name:	James Stewart	Phone No:	0467 676 721
Postal Address:	PO BOX 593, Mowbray, Tas, 7248	Email Address:	james@woolcottsurveys.com.au
Accreditation No:	BFP – 157	Scope:	1, 2, 3B, 3C

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- ☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- ☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name:	James Stewart	Date:	29/11/2022
-------	---------------	-------	------------

Certificate Number:	WS-74
---------------------	-------

(for Practitioner Use only)

Annexure – TFS Consultation.

Fri 10/06/2022 12:24 PM
BP Bushfire Practitioner <bfp@fire.tas.gov.au>
RE: Performance criteria response / 246 Brooke Street East Devonport

To James Stewart
Cc Bushfire Practitioner

Dear James,

I write in relation to your assessment of your client's proposed 39-lot subdivision at 246 Brooke Street, East Devonport (CT 9450/29).

As detailed in your report (Woodcote Surveys, Job no. L220126, June 2022), a variation is sought to the cul-de-sac radius standard applicable under clause E1.6.2 A1. I can confirm TFS supports the justification provided under E1.6.2 P1.

Regards,

Chris Moore
Planning & Assessment Officer
Bushfire Risk Unit

Tasmania Fire Service
Service | Professionalism | Integrity | Consideration
Northern Region Office | 339 Hobart Road Youngtown Tasmania 7249
Mobile 0418 356 446
chris.moore@fire.tas.gov.au | www.fire.tas.gov.au

Please note that I work Tuesday-Friday



Assessment against section 34 of the
Land Use Planning and Approvals Act,
1993

AM2022.04 - Assessment against the requirements of the Land Use Planning and Approvals Act 1993 (the Act)

Section 34 of Act states that:

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

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

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

(b) is in accordance with section 32;

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

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

Response: The amendment satisfies the objectives of *Schedule 1* for the following reasons:

- The site contains no identified natural values and will not impact areas of the surrounding locality with ecological value.
- The site is relatively constrained to be utilised for agricultural activities due to its location, topography, and location of neighboring sensitive use development. It is noted the property is identified within the Sassafra's Wesley Vale Irrigation Scheme however the accompanying Agricultural assessment by Pinion Advisory (2022) states the site contains no irrigation infrastructure, that irrigation is unfeasible for the area due to its topography, and that the scheme is fully allocated.
- The amendment is a logical expansion of the residential area of East Devonport. The future development will enable public linkages and encourage a pleasant and safe environment for the community.
- The rezoning of the site to the General Residential Zone will facilitate economic development by construction of future residential development. In addition, future occupiers will add to the local economy and employment.
- Subject to the draft amendment being certified by the Planning Authority, the statutory process will enable community and state agency involvement in the decision-making process.
- The amendment process allows for sound strategic planning and coordinated action by both State and Local Government.

(d) is consistent with each State policy;

Response:

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

Pinion Advisory (2022) submitted an Agricultural assessment as part of the application documentation provided to the Planning Authority. Section 8 of the report thoroughly analyses the principles of the PAL Policy and demonstrates the site has merit to be assigned to the General Residential Zone. The information has been reviewed and can be supported by the Planning Authority.

State Coastal Policy, 1996

The site is within 1km of the highwater mark and therefore this Policy is relevant to the application.

The purpose of the State Coastal Policy is:

"To protect the natural and cultural values of the coast, provide for sustainable use and development of the coast, and promote shared responsibility for its integrated management and protection."

The applicant – Woolcott Surveys has addressed the relevant sections of the Policy within their supporting application documentation. This can be supported by the Planning Authority.

Gas Pipelines Act, 2020

An existing gas pipeline corridor adjoins the property to the north along Brooke Street.

The regulated activities of this Gas Pipelines Act are:

- (a) *construction of, or alteration to, a pipeline for carrying natural gas, petroleum or another regulated substance;*
- (b) *operating and maintaining a pipeline for carrying natural gas, petroleum or another regulated substance;*
- (c) *construction of, or alteration to, a pipeline facility for processing gas or another regulated substance;*
- (d) *operating and maintaining a pipeline facility used for processing gas or another regulated substance;*
- (e) *any other activities for which a licence is required under the regulations.*

The proposal does not involve any of the prescribed activities. Subject to the draft amendment being supported by the Planning Authority, the application will be referred to Tas Gas as part of the public notification process.

State Policy on Water Quality Management, 1997

The development will be required to connect to the public reticulated stormwater system which will mitigate factors such as urban water runoff. Works undertaken during the subdivision will be regularly inspected by Council's Infrastructure & Works Department to ensure adequate silt and erosion protection measures are in place.

National Environment Protection Measures (NEPMs)

The Natural Environment Protection Measures (NEPMs) apply to factors such as air quality, land contamination and waste control and other pollutant matters between states and territories in Australia. The NEPMs relate to matters that are not affected by this proposal. The site is not considered to be contaminated.

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

Response: The TPPs are yet to be adopted.

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

Response: The proposed amendment is seen to be consistent with the overarching objectives of the Cradle Coast Regional Land Use Strategy (the *Strategy*). The applicant - Woolcott Surveys has provided a thorough analysis of the application against the *Strategy* and relevant policy considerations. These have been examined and can be supported by the Planning Authority.

As per section 4.3 of the *Strategy*, Devonport is recognised as being within a low growth scenario and a contained settlement strategy. The *Strategy* states that a contained growth scenario “promotes a mix of intensification and strategically planned expansion on the established boundaries of the nominated settlement centre.”

The site is surrounded by the General Residential Zone to the north and west which contains established residential development. In addition, the report by Pinion Advisory (2022) demonstrates the site is highly constrained for meaningful agricultural related uses and the adjoining Agricultural Zone to the east will not be greatly impacted by the amendment.

Council has also endorsed the *Devonport Residential Growth Strategy 2021-2041*. The location of the site falls within an area which Council has highlighted strategically as a future General Residential Zone. Further information regarding this *Strategy* is included within the amendment report.

In regard to section 4.4 of the CCRLUS, it is noted the site is identified within a bushfire-prone area and contains an area of low landslip hazard. A bushfire assessment has been submitted to address the subdivision configuration and it has been demonstrated appropriate mitigation measures can be applied. The low-level areas of landslip are not seen detrimental to future residential development of the site.

(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;

Response: The proposal is in keeping with Strategy 2.1.1 of the *Devonport Strategic Plan 2009-2030* as the application of the General Residential Zone will provide appropriate land use and is within a location that Council has strategically identified for future residential growth under the *Devonport Residential Growth Strategy 2021-2041*.

- (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;**

Response: The proposal will not impact any adjacent municipal areas.

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

Response: There is no anticipated impacts to safety requirements set out in the Gas Safety Act, 2019. As mentioned, the application will be referred to Tas Gas for comment, subject to the amendment being supported by the Planning Authority.

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

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

Response: The TPPs are yet to be adopted.

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

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

Agricultural Land Mapping Project Background Report

Agricultural Land Mapping Project

Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone

Background Report

May 2017

Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian
Planning Scheme's Agriculture Zone

Background Report

Prepared and published by Department of Justice, Planning Policy Unit
in conjunction with Macquarie Franklin and Esk Mapping and GIS.

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Hobart Tasmania 7001

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1.0 Background

1.1 *What is the purpose of the agricultural land mapping project?*

The agricultural land mapping project was commissioned and project managed by the Department of Justice, Planning Policy Unit on behalf of the Minister for Planning and Local Government in support of the State Planning Provisions, which form part of the Tasmanian Planning Scheme.

The State Planning Provisions represent the consistent statewide provisions of the Tasmanian Planning Scheme. The local component of the Tasmanian Planning Scheme are the Local Provisions Schedules, which will apply to each municipal area and include zoning and code overlay mapping, as well as other provisions to deal with local issues.

The Rural Zone and Agriculture Zone in the State Planning Provisions reflect a recalibration of the Rural Resource Zone and Significant Agriculture Zone (the rural zones) that are currently applied in Interim Planning Schemes.

The primary aim of the project is to identify Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal area. This will avoid a repeat of the inconsistent use and application of the zones that occurred in the preparation of the Interim Planning Schemes.

The project scope focuses on land currently within the Rural Resource Zone and Significant Agriculture Zone in Interim Planning Schemes and the Rural Zone in the *Flinders Planning Scheme 2000*, or in other words, land that has already been strategically identified and protected for rural or agricultural purposes.

The project provides guidance as to how land currently zoned as Rural Resource or Significant Agriculture can be reassigned to either the Rural Zone or Agriculture Zone. Assignment of land to either the Rural Zone or Agriculture Zone does not affect existing or future agricultural activity occurring. The key difference between the two zones is how non-agricultural activity is managed.

The mapping is intended as a strategic land use planning tool to assist local planning authorities in mapping the recalibrated rural zones in the Tasmanian Planning Scheme, specifically by identifying and mapping land that is potentially suitable for inclusion within the Agriculture Zone.

