

The following has been released in relation to a request for information relating to the Urban Growth Boundary

From: [Reid, Anthony](#)
To: [Ellis, Felix](#)
Cc: [Minister Ellis; Price, Benjamin](#)
Subject: FOR APPROVAL - PLANNING - BN - [REDACTED] and Urban Growth Boundary Margate
Date: Saturday, 3 August 2024 12:49:47 PM
Attachments: [duplicate](#)
[Information otherwise available](#)
[Attachment 1 - Draft Letter from Minister Ellis - out of scope - Margate - Urban Growth Boundary Rezoning.pdf](#)

Minister

Please see attached Minute and PR for consideration and signing. [out of scope](#)

Anthony

out of scope

Out of scope

From: **out of scope**
Sent: Sunday, June 2, 2024 12:29 PM
To: felix.ellis@parliament.tas.gov.au, simon.behrakis@parliament.tas.gov.au
Cc: nic.street@parliament.tas.gov.au
Subject: Margate - Urban Growth Boundary & Rezoning

You don't often get email from **Out of Scope** [Learn why this is important](#)

Dear Minister Ellis and Parliamentary Secretary Behrakis

Congratulations on your recent election and subsequent appointments to the Planning and Housing portfolio.

I am writing to inform you of our situation where my family has found itself falling into somewhat of a planning abyss for more than a decade, despite the urban development of our land being long supported by local government policy & more recently state government policy and also general commonsense.

My family owns two large parcels of land on the southern edge of Margate (map attached below) - 1830 Channel Highway and 5 Gemalla Road Margate. Four generations of my family have now lived on this land, with some of the land owned by my family for more than 70 years.

Given our land's proximity to services, shops and community infrastructure, its general suitability to residential development and the size of our properties, they are now probably the most strategic parcels of undeveloped land south of Hobart.

The attached letters of support from the Kalis Property Group and the local childcare centre to my father highlight the economic importance of our property being developed, with Margate having been essentially stagnant for the past 15 years. This stagnation can be directly attributed to our properties remaining undeveloped, with our land representing the dominant parcels of suitable undeveloped land remaining in Margate.

For more than a decade, Kingborough Council has formally recognised the strategic nature of these parcels of land for the future urban growth of Margate in both its Planning Scheme and Land Use Strategy. Unfortunately these parcels of land were not included in the Urban Growth Boundary years ago, which I understand was due to a lack of sewerage infrastructure at that time. I suspect if Kingborough Council had its time again that our properties would have been included in the Urban Growth Boundary years ago.

Council has previously zoned our parcels of land as Rural Resource and noted in the planning schemes that this is a holding zone until infrastructure capacity becomes available to allow for further urban growth on the properties.

The sewerage and water infrastructure capacity was built several years ago now, which has removed that infrastructure hurdle, however we are still largely treading water both being outside the Urban Growth Boundary and having a Rural Resource zone.

The future urban development of our properties is also supported by the Tasmanian Government's 30 Year Greater Hobart Plan which notes that the urban growth areas in Kingborough includes already identified future greenfield growth areas of Margate.

We currently use the land for grazing cattle and a small market garden, which is hardly the best use of land within a couple of hundred metres from two local schools and the CBD of a Major Satellite suburb of Greater Hobart. We are essentially operating a 100 acre farm virtually surrounded by suburbia. High density units now border our pasture separated by a few meters and a wire fence.

Kingborough Council has proposed in its draft Local Provisions Schedule that the majority of our land be zoned as Future Urban. It is unclear if the Tasmanian Planning Commission will agree with this proposed zoning. In any event 'Future Urban' is only somewhat more beneficial than Rural Resource, as in either zoning we can't progress a subdivision without a further rezoning and are still outside the Urban Growth Boundary.

The then Minister for Planning, Minister Ferguson, visited our property approximately two years ago to discuss the headwinds we were facing, this was a positive meeting which together with changes made by Minister Ferguson to SRD2.12 of the Southern Tasmanian Regional Land Use Strategy may have opened the door to us progressing a rezoning of at least part of our properties.

Subsequent to Minister Ferguson's amendment to SRD2.12, we have lodged a rezoning application with Kingborough Council for 5 Gemalla Road to a General Residential zoning. It is unclear what the ultimate outcome with Council Officers or Councillors will be and it remains uncertain if SRD2.12 will ultimately be accepted by Kingborough Council or the Tasmanian Planning Commission as applying to our property (despite a letter from Minister Ferguson indicating the intent that SRD2.12 would allow us to progress a rezoning).

We have spent nearly \$200,000 on strategic planning advice, engineering, traffic, land use capability, land supply and demand, and environmental studies etc and all have come back that a zoning of General Residential is appropriate, justified and needed.

The difference between Margate and the other two Major Satellite suburbs of Greater Hobart, being Sorell and Brighton, is significant. With Sorell and Brighton having experienced significant growth, investment and business development, whilst Margate has practically gone nowhere over the past 15 years. This can largely be attributed to the fact that the only properties available for growth in Margate, being those owned by my family, being stalled in red tape.

A very similar property at Brighton, 69 Brighton Road, is a large parcel of vacant farm land that had been strategically identified by the relevant local Council on the southern border of a STRLUS Major Satellite suburb (which can also all be said of our property). It appears that over recent years this property at Brighton has both been included in the Urban Growth Boundary and recently been rezoned. Despite our best efforts (and significant cost) I am not sure why our project has lagged that very similar property, perhaps this is because Kingborough Council is one of the Greater Hobart council's and has been (or is required to be) more conservative/methodical in its approach to strategic planning matters.