1.2 *What are the parameters of the agricultural land mapping project?*

The project provides the broad statewide strategic basis for spatially identifying the Agriculture Zone based on common objective criteria and analysis. The analysis of potential agricultural land does not incorporate some of the more finer-grain information based on local circumstances. It is appropriate that local planning authorities perform this local assessment and verification exercise, as part of the preparation of their Local Provisions Schedules, as is the case with the application of all other zones.

The project has not focussed on the spatial application of the Rural Zone as the characteristics of this land are not so readily defined. The Rural Zone will largely be applied to the remaining rural land following the identification of the Agriculture Zone.

The extent of native vegetation cover, including the presence of threatened native vegetation communities or threatened species, was not considered in the analysis of potential agricultural land. It was considered problematic to consistently and objectively incorporate such analysis into the project at a statewide scale. Any resultant mapping would also not provide an accurate reflection of the potential agricultural land in the State.

It is also important to acknowledge that the presence of native vegetation cover should not always be seen as a hindrance to agricultural use or routinely considered for alternate zoning. Agricultural use comes in many forms and there are many alternatives for land to be used in creating a balance between agriculture and conservation. Areas of native vegetation cover are often maintained as part of operating farms, providing many ecological and economic benefits.

The project focussed on land currently zoned for rural and agriculture purposes, and therefore did not examine land outside the rural zones. Strategic decisions have already been made to zone such land for other purposes and the analysis did not seek to re-examine past decisions. Land outside the rural zones also falls outside the scope of 'agricultural land' as defined under the *State Policy on the Protection of Agricultural Land 2009* (the PAL Policy), as the land has been zoned for other purposes.

1.3 Why were the rural zones in Interim Planning Schemes recalibrated?

The Rural Resource Zone and the Significant Agriculture Zone formed part of the suite of zones under *Planning Directive No. 1 – The Format and Structure of Planning Schemes* (PD1), which specified the template for all Interim Planning Schemes.

It is clear from the resultant Interim Planning Schemes that the Rural Resource Zone and Significant Agriculture Zone were not fit for purpose. They were unable to be applied in a manner that reflected the character, complexity and diversity of Tasmania's agricultural land, covering the broad range and mix of enterprises, along with variables associated with soils, water and climate. As a result, the two rural zones were inconsistently applied across the three regions in part because both zones attempted to cover the State's agricultural land.

The Significant Agriculture Zone was very narrow in its scope, with the Zone Purpose limiting it to "land for higher productivity value agriculture dependent on soil as a growth medium". The Rural Resource Zone was then required to capture all other agricultural land that was not deemed as having 'higher productivity value'.

The Cradle Coast and Northern regions determined that it was not appropriate to use the Significant Agriculture Zone, instead opting to apply the Rural Resource Zone to an array of rural land. Both regions considered the two zones created an artificial split and that it was not possible to separate the 'higher productivity value' land from the other agricultural land based on the actual farming operations and complex matrix of land capability.

The Southern region applied both zones, but effectively used similar provisions across both zones in order to implement the PAL Policy. The two zones were also applied inconsistently across municipal areas in the Southern region.

The resultant Interim Planning Schemes demonstrated a need to more broadly identify and protect agricultural land in accurately implementing the PAL Policy.

Opportunities for implementing a single rural zone were considered in the drafting of the State Planning Provisions. A single rural zone would need to provide for competing demands, absorb a range of non-agricultural uses, and cover broad land characteristics. The result would be a complex zone with inadequate identification and protection of agricultural land.

Initial regional mapping produced as part of the regional land use strategies demonstrated that significant areas of land assigned to existing rural zones had limited or no potential for agricultural use. Variances were evident between municipal areas however, at a statewide level there was a clear need for two rural zones.

The recalibrated rural zones in the State Planning Provisions aim to address these issues directly by creating two zones which:

- provide a broader scope for identification and protection of agricultural land (the Agriculture Zone); and
- allows the zoning land with limited potential for agricultural use and which is not otherwise identified for the protection of specific values (the Rural Zone).

1.4 What is the intent of the Rural and Agriculture Zones?

The aim of the rural zone recalibration is to strategically zone agricultural land much in the same way as urban land is strategically zoned for particular purposes, such as the identification of industrial land. This ensures that agricultural land is adequately protected and reduces reliance on a case-by-case assessment of individual development applications in determining the importance of the land for agriculture.

The rural zone recalibration aims to accurately deliver the intent of the PAL Policy as well as implementing Principle 7 of the PAL Policy through consideration of the local and regional significance of the land for agricultural use. Principle 7 of the PAL Policy provides for decisions to be made on the significance of the land at a strategic planning level in determining the level of protection afforded to the non-prime agricultural land.

The key difference between the Agriculture Zone and Rural Zone is how they deal with non-agricultural uses. Non-agricultural uses are largely discretionary in the Agriculture Zone to protect the primacy of agricultural uses consistent with the zone purpose. The Rural Zone provides for a broader range of Permitted uses that may require a rural location for operational reasons, such as Extractive Industry, Resource Processing and certain types of Manufacturing and Processing and Storage.

Agriculture Zone

The Agriculture Zone aims to broadly capture and protect Tasmania's agricultural land, or Tasmania's 'agricultural estate'. In broad terms the 'agricultural estate' refers to land currently supporting existing agriculture or with the potential to support agriculture, taking into account the significance of the land for agriculture at a local, regional and State level.

Tasmania's 'agricultural estate' encompasses more than prime agricultural land or land within irrigation districts. It captures land with varying soil and climatic characteristics and provides for a broad range of agricultural enterprises.

The Agriculture Zone provisions provide a clear pathway for all agricultural uses. Agricultural uses are largely No Permit Required under the Agriculture Zone Use Table. Some limitations are imposed on plantation forestry and agricultural uses that do not utilise the soil as a growth medium, if on prime agricultural land. These requirements aim to address Principles 2 and 10 of the PAL Policy for the protection of prime agricultural land. However, agricultural uses that do not use the soil as a growth medium maintain a No Permit Required status if they are conducted in manner that does not preclude the soil from being used in the future.

The Agriculture Zone applies tight controls on non-agricultural use as required by the PAL Policy to protect agricultural land from unnecessary conversion to non-agricultural uses. Non-agricultural uses, other than residential use, must be required to locate on the site for operational or security reasons or to minimise impacts on other uses. This includes uses that:

- require access to specific naturally occurring resources in the zone;
- require access to infrastructure only located in that area;
- require access to a particular product or material related to an agricultural use;
- service or provide support to an agricultural use;
- provide for the diversification or value adding to an agricultural use; or
- provide essential emergency services or utility infrastructure.

Residential use must be either required as part of an agriculture use or located on land not capable of supporting agricultural use and not confine or restrain any adjoining agricultural use.

There are also specific requirements for non-agricultural uses on prime agricultural land in accordance with the requirements of the PAL Policy.

No minimum lot size is specified for the Agriculture Zone. This recognises that the amount of land required is dependent on the agricultural use and the circumstance under which it operates. All subdivision, beyond minor subdivision for public use, utilities or irrigation infrastructure, or the consolidation of lots, must be considered through the Performance Criteria as a Discretionary development. This provides for an appropriate assessment of the subdivision having regard to the impact this may have the agricultural productivity of the land and the capacity of the new lots for agricultural use.

The Agriculture Zone provides for subdivision where it can be demonstrated as necessary for the operation of an agricultural use if for the:

- creation of additional lots for agricultural use;
- reorganisation of lot boundaries without creating any additional lots; and
- the excision of an existing use or development, such as a dwelling.

A summary comparison between the Agriculture Zone and Rural Zone provisions is contained in Table 1 below.

Rural Zone

The Rural Zone is aimed at the remaining rural land (or non-urban land) with limited or, no potential, for agriculture, and which has not been identified for the protection of specific values, such as landscape conservation or environmental management.

The provisions of the Rural Zone acknowledge that the land may be able to support some agriculture, but the land is of lower significance as compared to the Agriculture Zone. The Rural Zone also provides for the protection of agricultural land and agricultural uses in accordance with the PAL Policy by ensuring that Discretionary uses, including Residential use, minimise the conversion of agricultural land and are compatible with agricultural use. While the Rural Zone provides for a range of other Permitted uses that may require a rural location for operational purposes, it still provides for agricultural uses as No Permit Required through the use table.

Non-agricultural uses provided for in the Rural Zone include Domestic Animal Breeding, Boarding and Training, Extractive Industry, Resource Processing and a limited range of Manufacturing and Processing, Storage and other uses that are associated with agricultural uses or Resource Processing.

As with the Agriculture Zone, the *Primary Industry Activities Protection Act 1995* (the PIAP Act) also applies to protect the rights of farmers to conduct their farming activities in an appropriate manner. The PIAP Act applies to land characterised as a farm on land “within a zone, designated to the land under the *Land Use Planning and Approvals Act 1993*, that enables the land to be used for the purposes of primary industry”. The Rural Zone is such a zone. The allocation of land to either the Agriculture Zone or Rural Zone also has no impact any exemptions for Land Tax for land classified as Primary Production Land under the *Land Tax Act 2000*.