The land and supply demand study we commissioned for Kingborough (also attached) highlighted a clear need for additional housing in Kingborough and there are practically no other suitable greenfield options remaining in Kingborough other than our land. This study found:

The subject sites are located in the LGA of Kingborough within the settlement of Margate. They are located to the east and west of Channel Highway and are directly adjacent to an established residential settlement to the north. The potential housing capacity of the two parcels is approximately 300 to 450 lots¹.

There is clear strategic support for the rezoning of land in the study area, as is evidenced by its proposed zoning from Rural Resource to Future Urban.

The Kingborough Land Use Strategy 2019 also repeatedly identifies the sites for future residential development.

In addition to rezoning, the STRLUS may need to be updated by moving the Margate Urban Growth Boundary to include the study area.

SGS recommends for the residential market to work effectively, more land needs to be made available to absorb future housing demand. The two lots, 5 Gemalla Road (Property ID 1859394) and 1830 Channel Highway (Property ID 5773731), should be rezoned from rural to 'Future Urban' or 'General Residential' under the proposed new LPS. The rezoning would reduce the shortfall by approximately 300 to 450 dwellings. Still, the capacity of the sites is not adequate to cover the total shortfall, and thus additional rezoning is required.

My father spent the last ten years of his life trying to rezone and develop these properties, however sadly passed away last year. I intend to continue his efforts but my family is becoming exhausted (financially and mentally) from pursuing something that is supported by policy and experts but gets buried in red & green tape and technicalities.

In writing this email I ask that you investigate any opportunities available to the Tasmanian Government to facilitate or accelerate the rezoning of strategically identified parcels of land such as by amendments to the Urban Growth Boundary via STRLUS and also via other policy initiatives. In previous correspondence Minister Ferguson flagged that future amendments to the Urban Growth Boundary would be considered following land supply and demand analysis, I understand from a recent newsletter from the State Planning Office this analysis is well underway, if not already completed.

Council's such as Kingborough are obviously a key stakeholder in this process to unlocking needed (appropriately located) land supply and I suspect it would be advantageous if Council's were encouraged (or directed) by the Tasmanian Government to support, facilitate and accelerate the rezoning of strategically identified parcels of land, such as ours, to help address the housing/land supply imbalance, particularly in light of population forecasts and the Tasmanian Government's Population Strategy and other population growth policies.

Any letter of support you are able to offer for our rezoning efforts would also be advantageous.

I welcome either of you to our property should you wish to discuss further or alternatively I am happy to meet at your Hobart offices.

Kind regards,

Out of scope



Property title references:

5 Gemalla Road - Property ID 1859393

183439/1

146337/1

137794/2

146336/3

146336/1

1830 Channel Highway Margate - Property ID 5773731

166524/1

111837/1

126607/1

116263/1

From: [Minister Ellis](#)
To: [Workflow](#)
Subject: SIGNED MINUTE - RE: MIN24/161680 - CORRO: HOUSING & PLANNING - **Out of scope** - Margate - Urban Growth Boundary & Rezoning
Date: Friday, 9 August 2024 11:16:00 AM
Attachments: [MINUTE - Minister for Housing and Planning - **Out of scope** - Margate - Urban Growth Boundary & Rezoning - MIN24161680.pdf](#)
[Attachment 2 - Previous Letter from Minister Fergusson to **Out of scope** dated 22 June 2023.PDF](#)
[SIGNED LETTER from Minister Ellis - **Out of scope**.PDF](#)
[image001.png](#)
[image002.jpg](#)

Hello

Please see the attached signed Minute and associated documents for your records.

Warm regards,

Out of scope

Departmental Liaison Officer

Office of the Hon Felix Ellis MP

Minister for Police, Fire and Emergency Management

Minister for Housing and Planning

Minister for Skills and Training

Level 5, Salamanca Building, Parliament Square

4 Salamanca Place HOBART TAS 7000

www.premier.tas.gov.au



From: Workflow <Workflow@dpac.tas.gov.au>

Sent: Monday, July 1, 2024 12:26 PM

To: Minister Ellis <Minister.Ellis@dpac.tas.gov.au>

Subject: MIN24/161680 - CORRO: HOUSING & PLANNING - **Out of scope** - Margate - Urban Growth Boundary & Rezoning

Good afternoon

Please find attached draft reply as requested and related Minute.

Cheers, **Out of scope**

Out of scope

Briefing Note to the Minister for Housing and Planning

For approval by:

DPAC CM (TRIM) reference: 24/64346 Ministerial CM (TRIM) reference : MIN24/161680

Out of scope – Margate – Urban Growth Boundary (UGB) & Rezoning

Purpose: To inform the Minister of the status of amendments to the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS) and, specifically, to provide context to a (proposed) response to an enquiry from the out of scope family at Margate.

Analysis: The UGB was amended in May 2023 as stage 1 of a three-stage approach. Stage 1 has been completed and stages 2 and 3 will be undertaken as part of the comprehensive STRLUS review process.

The comprehensive review of STRLUS is well underway, with a revised draft due to be released for public exhibition in April 2025. Any amendments to the UGB put forward by landholders and/or councils, including the out of scope land at Margate, will be considered through that process.

In the meantime, and as previously described by the Minister for Planning in correspondence to the out of scope dated 22 June 2023, an application to rezone land outside the current UGB can be considered by Council under SRD 2.12 (subject to Council's support), prior to the STRLUS review.

Reason for deadline: In response to correspondence received on 2 June 2024.

Recommendations

Note the contents of this Briefing Note.

Sign the attached letter (attachment 1).

Approvals (Please ensure you allow a minimum two days for each stage of approval)

Deputy
Secretary/Division
Head

Minister

Approved

No ☐

Yes ☒

Out of scope

Sunday, 30 June
2024

Signature Date

8/8/2024

Minister's notations:

Key reason/s

- A three-stage approach to amending the UGB was approved by the Minister for Planning in May 2023 and broadly communicated to councils and key stakeholders.
- Stage 1 has been completed and Stages 2 and 3 will be undertaken as a combined process as part of the comprehensive STRLUS review.
- The review of the STRLUS is on schedule with a revised draft due to be released for public exhibition in April 2025.
- Further amendments to the UGB prior to the finalisation and endorsement of the revised STRLUS would be premature and potentially undermine the strategy and its objectives.

Consultation

- The State Planning office has had ongoing discussions with planning officers at Kingborough Council in relation to this matter.

Financial impact

- Nil.

Compliance

- Not applicable.

Communications

- None / not applicable.

Options

Not applicable.

#	Options	Analysis
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Background

Urban Growth Boundary

The Urban Growth Boundary (UGB) describes the geographic extent of Greater Hobart's urban development over the lifespan of the STRLUS. It includes land zoned for all urban uses, including residential, industrial and commercial.

The UGB was amended in May 2023 as stage 1 of a three-stage approach agreed to by the Minister for Planning in March 2023, summarised as follows:

- Stage 1 Short Term Updates and Amendment to SRD 2.12: Correction of Anomalies, Errors and Logical Inclusions & Amendment to the wording of SRD 2.12.
- Stage 2 Medium Term Updates: Larger and strategically significant sites required to support future urban growth, as well as potential changes to densification areas identified through the Greater Hobart Plan (GHP) Settlement Plan process.
- Stage 3 Longer Term Updates: Updates identified through the STRLUS comprehensive review process.

The May 2023 amendment included:

- a) an amendment to the UGB to include several additional sites within the UGB, specifically; to correct minor errors and anomalies and to include several logical inclusions to the UGB; and
- b) an amendment to policy SRD 2.12 to provide councils and the Tasmanian Planning Commission with greater flexibility when considering the planning merit of proposals to rezone land for urban purposes on the periphery of the UGB.

The May 2023 amendment involved 13 sites which were either put forward by and/or agreed to by councils. Several additional sites were also considered but either not put forward or were not supported by councils at the time, including the land at 52 Richardson's Road, Sandford.

The amended wording of SRD 2.12 was carefully chosen and aimed to provide the necessary flexibility to enable appropriately scaled residential developments to be considered outside but adjacent to the UGB, whilst still maintaining the integrity of UGB and its broader strategic objective.

Stages 2 and 3 are now occurring simultaneously for several reasons; firstly, the GHP endorsed in August 2022, did not include the settlement plan for Greater Hobart as originally proposed. The settlement plan, which will spatially map Hobart's future growth and densification areas over time, will determine whether specific sites (such as Richardson's Road, Sandford and the **out of scope** land at Margate) should be considered for inclusion within the UGB. Secondly, further interim amendments to the UGB would compromise the comprehensive review process by a) potentially distorting demand and supply in the short term, and b) encouraging an ad-hoc approach to the assessment of sites which should be considered through the comprehensive review process.

Completion of the settlement plan is critical to ensuring Hobart's future growth is directed to (and contained within) areas that can be properly supported by infrastructure and services. Furthermore, it will also ensure that the underlying targets around infill vs greenfield development and inner urban densification, as agreed to through the Greater Hobart Plan under the Hobart City Deal, can be met.

Revised Strategic Policy SRD 2.12

The current wording of SRD 2.12 amended in May 2023, is as follows:

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

- a) *shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:*
 - i. *only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or*
 - ii. *does not constitute a significant increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and*
- b) *can be supplied with reticulated water, sewerage and stormwater services; and*
- c) *can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and*
- d) *results in minimal potential for land use conflicts with adjoining uses.*

out of scope Land at Margate – history and previous correspondence

The **out of scope** have been seeking to rezone the subject land from Rural Resource (under the Kingborough Interim Planning Scheme 2015) to General Residential, for many years.

On 22 June 2023 the former Minister for Planning wrote to **out of scope** in response to his enquiry (refer attachments 2 and 3). The essence of that advice has not changed, other than the timeframe for delivery of the revised STRLUS is now clearer.

Attachments

Attachment	Title (CM reference)
1	Draft Letter to Out of scope (24/64346/1)
2	Previous Letter from Minister Fergusson to Out of scope dated 22 June 2023 (24/64346/4)

	Name	Phone Number
DPAC contact for more information: Author, responsible Division	out of scope	Out of scope
	out of scope , SPO, Policy and Delivery	Out of scope

Minister for Police, Fire and Emergency Management
Minister for Housing and Planning
Minister for Skills and Training

Level 5, 4 Salamanca Place, Parliament Square Building, HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7770 Email: minister.ellis@dpac.tas.gov.au



Mr [Out of scope]

By email: [out of scope]

Dear [Out of scope]

Thank you for your letter in relation to your property at 5 Gemalla Road and 1830 Channel Highway, Margate, and for your congratulations following my re-election and ministerial appointments.