Discretionary uses in the Rural Zone must demonstrate they are appropriate for a rural location and must not confine or restrain existing use on adjoining properties.

The Rural Zone provides a Permitted minimum lot size of 40ha for subdivision and, like the Agriculture Zone, provides a Permitted pathway for subdivision associated with public use, Utilities, irrigation infrastructure and the consolidation of existing lots.

The 40ha minimum lot size in the Rural Zone reflects a common minimum lot size for rural zones that has appeared in planning schemes in Tasmania for many years. It aims to provide reasonable opportunities for subdivision without creating additional opportunities for rural living development. A lot of 40ha is considered large enough to discourage rural living type development and provide buffers to rural industries and adjoining areas within the Agriculture Zone.

The Performance Criteria provides the opportunities for the subdivision lots less than 40ha, but only for:

- a use, other Residential use or Visitor Accommodation, that requires a rural location for operational reasons and minimises the conversion of agricultural land; or

- the excision of a dwelling or Visitor Accommodation if necessary for the operation of a agricultural use.

Table 1 Summary comparison of provisions in the Agriculture and Rural Zones

Provision	Agriculture Zone	Rural Zone
Agricultural use	Generally No Permit Required. Discretionary if plantation forestry on prime agricultural land. Discretionary if on prime agricultural land and not using soil as growth medium and precludes future use of soil.	No Permit Required.
Non-agricultural uses	Generally Discretionary if required to access or provide resources/infrastructure or support/value add to agricultural use. Permitted if for Food Services or General Retail and Hire associated with agricultural use or Resource Processing.	Permitted for Domestic Animal Breeding, Boarding and Training, Emergency Services, Extractive Industry, Resource Processing and a range of other uses that are associated with agricultural use or Resource Processing or require a rural location of operational reasons. Discretionary for a range of other uses if demonstrated they require a rural location for operation reasons. Discretionary uses must minimise conversion of agricultural land.
Residential use	Generally Discretionary, required as part of agricultural use or on land not capable of supporting agriculture and not confine or restrain agricultural use on adjoining properties.	Generally Discretionary and must minimise conversion of agricultural land.
Building height	12m Permitted, otherwise Discretionary.	12m Permitted, otherwise Discretionary.
Setbacks	5m; or 200m or not less than existing for sensitive uses, otherwise Discretionary	5m; or 200m or not less than existing for sensitive uses from Agriculture Zone, otherwise Discretionary
Subdivision	Permitted if lots for public use, utilities, irrigation infrastructure or consolidation of lots. Discretionary if provides for agricultural use, including creation of additional lots, reorganisation of existing lots, excision of existing use or development.	Permitted if for lot not less than 40ha, public use, utilities, irrigation infrastructure or consolidation of lots. Discretionary if provides for a use that requires a rural location for operation reasons (other than Residential or Visitor Accommodation), or if provides for agricultural use and for excision of existing dwelling or Visitor Accommodation.

2.0 Methodology

2.1 Who has been involved in the mapping project?

The mapping project has been undertaken by an expert consultant team comprising a consortium between Macquarie Franklin and Esk Mapping and GIS.

An Advisory Committee was established to provide guidance to the mapping project and ensure the mapping produced was fit for purpose. The Advisory Committee membership consisted of representatives from:

- Department of Primary Industries, Parks, Water and the Environment's (DPIPWE) Agricultural Policy Branch and Sustainable Land Use and Information Management Unit;
- Tasmanian Farmers and Graziers Association;
- Local Government Association of Tasmania; and
- three local councils, one from each of the three regions.

Targeted consultation was also undertaken with a number of key stakeholders prior to the finalisation of the mapping. This included local government, the Tasmanian Farmers and Graziers Association, key forestry stakeholders, and other key rural stakeholders consulted during the drafting of the State Planning Provisions.

2.2 What analysis has been undertaken for the mapping project?

The methodology for the agricultural land mapping project has been developed and workshopped with the Advisory Committee. It was further tested and refined by the consultants through the mapping analysis to ensure the desired outcomes were being achieved.

The finalised methodology and draft mapping was then further workshopped with the Advisory Committee.

The mapping has adopted a very conservative approach to ensure that land with any reasonable level of agricultural potential was considered for inclusion in the Agriculture Zone.

In broad terms, the land that is considered suitable for the Agriculture Zone is that defined as:

- having all of the requirements for agriculture to be sustainable;
- part of a critical mass of land with similar characteristics; and
- is strategically important from a local, regional or State perspective.

The mapping exercise was undertaken through the following steps.

2.2.1 Step 1 – Definition of study area

The study area (shown in Figure 1) was limited to land currently within the Rural Resource Zone and Significant Agriculture Zone in Interim Planning Schemes and the Rural Zone in the *Flinders Planning Scheme 2000*. The analysis did not seek to review land not currently zoned for rural or agricultural purposes.

Land within the Tasmanian Reserve Estate, such as national parks, conservation areas and other public reserves, and Future Potential Production Forest, was also removed from the study area, even if within a current rural zoning. Land under conservation covenants and variable term private reserves, such as management agreements, were retained within the study area as these are often managed in conjunction with working farms.

The total area within the Agricultural Land Mapping Project study area is 38,334 square km.

2.2.2 Step 2 – Mapping land potentially suited to agricultural production

Agriculture in Tasmania is complex due to the broad range and mix of enterprises, along with variables and complexities associated with soils, water and climate. The Department of Primary Industries, Parks, Water and the Environment (DPIPWE) Enterprise Suitability Mapping (DPIPWE 2015) was a key dataset used in the mapping of potential agriculture land and formed the basis for most of the initial analysis and mapping for this project.

The project has utilised the Enterprise Suitability Mapping as the basis for most of the analysis in determining the suitability of land for agriculture. Land capability classification data as in the Land Capability Handbook (Grose, 1999) along with the DPIPWE's TASVEG 3.0 mapping was utilised in determining areas potentially suitable for broadacre dryland pastoral areas.

The Enterprise Suitability Mapping was used as it provides the most contemporary and sophisticated statewide analysis on the suitability of land for a range of agricultural enterprises. The production of the Enterprise Suitability Mapping involved analysis of a number of different agricultural enterprises and includes a number of important climatic, topographical and soil parameters. The Enterprise Suitability Maps are derived from a combination of new digital soil mapping, localised climate data, and complex crop rules and detailed modelling is completed at a scale of 1:50,000. With this data, climate and soil information has been used to match the known soil and climate requirements of a range of crops to a given area.

While land capability classification data has historically been used for mapping potential agricultural land in Tasmania, it has many limitations. There is only partial coverage of the State and large portioned modelling has been used with limited ground-truthing. The land capability classification mapping is at a broad scale of 1:100,000 and does not reflect the potential agricultural enterprise value. For example, land capability class 5 indicates the land is only really suited to dryland grazing with low economic return, but such areas may have soils ideally suited to viticultural production with a high economic return.

To reflect 'typical' farming enterprises found within Tasmanian agriculture, five broad Enterprise Suitability Clusters (ES Clusters) were compiled by grouping Enterprise Suitability Mapping and other key datasets, as listed in Table 2 below.

Table 2 Enterprise Suitability Clusters

Enterprise Suitability Cluster	Dataset Used	Data and Assumptions	Access to Irrigation Water Required
(ES1) Irrigated Perennial Horticulture	Enterprise Suitability Mapping, DPIPWE	Example crops include: table wine grapes, sparkling wine grapes and cherries	Y
(ES2) Vegetable Production		Example crops include: carrots, onions, poppies, potatoes and pyrethrum	Y
(ES3) Irrigated Grazing – Dairy		Rye Grass only	Y
(ES4) Broadacre – Cropping and Livestock	TASVEG 3.0, DPIPWE	Example crops include: wheat, barley, poppies, lucerne and ryegrass	N
(ES5) Broadacre – Dryland Pastoral		Remaining cleared agricultural land (identified as FAG – Agricultural land in TASVEG 3.0), including native grasslands	N
	Land Capability data, 1:100,000, DPIPWE	Remaining land with a land capability class of between 1-6	

2.2.3 Step 3 – Potential access to water for irrigation

The Enterprise Suitability Mapping used to compile the ES Clusters outlined in Step 2 assumes ready access to water for irrigation. This is not practically possible for all areas in Tasmania. Land with current or future potential access to irrigation water required identification to further refine the Enterprise Suitability Mapping for the purposes of this project. It was important identified areas of potential access to irrigation water to adequately reflect the possible future potential of the land.

The area within Tasmania that has current or future potential access to irrigation water was mapped, as outlined in Table 3. This included the analysis of a number of datasets for existing irrigation or storage allocations, bores, and major watercourses, including:

- DPIPWE Water Information Management System data (WIMS);
- DPIPWE Hydrogeological Bore data;
- Tasmanian Irrigation – existing and planned irrigation schemes;
- DPIPWE Conservation of Freshwater Ecosystem Values (CFEV) data; and
- TasWater infrastructure data.