I am aware of your previous correspondence and meetings with Minister Ferguson, and I understand the long-standing efforts you and your family have made to progress this matter.

I am pleased that you have initiated an application to rezone 5 Gemalla Road to General Residential. As you correctly noted, it is a matter for Kingborough Council and the Tasmanian Planning Commission to determine whether the proposal can be considered under SRD 2.12. As Minister for Housing and Planning, I have no direct role in the consideration and approval of development applications or rezoning proposals as this function remains the responsibility of the local planning authority.

As you may be aware, work on the comprehensive review of the Southern Tasmanian Regional Land Use Strategy (STRLUS) is well underway, including preparation of a settlement plan for the Greater Hobart area. Council's residential demand and supply data to which you refer, and the more recent work undertaken at a regional level, will inform the review and provide the basis for any changes to the STRLUS Urban Growth Boundary (UGB) which may be required. I can assure you that your property, along with several other sites in the municipality, will be considered as part of that process.

Regarding the amendment to the UGB at 69 Brighton Road, Brighton declared in November 2021, I am advised that it was undertaken in response to the conversion of an equivalent area of residential land which was required to accommodate the new Brighton High School. There was effectively no net change to the supply of residential land in the Brighton area because of that amendment.

Notwithstanding my earlier comments in relation rezoning through SRD 2.12, I would encourage you to continue to liaise with Kingborough Council through the STRLUS review process.

Thank you for writing to me in relation to this matter.

Yours sincerely

Out of scope

Hon Felix Ellis MP
Minister for Housing and Planning

8/8/2024

Released under RTI



Adviser:

Department: Premier and Cabinet

Ministerial CM Ref: 24/64175

DPAC CM Ref: 24/64175

Meeting Brief for the Minister for Housing and Planning

52 Richardson's Road, Sandford – Meeting with **out of scope** and **out of scope**

Order of proceedings:

In attendance:

out of scope

Department contact:

out of scope

On-site contact:

GUIDANCE NOTES

- The representatives of 52 Richardson's Road, Sandford are seeking a meeting to discuss their proposed development, presumably to restate their desire for an amendment to the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS).
- An amendment to the UGB at Richardson's Road would enable a rezoning application (from a mix of Rural and Environmental Living, to Residential) to be considered by Clarence City Council and the Tasmanian Planning Commission, paving the way for a subsequent application for a 147 lot residential subdivision.
- An amendment to the UGB at 52 Richardson's Road is not recommended until such time as the comprehensive review of the STRLUS is further advanced, and specifically, not until the Greater Hobart Settlement Plan is prepared and endorsed.
- An alternative, smaller scale rezoning and residential development on the site is possible under the provisions of the recently amended SRD 2.12 clause in the STRLUS (refer STRLUS Amendment dated May 2023), however it is understood this is not the proponent's preferred option. The purpose of urban growth boundaries and other strategic plans is to provide a degree of certainty to Government agencies, infrastructure providers, land owners, local councils and the community as to the areas that will be most likely developed within a given period of time. This provides a more predictable investment climate and more likelihood of land release and increased supply.

KEY POINTS

- The representatives of 52 Richardson's Road have been advocating for an amendment to the UGB for many years.
- The State Planning Office has consistently advised that the UGB should remain unchanged until such time as the strategic evidence supports any amendment in this specific area or elsewhere. That includes a) empirical evidence there is insufficient supply of residential land at a regional and/or local level, and b) confirmation that the subject land is supported by the necessary infrastructure and services and c) that the land is situated in an identified and agreed future growth area.
- Preliminary results from the recently completed State funded residential demand and supply studies, indicate there is in excess of 15 years' supply of residential land within the current UGB. This is reinforced by the significant and large-scale residential developments planned or underway, such as in Tranmere/Droughty Point and Granton where the land has been identified for future development over many years with associated land owner and infrastructure provider expectations.
- Ad-hoc amendments to the UGB also have the potential to compromise the comprehensive STRLUS review underway by attracting growth away from existing (and potentially better supported locations in terms of infrastructure and services), and by potentially encouraging other landholders to pursue similar applications thereby distorting the demand and supply at a sub-regional level.

BACKGROUND

52 Richardson's Road, Lauderdale/Sandford

- The land at 52 Richardson's Road, Lauderdale comprises approximately 73ha of land within the Environmental Living Zone and Rural Resource Zone, and is located adjacent to the current STRLUS Urban Growth Boundary (UGB).
- The Lauderdale area is a relatively outlying part of the collection of separate areas that compose the entire UGB and while having attractive coastal landscapes is not well served by infrastructure and services.
- The proponents propose a 147-lot residential subdivision and have been attempting to rezone the land since before 2020. As the land is outside the current UGB, an amendment to the boundary is required before a rezoning application can be considered.
- In February 2021 Clarence Council considered a request from the proponent for Council to seek an amendment to the UGB. A comprehensive report undertaken by the Council's Manager City Planning recommended against the expansion of the UGB. The recommendation was based on Council's land supply analysis which found there was sufficient supply of vacant greenfield land in the municipality to satisfy future demand, and that the site was at a distance from existing infrastructure and services. Contrary to that advice, Council formally

resolved to support the proposal and in February 2021, wrote to the Minister for Planning seeking an amendment to the UGB.

- The Minister wrote to Council in March 2021 to advise that for him to consider an amendment, Council would need to clearly demonstrate that additional residential land was required beyond what was already available within the region. The Minister also advised that given the evidence of available land in the entire UGB, written endorsement of the proposed amendment be sought from the other councils in the region, and that consultation be undertaken with relevant state agencies, state authorities and other infrastructure providers.
- On 10 March 2022 Council again wrote to the Minister for Planning with further information, including demand and supply data provided by the proponent, as well as the results of a community and stakeholder consultation process. The advice provided did not demonstrate the need for additional land at a regional or local level, nor did it demonstrate that the land in question was more suitable for development than potential residential development areas either closer to the Hobart CBD, or closer to existing infrastructure and services.
- Council's report included advice received from key stakeholders including the Department of State Growth (DSG), who raised concerns over potential road connections, and also the traffic impact of any future development at Richardson's Road. They also suggested that further strategic justification was required to support the proposal. Separately, Council's community consultation report suggested that there was overwhelming community opposition to residential development at Richardson's Road.
- In his response to Council on 22 May 2022, the Minister for Planning noted that the Greater Hobart Plan (GHP) work underway at the time, would inform Hobart's future growth and settlement planning, and that revised residential infill/greenfield targets would likely form a key component of the GHP implementation. He also noted that the completion of several studies underway as part of the GHP and early STRLUS review would provide an up-to-date picture of residential demand and supply across the greater Hobart area, which would in turn inform further consideration of a potential amendment to the UGB at Richardson's Road.
- In his letter, the Minister stated that "an amendment to the UGB prior to finalisation and endorsement of the Greater Hobart Plan, and completion of other associated studies as described above, would be both premature and potentially undermine the Greater Hobart Plan and its implementation. I have therefore set aside my decision to consider an amendment to the UGB until this work is completed."
- On 5 May 2023 the proponent wrote directly to the Minister seeking his approval to amend the UGB.
- In May 2023 the Minister responded to the proponent reiterating his earlier advice to Council, namely; that changes to the UGB must be supported by strategic evidence. He also noted that the amendment to the wording of SRD 2.12 which was under consideration at the time, could provide for a planning scheme amendment for Richardson's Road to be considered by Council and the Tasmanian Planning Commission, without the need for an amendment to the UGB.

- On 3 November 2023 the Minister met with the proponent and Brendon Blomeley, Mayor Clarence City Council via video call. The State Planning Office was not present at that meeting however it is understood the revised wording of SRD 2.12 was discussed. Also discussed was whether the request to amend the proposal remained active, and whether the proposal had Council's ongoing support.
- On 13 November 2023 Council wrote to the Minister to confirm Council's support and that the application remained active.
- On 28 November 2023 the proponent also wrote to the Minister, expressing frustration that the proposal could not be considered for rezoning under the recently revised wording of SRD 2.12 (see above). They also mentioned that whilst a smaller version of the proposal appeared likely to be eligible under SRD 2.12, the full proposal remained their preference.
- Draft responses for the Minister to Council and the proponent were prepared by the SPO in December 2023 but never signed. The SPO has since received a request to prepare responses from the new Minister for Housing and Planning.

STRLUS: Urban Growth Boundary (UGB) and SRD 2.12

- The Urban Growth Boundary (UGB) describes the geographic extent of Greater Hobart's urban development over the lifespan of the STRLUS. It includes land zoned for all urban uses, including residential, industrial and commercial.
- An amended STRLUS was declared by the Minister for Planning on 15 May 2023 (Refer Attachment 1 – Minute 23/13591) and included:
 - a) an amendment to the UGB to include several additional sites within the UGB, specifically; to correct minor errors and anomalies and to include several logical inclusions to the UGB; and
 - b) an amendment to policy SRD 2.12 to provide councils and the Tasmanian Planning Commission with greater flexibility when considering the planning merit of proposals to rezone land for urban purposes on the periphery of the UGB.
- The amendment followed a five-week consultation period involving all southern councils, the Tasmanian Planning Commission, relevant state agencies and LGAT. A copy of the relevant Minute is attached.
- The amendments to the UGB involved 13 sites which were either put forward by and/or agreed to by councils. Several additional sites were also considered but either not put forward or were not supported by councils at the time, including the land at 52 Richardson's Road, Sandford.
- The amended wording of SRD 2.12 was carefully chosen and aimed to provide the necessary flexibility to enable appropriately scaled residential developments to be considered outside but adjacent to the UGB, whilst still maintaining the integrity of UGB and its broader strategic objective.

- The current wording of SRD 2.12 amended in May 2023, is as follows:

STRLUS UGB Update – May 2023: Revised Strategic Policy SRD 2.12

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

- a) shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:
 - i. only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or
 - ii. does not constitute a significant increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and
- b) can be supplied with reticulated water, sewerage and stormwater services; and
- c) can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and
- d) results in minimal potential for land use conflicts with adjoining uses.