In general, there are three main limitations for land being able to access irrigation water. These are distance from the water source, elevation difference between the land and the water source, and the quantity of water available and that needed by the agricultural enterprise.

A conservative buffer of 3km was identified around existing allocations, functioning bores with a flow rate of 10L/sec, and major watercourses, taking into account the topography, to reflect maximum distances that may be economically viable to pump irrigation water. Existing and planned irrigation schemes as identified by Tasmanian Irrigation were also included as part of this analysis. TasWater infrastructure data was also acquired to ensure the mapped area included existing farm irrigation off-takes. The applied buffer area adequately covered all existing TasWater infrastructure currently in rural zones.

All areas currently within a rural zone on Flinders Island and King Island were mapped as potentially having access to irrigation water. Irrigation water is currently limited on both islands. However, their coastal climate, latitude and relatively small distances and elevation changes means there are potential opportunities for low water use irrigated agricultural enterprises across the breadth of the islands in the future.

The output area identified with potential access to irrigation water (Figure 2) was applied as a filter to the ES Clusters mapped in Step 2. Where an ES1, ES2 or ES3 Cluster fell outside the mapped potential irrigation area, the land was allocated a suitable lesser ES Cluster which is not reliant on access to irrigation water (e.g. ES4 or ES5).

Table 3 Potential Access to Irrigation Water Methodology

<i>Dataset Used</i>	<i>Data and Assumptions</i>
Water Information Management System (WIMS), DPIPWE	Current direct take and storage allocations for irrigation mapped. 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
Hydrogeological Bore Data, DPIPWE	Functioning bores mapped with a flow rate of 10 L/s or higher (suitable for irrigation). 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
Irrigation Schemes – Existing & Planned, Tasmanian Irrigation	Area included.
Conservation of Freshwater Ecosystem Values (CFEV)	Major Watercourses mapped. 3km buffer created as a conservative maximum distance deemed as economically viable to pump.
Contour (10m), the LIST	Elevation data used in assessment of potential access to water
TasWater infrastructure data	Current TasWater infrastructure data used to take into account of current farm irrigation off-takes.
<i>Data combined, reviewed and edited by Senior Macquarie Franklin Water Resource consultants to practically reflect land that has potential access to water for irrigation now and in the future.</i>	

2.2.4 Step 4 – Consideration of existing forestry land

Step 4 involved the analysis of existing forestry land to identify areas of broad-scale forestry production. The aim was to identify existing forestry land that may be of higher value for agriculture as a consequence of it being potentially suited to a greater range of agricultural enterprises. Such land is potentially suitable for the Agriculture Zone.

Broad-scale forestry production often occurs on land with limited potential for other agricultural uses. Forestry production generally has a longer lifespan than most other agricultural enterprises meaning the land is likely to remain under forestry use for at least the short to medium term.

The Rural Zone is considered appropriate for most land under broad-scale forestry production given many areas have limited suitability for a broader range of other agricultural uses. The Rural Zone provides for agricultural use, including plantation forestry, as a No Permit Required use and includes appropriate protection from land use conflicts. The Agriculture Zone is considered more appropriate for forestry land with potential for a range of other agricultural uses.

The identification of any existing forestry land within the Agriculture Zone does not suggest the land should be transferred to other agricultural enterprises. It instead identifies land that may be of higher value to agriculture due to its potential to support a greater range of agricultural enterprises.

A large proportion of forestry operations also fall outside the planning system. Forestry operations within State forests and on land declared as private timber reserves are not subject to the requirements of a planning scheme.

For the purposes of Step 4, the ES Cluster mapping was overlaid with land mapped as:

- plantation hardwood or plantation softwood in the 'Forest Group' mapping layer on the LIST; and
- under the authority of Forestry Tasmania in the 'Authority Land' mapping layer on the LIST, which included all land within the Permanent Timber Production Zone.

Areas where the ES Cluster mapping overlapped with any of the above mapped forestry land were further analysed. Forestry land was identified as potentially suitable for the Agriculture Zone if it overlapped with:

- areas mapped as either ES1, ES2 or ES3 Clusters; or
- the ES Cluster mapping and the land capability classification was in the range of 1 to 4.

No land currently within the Permanent Timber Production Zone was included in the final mapping data.

Table 4 Consideration of existing forestry land

<i>Dataset Used</i>	<i>Data and Assumptions</i>
Forest Group dataset, the LIST	Existing hardwood and softwood plantations mapped
Authority Land dataset, the LIST	Existing land under the authority of Forestry Tasmania, which includes all land within the Permanent Timber Production Zone.
Enterprise Suitability Clusters, Agricultural Land Mapping Project	Where overlap occurred with 'high value' Enterprise Suitability Clusters ES1-3, land included as potentially suitable for the Agriculture Zone.
Land Capability, 1:100,000, DPIWE	Where overlap occurred with land capability Class 1-4, land included as potentially suitable for the Agriculture Zone.

The mapping produced through Steps 1 to 4 created the Potential Agricultural Land Initial Analysis mapping layer (Mapping Layer 1) in Figure 3.