- The amendment in May 2023 was undertaken as stage 1 of a three-stage approach to amending the UGB agreed to by the Minister for Planning in March 2023 (refer Attachment 2 – Min 23/6077), summarised as follows:
 - Stage 1 Short Term Updates and Amendment to SRD 2.12: Correction of Anomalies, Errors and Logical Inclusions & Amendment to the wording of SRD 2.12.
 - Stage 2 Medium Term Updates: Larger and strategically significant sites required to support future urban growth, as well as potential changes to densification areas identified through the Greater Hobart Plan (GHP) Settlement Plan process.
 - Stage 3 Longer Term Updates: Updates identified through the STRLUS comprehensive review process.
- Stages 2 and 3 are now occurring simultaneously for several reasons; firstly, the GHP endorsed in August 2022, did not include the settlement plan for Greater Hobart as originally proposed. The settlement plan, which will spatially map Hobart's future growth and densification areas over time, will determine whether specific sites (such as Richardson's Road, Sandford) should be considered for inclusion within the UGB. Secondly, further interim amendments to the UGB would compromise the comprehensive review process by a) potentially distorting demand and supply in the short term, and b) encouraging an ad-hoc approach to the assessment of sites which should be considered through the comprehensive review process.
- Completion of the settlement plan is critical to ensuring Hobart's future growth is directed to (and contained within) areas that can be properly supported by infrastructure and services. Furthermore, it will also ensure that the underlying targets around infill vs greenfield development and inner urban densification, as agreed to through the Greater Hobart Plan under the Hobart City Deal, can be met.

Attachment(s):

1. 23/451152 Minute to Minister for Planning – Declaration of amended Southern Tasmanian Regional Land Use Strategy (STRLUS) – Amendment to SRD 2.12 and changes to the Urban Growth Boundary (UGB) – May 2023
2. 23/415502 Minute to Minister for Planning – Southern Tasmanian Regional Land Use Strategy – Proposed Approach for Updating the Urban Growth Boundary (UGB)

Department of Premier and Cabinet



Minute to the Minister for Planning

For approval by: Friday, 10 March 2023

DPAC CM (TRIM) reference: 23/415502

Ministerial CM (TRIM) reference: MIN23/6077

Southern Tasmanian Regional Land Use Strategy – Proposed Approach for Updating the Urban Growth Boundary (UGB)

Purpose: To seek the Minister's approval for a three-staged approach to dealing with updates to the Urban Growth Boundary (UGB) in the Southern Tasmanian Regional Land Use Strategy (STRLUS), and to conduct consultation under section 5A(4) of the *Land Use Planning and Approvals Act 1993* (LUPA Act) for a package of immediate updates.

Analysis: Government is under pressure to ameliorate housing unaffordability through the increased supply of residential land, with sustained pressure from private developers to amend the UGB on Hobart's urban fringe.

Whilst the recently endorsed Greater Hobart Plan (GHP) indicates there is adequate supply of vacant land to satisfy residential demand in Greater Hobart in the short to medium term, this doesn't necessarily mean that adjustments and corrections are not required.

The land covered by the "Skylands" proposal is included in the package of immediate changes because it is currently inconsistent with the way the UGB is applied elsewhere in the region. The Tranmere/Droughty Point peninsula is also an identified future residential area in the GHP and STRLUS.

In responding to the current situation, it is important to achieve the appropriate balance between enabling the timely release of land to support growth, whilst not undermining the strategic planning work currently underway through the GHP.

The recommended three-stage approach to amending the UGB provides a balanced and appropriate response. Importantly, it will provide certainty to developers, councils and the broader community on the timeframes, mechanisms and expectations around UGB amendments.

Reason for deadline: To address immediate development pressures by allowing for greater flexibility in considering development opportunities immediately adjacent to the UGB, and to correct existing anomalies and errors in the UGB.

Recommendations

Note the contents of this Minute and attachments;

Approve the three-staged approach to updating the STRLUS' UGB as outlined in the following section.

Agree to commence consultation for a period of 5 weeks on the proposed Stage 1 amendments to the STRLUS; and

Approve and sign the letter (Attachment 4) to the Tasmanian Planning Commission, the southern region councils, the Department of State Growth, the Department of Natural Resources and Environment Tasmania, TasWater, Department of Police, Fire and Emergency Management and Tasmania Fire Service, and include attachments 1, 2 and 3 with the letters.

The letter seeks comment on the proposed amendment to the STRLUS as described in Attachments 1, 2 and 3.

Approvals (Please ensure you allow a minimum two days for each stage of approval)

Deputy Secretary/Division
Head

Out of scope

Friday, 10 March 2023

Secretary (if required)

N/A

Minister

Approved?
No ☐
Yes ☒

Out of scope

Minister's notations:

Key reason/s

Reasons for amending the UGB

- The regional land use strategies are given statutory effect through 5A of the Land Use Planning and Approvals Act 1993 (LUPAA) and may be amended by the Minister for Planning through the declaration process as part of a review of the strategy, or from time to time where changed circumstances indicate a necessity.
- Currently amendments involving a substantial change to the UGB within the STRLUS must be supported by an analysis of current and projected land demand and supply at a local, municipal, and regional level that clearly demonstrates that additional residential land supply is required. Furthermore, the land must be in identified strategic growth areas and supported by existing or planned infrastructure and services.
- Alternatively, the operation of the STRLUS policy SRD 2.12 allows for 2ha parcels adjacent to the UGB to be considered for urban rezoning, where they meet the requirements of that policy.
- As well as rectifying minor errors and anomalies associated with the UGB, the proposed amendment to SRD 2.12 will allow the TPC to make more merit-based considerations

when determining whether land outside but adjacent the UGB should be zoned for urban purposes, rather than being constrained by the 2ha requirement.