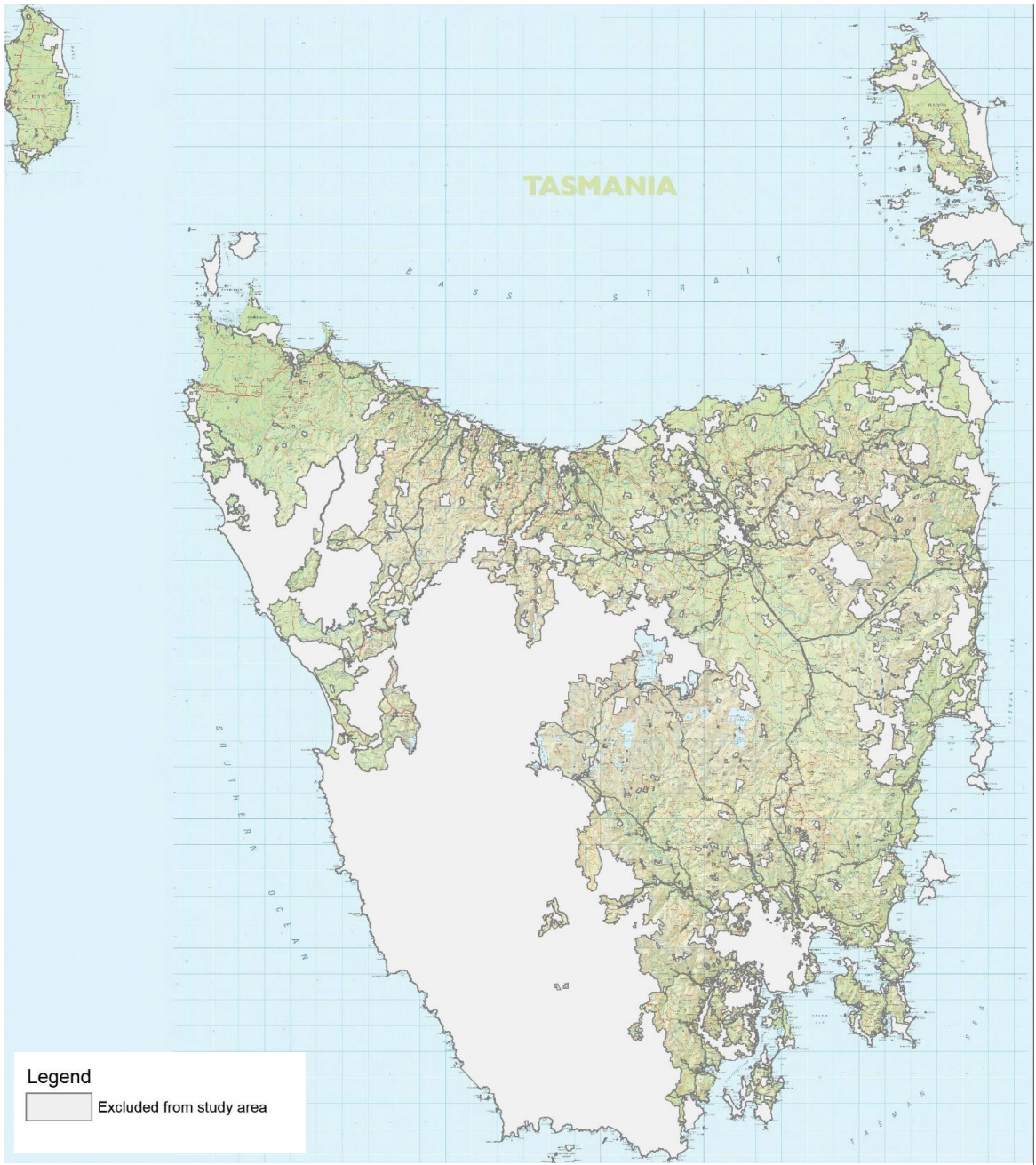


Figure 1 Agricultural land mapping project study area

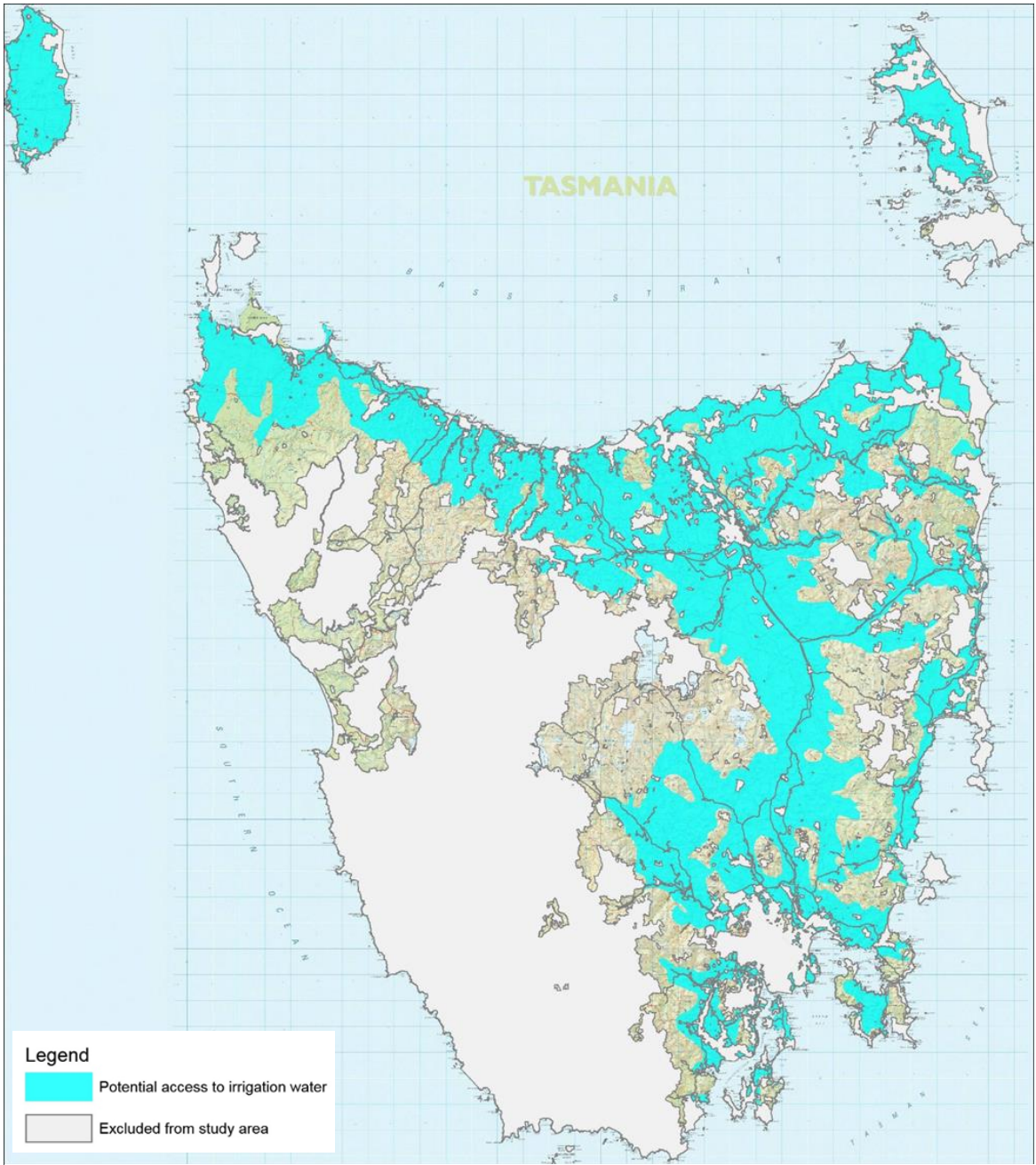


Figure 2 Potential access to irrigation water

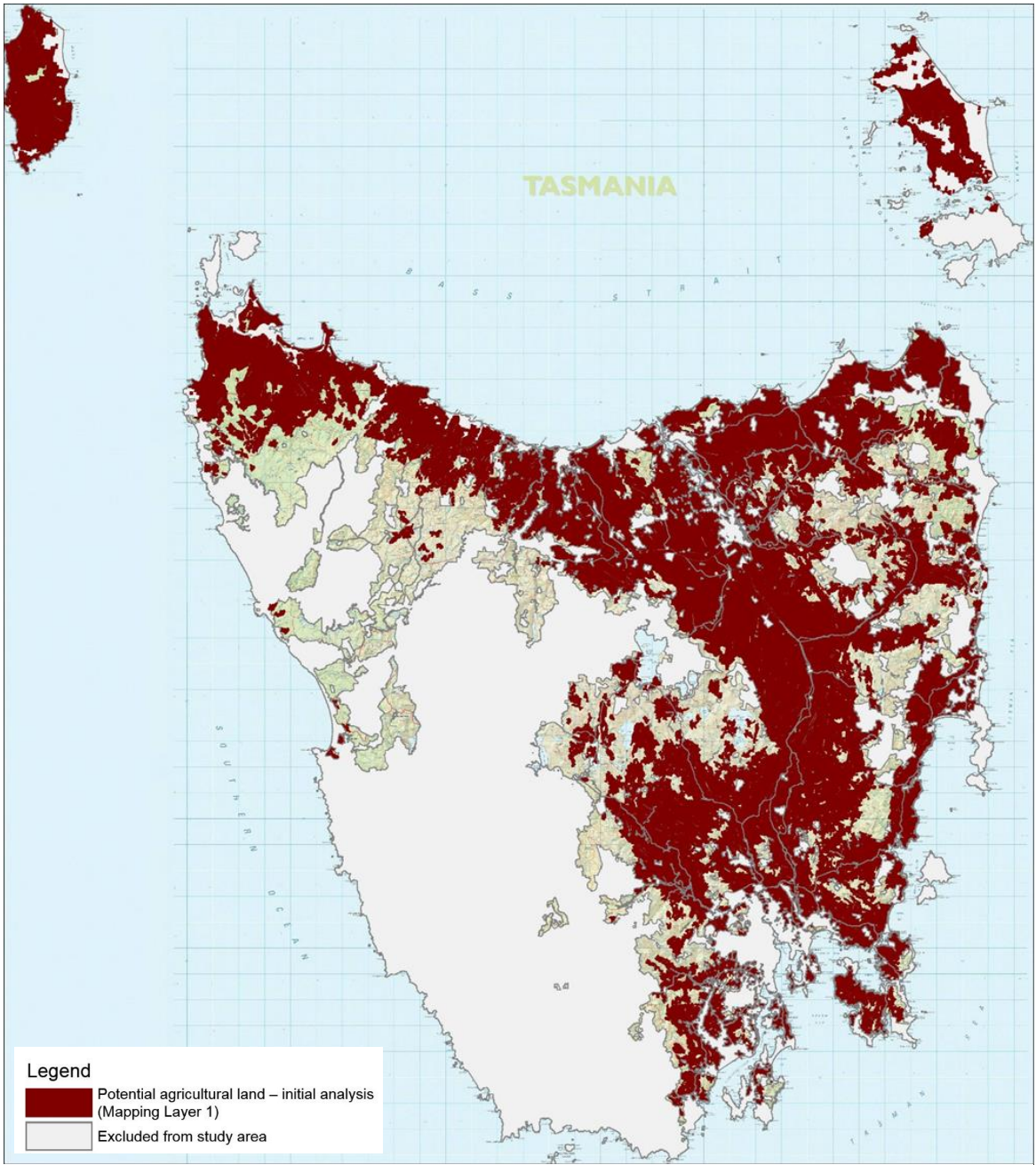


Figure 3 Potential agricultural land – initial analysis (Mapping Layer 1)

2.2.5 Step 5 – Allocation of potential agricultural land to cadastre

The initial analysis of potential agricultural land was allocated to cadastre data. Smoothing of the mapping was undertaken in an effort to refine data into a more user friendly planning tool by aligning the mapping to cadastre boundaries where appropriate. Where a title contained greater than 50% of land mapped in Mapping Layer 1, the entire title was mapped as potentially suitable for the Agricultural Zone. Titles with areas less than 50% mapped in Mapping Layer 1 were further analysed by Senior Agricultural Consultants for potential inclusion, taking into consideration the areas of mapped ES Clusters.

2.2.6 Step 6 – Potential constraints analysis

Step 6 involved an analysis of potential constraints for agricultural use on the titles mapped under Step 5. The analysis was undertaken to identify titles where agricultural use may be constrained due to the high capital value of the title, impact of isolation from other agricultural land, and the proximity of conflicting land use.

The potential constraints analysis was not meant to provide a comprehensive analysis of all factors that may contribute to constraining agricultural uses from occurring on the land. It is not possible to achieve this at a statewide level and many factors would be dependent on the agricultural enterprise, the characteristics of the operations, and the locational circumstances. It was also considered unnecessary to analyse all potential constraints for the purposes of developing a strategic planning mapping tool for the identification of the future agricultural potential of the land.

The potential constraints analysis did not exclude any titles from the mapping data. Instead the analysis aimed to highlight titles or areas that may require further investigation by local planning authorities in strategically applying the Agriculture Zone.

The constraints analysis may be useful for local planning authorities in identifying individual titles or clusters of titles where agricultural use may be significantly constrained. This aims to provide additional guidance on whether the land is suitable for the Agriculture Zone.

The mapping of titles as 'potentially constrained' does not in itself indicate or justify an alternate zoning to the Agriculture Zone for that title. Further investigation should be undertaken to determine its suitability.

The constraints analysis involved assessment against three criteria as outlined below and in Figure 4, with the approach of criteria 1 providing the first filter, criteria 2 the next and criteria 3 providing the final filter in identifying titles that may be constrained for agricultural use.

Criteria 1 – Is the title size a potential constraint for agricultural use?

A conservative approach was taken to identify minimum threshold title sizes that could potentially sustain a standalone agricultural enterprise. These were identified for each ES Cluster as shown in Figure 4.

The thresholds identified for Criteria 1 were determined by utilising models based on Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES), DPIPW gross margins,

DairyTas, and Holmes & Sackett data, and determining typical values for estimated value of agricultural operations (EVAO).

It is acknowledged there is a high degree of disagreement amongst experts on determining potential minimum areas that are able to sustain the various agricultural enterprises. The minimum areas will depend on a number of factors including the efficiencies of the operator, the type of agricultural enterprises, technology and markets. These factors will also change overtime. Farmers are also likely to incorporate a number of different agricultural or other enterprises in order to maintain a sustainable business. Nevertheless, it was considered important to establish a suitable indicator for titles requiring further analysis of potential constraints.

A title that is below the specified size threshold does not necessarily mean there are constraints to agriculture occurring on the title. Smaller titles are, and can be, used in a variety of ways for viable agricultural uses. The purpose of Criteria 1 is to narrow down the analysis to those titles that may be more susceptible to constraints.

Smaller titles have a greater potential to become unviable for agricultural use as a consequence of being more susceptible to constraints caused by isolation from other agricultural land or fettering by conflicting land uses. The agricultural use of some smaller titles may also be cost prohibitive if its capital value is excessive.

Criteria 1 provided the first filter in identifying titles that may be constrained for agricultural use. These titles were then considered against additional criteria to identify those that may be constrained by:

- economic barriers, in that the title is of higher capital value which may inhibit the land being purchased or used for agricultural purposes (Criteria 2A);
- physical barriers, in that the surrounding land is potentially unsuitable or unviable for agriculture (Criteria 2B); or
- land use conflicts created by proximity to residential development of adjoining land which causes agricultural use on the title to be confined or restrained (Criteria 3).

Criteria 2 – Are there potential constraints for the title being used or amalgamated with adjoining agricultural land?

Criteria 2 consisted of two components to further analyse the smaller titles identified in Criteria 1. Criteria 2A considered the capital value of the title and Criteria 2B considered the land surrounding the title.

For Criteria 2A, capital value data from the Valuer General was applied to the titles and a capital value per hectare was determined. Titles with a capital value greater than a conservative value of \$50,000/ha was identified as a potential economic constraint for purchasing and amalgamating the land with neighbouring agricultural land.

Small titles with a high capital value per hectare can indicate that a high proportion of the value of the title relates to physical improvements such as buildings, structures and other fixtures. The high capital values can often indicate the presence of a dwelling on the title. The identification of such

titles can also indicate the presence of 'residential nodes', or clusters of smaller titles that are largely residential in nature with the current rural zones.

Titles with a capital value of greater than \$50,000/ha were further considered against Criteria 3. Those with a capital value of less than \$50,000/ha were considered against Criteria 2B.

For Criteria 2B, land surrounding the title was considered to determine whether the title was adjoining other agricultural land. Small titles may be compromised by having limited connectivity with other unconstrained agricultural land. Titles that were not adjoining a title above the Criteria 1 size thresholds or with a capital value of less than \$50,000/ha were identified and considered against Criteria 3.

Criteria 3 – Is residential development potentially constraining agriculture land?

Criteria 3 identified whether any of the titles were adjoining:

- a current Interim Planning Scheme General Residential Zone, Low Density Residential Zone, Rural Living Zone or Village Zone; or
- a Residential Zone, Low Density Residential Zone, Rural Residential Zone or Village Zone under the *Flinders Planning Scheme 2000*.

This analysis further aimed to identify any potential constraints due to potential land use conflicts from adjoining residential development in designated residential zones in addition to any potential constraints identified in Criteria 2A or 2B. A 25m buffer was applied around the titles to compensate for any zoning anomalies, such as a zone boundary being aligned to the centre line of a road instead of the cadastre boundary. This was a common occurrence in Interim Planning Schemes where the zone boundary corresponded with a road.

The analysis against Criteria 3 did not include the consideration of any constraints caused by clusters of smaller titles (or 'residential nodes') within current rural zones. While such clusters may create land use conflicts, their impact can be difficult to analyse. Some of these titles may be owned or occupied in conjunction with surrounding farms. The potential impact differs to that potentially caused by proximity to a residential zone, as this land has been identified strategically for residential use and development and therefore has greater potential to impact on adjoining agricultural operations.

Analysis against all three criteria allocated the titles into four categories as per Table 5.

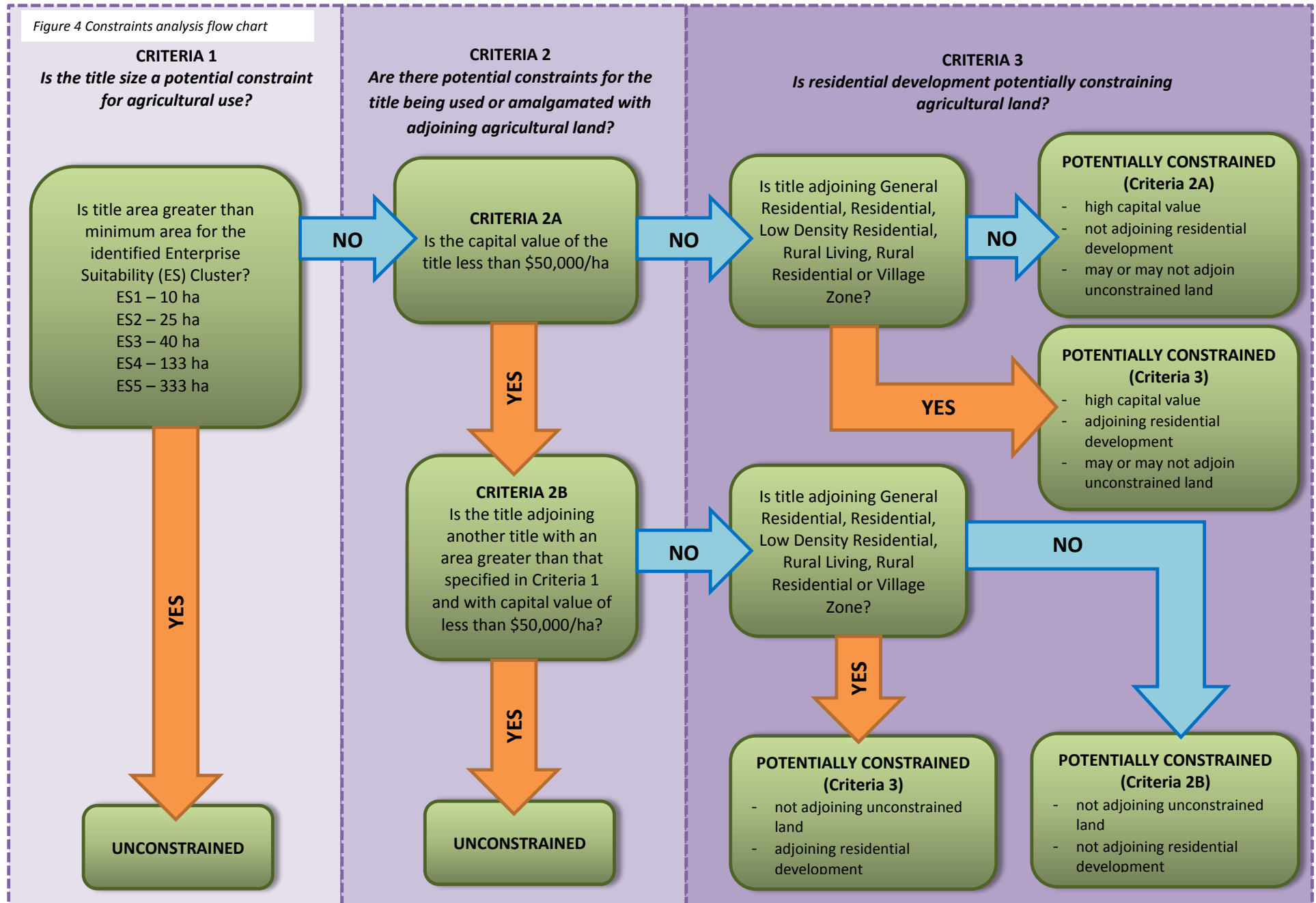
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Table 5 Results on the constraints analysis