Greater Hobart Plan (GHP) - Objectives and Implementation

- The Greater Hobart Plan (GHP), which sets out the broad strategic direction for the growth and development of Hobart over the next 30 years, has recently been endorsed and a draft Implementation Plan is currently being prepared.
- A foundational outcome of the GHP was to provide for a short to medium term update to the STRLUS, including any amendments to the UGB which may be necessary to support future growth objectives.
- To achieve the above, Action A6 of the draft GHP Implementation Plan reads; *"Prepare a Settlement Plan for greater Hobart consistent with the objectives of the Greater Hobart Plan"*.
- The Settlement Plan will provide the spatial description of where growth should occur (in accordance with the objectives of the GHP and agreed infrastructure and service capacity), and when that growth is likely to occur across each of the municipalities. This in turn will provide the strategic justification and detailed spatial information necessary to support a range of expected medium term updates to the UGB.

Current Situation and Options

- As outlined, there is ongoing pressure to amend the UGB, due partly to perceived constraints to housing supply.
- A number of anomalies and errors with the current UGB have already been identified during the GHP preparation process, including locations where the boundary is inconsistent with the underlying cadastre, and where already developed urban land is outside the current boundary.
- The GHP work has also identified a number of small to moderate sized parcels adjoining the current UGB which do not necessarily require further justification in relation to impact on the intent of the UGB or the broader STRLUS settlement strategy.
- The inclusion of these parcels into the UGB may alleviate some of the mounting pressure to increase supply within the UGB.
- In addition, a number of strategically significant parcels or growth precincts are likely to be recommended for inclusion within the UGB once the GHP Settlement Plan is finalised.
- In responding to the current situation, it is important to achieve the appropriate balance between enabling the timely release of residential land for growth whilst not undermining the strategic work which is yet to be finalised. This is particularly relevant given the future growth precincts and corridors are yet to be determined and agreed.
- It should also be noted that according to the demand and supply analysis undertaken to inform the GHP, an adequate supply of undeveloped land already exists within the current UGB to cater for Hobart's short to medium term needs. The significant quantity of vacant land between Granton and Claremont and the potential infill opportunity at Dowsing's Point being immediate examples.

Based on the above, a three-staged approach to amending the UGB is recommended, as described below:

Stage 1 – Short Term Updates and Amendment to SRD 2.12

Stage 1 includes the following components:

Correction of Anomalies and Errors, and Logical Inclusions

The UGB on Map 10 of the STRLUS to be amended to correct anomalies and errors and logical extensions involving land adjoining the current UGB not requiring further strategic justification or assessment of infrastructure serviceability. This equates to approximately 500ha of additional land.

Refer *Attachment 1: STRLUS UGB Updates - Stage 1: Identified Sites (March 2023)*; and

Amendment to the wording of SRD 2.12 to improve the capacity for the TPC to make more merit-based planning decisions when addressing the issue of rezoning minor areas of urban land beyond the UGB.

Refer *Attachment 2: STRLUS UGB Updates - Stage 1: Amendment to SRD 2.12 (March 2023)*

Stage 2 – STRLUS Medium Term (Greater Hobart Plan Settlement Plan) Updates

This will involve an amendment to the UGB boundary to include larger and strategically significant sites required to support future urban growth, as well as potential changes to identified densification areas, as identified through the GHP Settlement Plan process.

Stage 3 – STRLUS Longer Term Strategic Updates

This will involve updates identified through the STRLUS comprehensive review process to be undertaken over the next 2 years. Inputs will include consolidation of the Stage 2 amendments to the UGB and other regional demand and supply work being undertaken.

Consultation

The above approach has been considered at the officer level between all affected Councils, as well as with State Growth. Broad support and agreement has been reached in relation to the staged approach as outlined above.

In addition, officers from each council with land in the UGB have nominated sites to be considered as part of Stage 1 of the UGB amendment. This includes the non-GHP councils of Brighton and Sorell.

Financial impact

There are no financial impacts associated with consulting on the UGB amendments.

Compliance

N/A

Communications

N/A

Options

Options

1 Do Nothing

Analysis

There will be continued and increasing concerns about the inflexibility of the UGB and associated pressures on the Government to address the issue.

- | | | |
|---|---|---|
| 2 | Adopt a staged approach for implementing updates to the UGB | Provides a logical and broadly agreed pathway which will provide some early immediate relief and longer term more considered adjustments. |
|---|---|---|

Background

Mechanisms for Amending the Regional Land Use Strategies

- The regional land use strategies are given statutory effect through 5A of the Land Use Planning and Approvals Act 1993 (LUPAA) and may be amended by the Minister for Planning as part of a regular review of the strategy, or from time to time under exceptional circumstances.
- Amendments to regional strategies may be requested by planning authorities, and due to the strategic nature of RLUSs it is the responsibility of the relevant planning authority to justify a proposed amendment to a RLUS, to the Minister's satisfaction.
- In considering a request to amend a regional strategy, the Minister must ensure that the proposed amendment;
 - furthers the objectives of Schedule 1 of LUPAA;
 - is in accordance with State Policies;
 - is consistent with the Tasmanian Planning Policies once they are made; and
 - meets the overarching strategic directions and related policies in the regional Land use strategy over a 25 year time horizon.
- In the case of a change to the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS), the proposal must be supported by a comprehensive and rigorous analysis of current and projected land demand and supply at a local, municipal and regional level. That analysis must clearly demonstrate that additional residential land supply is required beyond that already identified for future development within the strategy.
- An amendment to STRLUS - SRD 2.12 in 2021 has enabled the Planning Commission to rezone small areas adjoining the UGB without modifying that UGB first. It is recommended that the proposed new wording of SRD 2.12 be adopted to ensure consistency with local strategic planning and infrastructure capacity, whilst providing for more flexibility in decision making.