<i>Unconstrained</i>	<i>Potentially Constrained (Criteria 2A)</i>	<i>Potentially Constrained (Criteria 2B)</i>	<i>Potentially Constrained (Criteria 3)</i>
<ul style="list-style-type: none"> – an area greater than the Criteria 1 size thresholds; or – an area less than the Criteria 1 thresholds, but adjoining another title with an area greater than the Criteria 1 size thresholds and a capital value of less than \$50,000/ha. 	<ul style="list-style-type: none"> – an area less than the Criteria 1 size thresholds; – a capital value of greater than \$50,000/ha; and – not adjoining a residential zone. 	<ul style="list-style-type: none"> – an area less than the Criteria 1 size thresholds; – a capital value of less than \$50,000/ha; – not adjoining a title with an area greater than the Criteria 1 size thresholds; and – not adjoining a residential zone. 	<ul style="list-style-type: none"> – an area less than the Criteria 1 size thresholds; – a capital value of less than \$50,000/ha, or not adjoining a title with an area greater than the Criteria 1 size thresholds; and – adjoining a residential zone.

The constraints analysis, in conjunction with the mapping produced in the preceding steps, produced the Land Potentially Suitable for Agriculture Zone mapping layer (Mapping Layer 2) (Figure 5 and Figure 6).

Figure 4 Constraints analysis flow chart



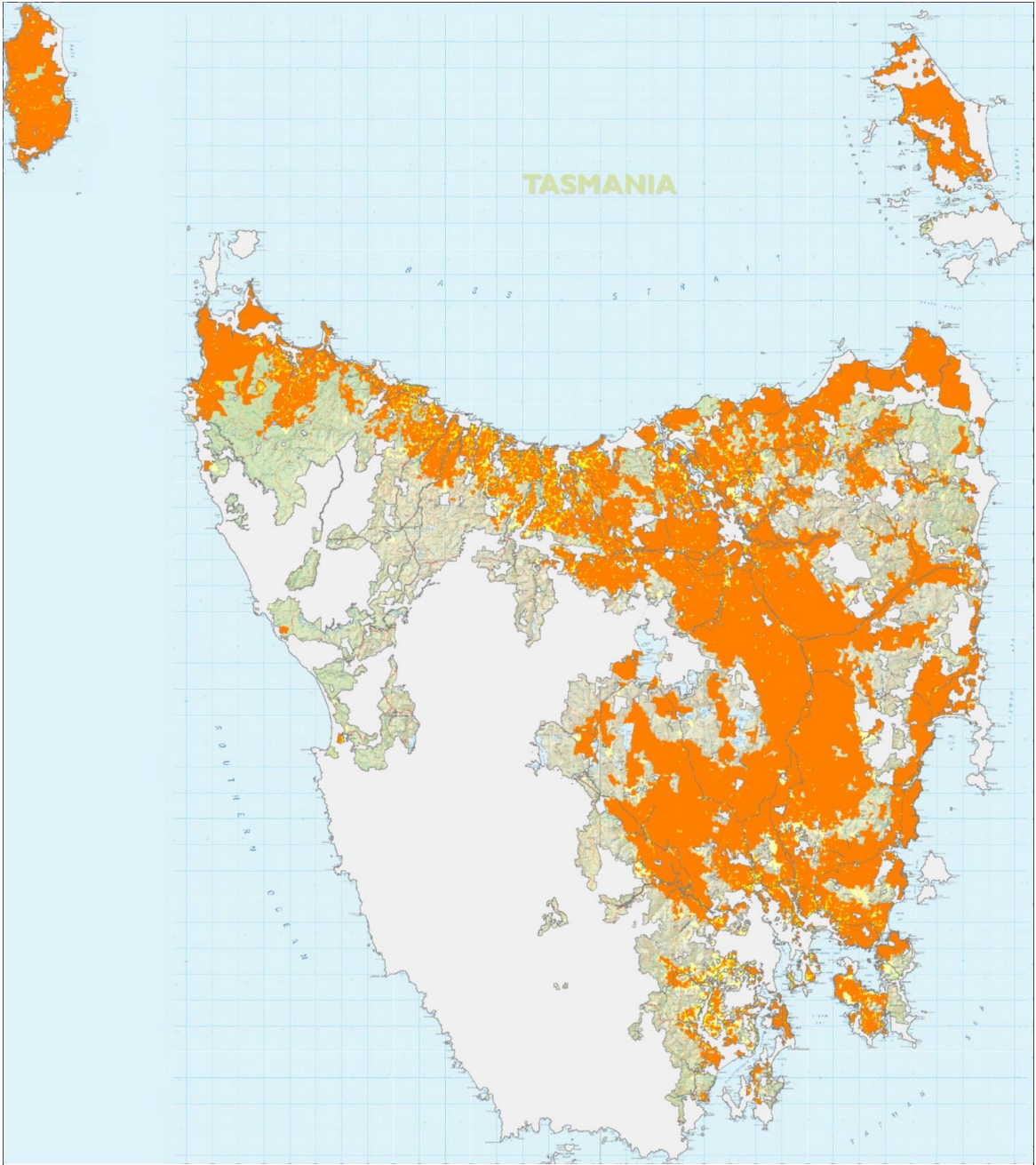


Figure 5 Land potentially suitable for the Agriculture Zone (Mapping Layer 2)

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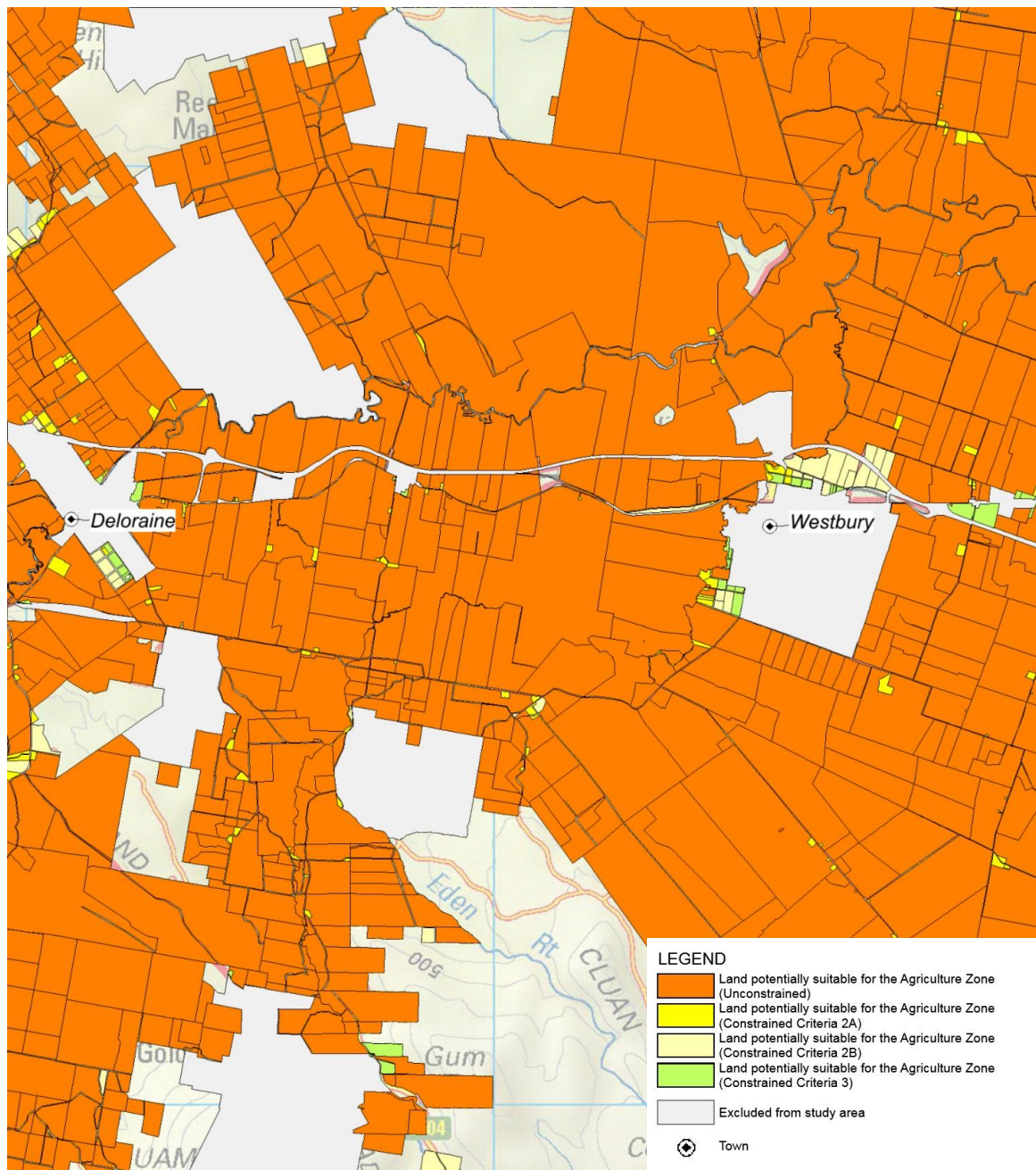


Figure 6 Distribution of land potentially suitable for the Agriculture Zone (Mapping Layer 2) within northern region between Deloraine and Westbury

3.0 Agricultural Land Mapping Data

3.1 *What mapping has been produced from the project?*

The Agricultural Land Mapping Project has produced two mapping layers that are available on the Land Information System Tasmania's website (the LIST). These mapping layers are:

1. Potential Agricultural Land Initial Analysis (Mapping Layer 1)

This represents the land identified and mapped through the initial analysis up to Step 4 in the above methodology. A total of 21,781 square km has been mapped as potential agricultural land as part of the initial analysis.

2. Land Potentially Suitable for Agriculture Zone (Mapping Layer 2)

This represents the refined mapping produced through all steps in the methodology and includes the titles mapped as part of the constraints analysis in Step 6. This layer includes:

- Unconstrained agricultural land - 20,164 square km
- Potentially Constrained agricultural land (Criteria 2A) - 245 square km
- Potentially Constrained agricultural land (Criteria 2B) – 689 square km
- Potentially Constrained (Criteria 3) - 107 square km

3.2 *How should the mapping be used?*

The mapping is to be used by local planning authorities as a guide for the spatial application of the Agriculture Zone through their Local Provisions Schedules. The mapping may also provide guidance to the Tasmanian Planning Commission in assessing the spatial application of the Agriculture Zone in the draft Local Provisions Schedules prepared by planning authorities.

Despite the sophisticated methodology, the mapping is not intended to be a definitive strategic land use planning tool as it is predominantly a desktop analysis and has only focussed on assessing the agricultural potential of the land. Local planning authorities will need to utilise this data in conjunction with a range of other data sets and information sources in making strategic land use planning decisions about some of the areas identified.

The following guidelines should be considered in using the mapping to apply the Agriculture Zone in the Local Provisions Schedules:

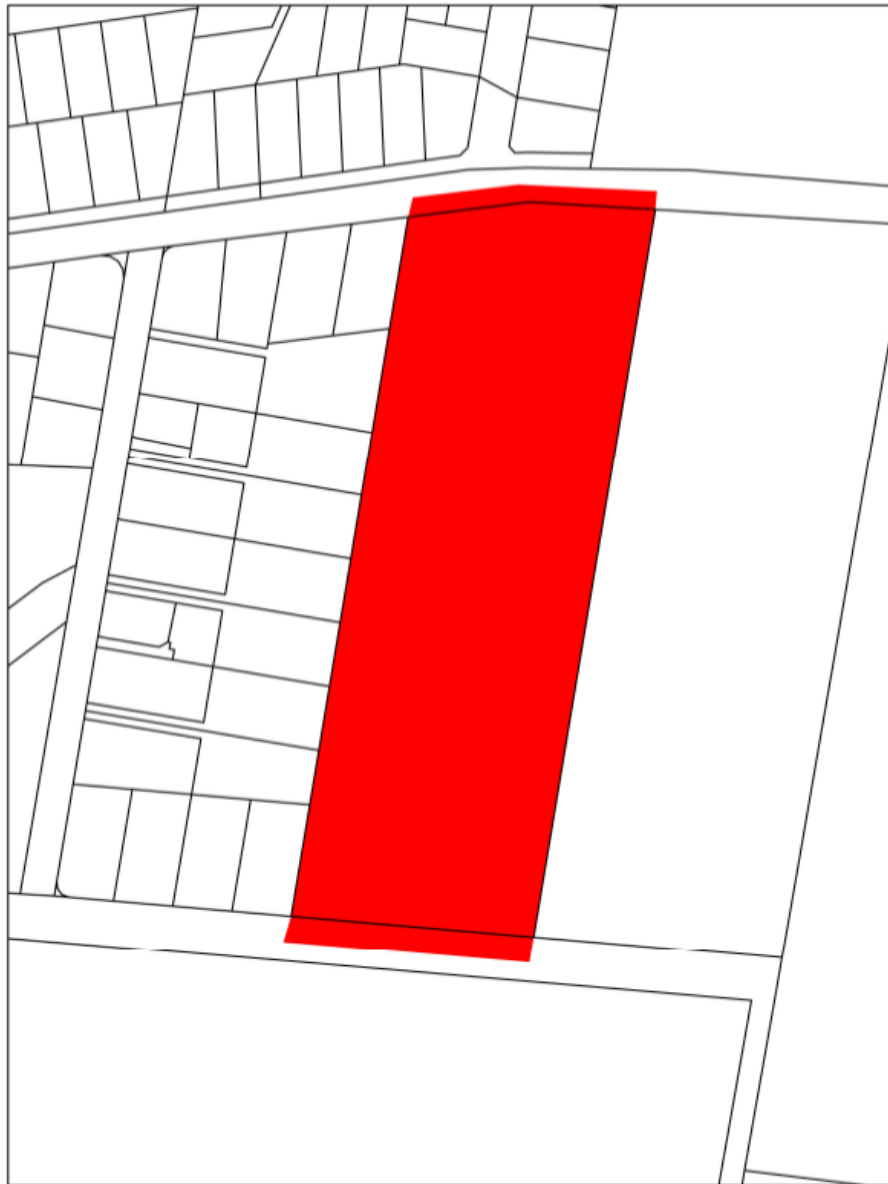
1. The spatial application of the Agriculture Zone should be based on the land identified in the Land Potentially Suitable for Agriculture Zone mapping layer while also having regard to:
 - (a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:
 - (i) incorporates more recent or detailed analysis or mapping;
 - (ii) better aligns with on-ground features; or
 - (iii) addresses any anomalies or inaccuracies in the Land Potentially Suitable for Agriculture Zone mapping layer, and

- where appropriate, may be demonstrated in a report by a suitably qualified person, and is consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
- (b) any other relevant data sets published on the LIST; and
 - (c) any other strategic planning undertaken at a local or regional level consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.
2. Land within an interim planning scheme Significant Agriculture Zone should be included in the Agriculture Zone considered for an alternate zoning under 6.
3. Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to:
- (a) existing land uses on the title and surrounding land;
 - (b) whether the title is isolated from other agricultural land;
 - (c) current ownership and whether the land is utilised in conjunction with other agricultural land;
 - (d) the agricultural potential of the land; and
 - (e) any analysis or mapping undertaken at a local or regional level consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.
4. The Potential Agricultural Land Initial Analysis mapping layer may assist in making judgements on the spatial application of Agriculture Zone, including, but not limited to:
- (a) any titles that have or have not been included in the Land Potential Suitable for the Agriculture Zone mapping layer, including titles that are surrounded by land mapped as part of the layer;
 - (b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3;
 - (c) outlying titles that are either included or excluded within the Land Potential Suitable for the Agriculture Zone mapping layer; and
 - (d) larger titles or those with extensive areas of native vegetation cover.
5. Titles may be split-zoned to align with areas potentially suitable for agriculture or where agriculture is constrained. This may be appropriate for some larger titles.

6. Land identified in the Land Potentially Suitable for Agriculture Zone mapping layer may be considered for alternate zoning if:
 - (a) local or regional strategic analysis has identified or justifies the need for an alternate zoning consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
 - (b) for the identification and protection of a strategically important naturally occurring resource which require an alternate zoning;
 - (c) for the identification and protection of significant natural values which require an alternate zoning;
 - (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or
 - (e) it can be demonstrated that:
 - (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
 - (ii) there are significant constraints to agricultural use occurring on the land; or
 - (iii) the Agriculture Zone is otherwise not appropriate for the land.
7. Land not identified in the Land Potentially Suitable for Agriculture Zone mapping layer may be considered for inclusion within the Agriculture Zone if:
 - (a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
 - (b) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land used in conjunction with land mapped as suitable for the Agriculture Zone;
 - (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or
 - (d) it addresses any anomalies or inaccuracies in the Land Potentially Suitable for Agriculture Zone mapping layer, andhaving regard to the extent of the land identified in the Potential Agricultural Land Initial Analysis mapping layer.

Draft Amendment AM2022.04 – 246 Brooke Street, East Devonport

Proposed zoning map as amended



 General Residential