Greater Hobart Plan (GHP) Settlement Plan and "outer" Hobart Councils (Brighton and Sorell)

- The recently endorsed Greater Hobart Plan (GHP) includes targets for greenfield and infill development and will guide the spatial description of where future residential development should occur across the metropolitan areas of the four "inner" Hobart councils. To achieve this, the GHP urban growth targets will be articulated through a "Settlement Plan" to be prepared by the Department of State Growth (DSG) and the four GHP councils over the next 12 months.
- Whilst Brighton and Sorell councils are not part of the GHP, it is proposed that the GHP Settlement Plan will include the residential land within those municipalities. As the key settlements in both municipalities are within the UGB, the SPO has liaised directly with those councils as part of the UGB review process outlined above.
- A meeting of the Greater Hobart Plan - Strategic Planners' Working Group (comprising the Greater Hobart/City Deal team, the SPO and senior planners from the four GHP councils), met in December 2023 to discuss potential changes to the mechanism(s) for

amending the UGB. The discussion included a potential mechanism to deal with 'logical inclusions', and proposed amendments to the UGB that might arise outside the timeframes of either the current stage 1 or 2 updates, or the regular STRLUS reviews thereafter. The proposed wording of the amendment to SRD 2.12 was informed by those discussions.

- There was general agreement at officer level to the staged approach.
- Separately, the SPO has also been working with the 'outer' Hobart councils of Brighton, Sorell, Derwent Valley, Southern Midlands and Huon Valley, to undertake a 30-year residential demand and supply study. The study includes those residential areas which are within the Greater Hobart spatial area but were not included in the GHP, namely; Lauderdale, Cambridge and Richmond (Clarence municipality), and Margate and Snug (Kingborough municipality).
- Data from the Outer Hobart study will be integrated with the GHP and together, will inform the settlement plan for the greater Hobart area.
- The Outer Hobart study is underway and due for completion by March 2023.

Current Requests to Amend the UGB

- A number of requests to amend the UGB which have been "on hold" pending further information or strategic analysis. These include sites such as the **out of scope** at Margate, Whitewater Estate at Kingston, and 52 Richardson's Road, Sandford.
- The Government's response to proponents and councils has been consistent, namely, that there has been insufficient and incomplete data available to properly assess residential demand and supply across the greater Hobart area, and the strategic planning necessary to properly inform and guide residential growth has not been completed.
- The GHP Settlement Plan once endorsed, will enable these proposals to be considered.

Tranmere/Rokeby Proposal (Skylands)

- On 6 March 2023, Clarence City Council considered a proposal to amend the UGB around the southern portion of the Tranmere/Rokeby peninsula, in response to a proposed masterplan prepared by the landowner.
- The proposal involved amending the current UGB from the current 70m contour alignment, to between the 90 metre and 120 metre contour, in order to facilitate the proposed masterplan design and enable a subsequent rezoning and subdivision process.
- Council voted not to support the proposed amendment.
- The Tranmere/Rokeby peninsula is currently the only area where the UGB encircles an area, leaving a "hole" within the urban settlement pattern.
- Removing the UGB entirely from the peninsula would be consistent with the way the UGB is applied elsewhere in the municipality, in particular Natone, Gordons and Rosny Hills.
- It would also enable consideration of a future masterplan/rezoning/subdivision proposal, should the developer decide to pursue it.

Attachments (delete if no attachments)

Attachment Title (CM reference)

- | Attachment | Title (CM reference) |
|------------|---|
| 1 | STRLUS UGB Updates - Stage 1: Identified Sites (March 2023) |

- 2 STRLUS UGB Updates - Stage I: Amendment to SRD 2.12 (March 2023)
- 3 STRLUS UGB Updates - Stage I: Discussion Paper (March 2023)
- 4 Letters to TPC, Councils, State Agencies and Authorities

		Number
contact for responsible	out of scope	Out of scope

Released under RTI

Department of Premier and Cabinet



Minute to the Minister for Planning

For approval by: Friday, 12 May 2023

DPAC CM (TRIM) reference: 23/451152

Ministerial CM (TRIM) reference

MIN23/13591

Declaration of amended Southern Tasmania Regional Land Use Strategy (STRLUS) – Amendment to SRD 2.12 and changes to the Urban Growth Boundary (UGB) – May 2023

Purpose: To seek the Minister's agreement to declare an amended Southern Tasmanian Regional Land Use Strategy (STRLUS).

Analysis: The draft amendment to the STRLUS will provide Councils and the Tasmanian Planning Commission with greater flexibility in considering the planning merit of proposals to rezone land for urban purposes on the periphery of the urban growth boundary (UGB) and on the new sites identified for inclusion in the UGB.

Reason for deadline: To correct current errors and anomalies in the UGB, and address immediate development pressures by allowing for greater flexibility in considering development opportunities immediately adjacent to the UGB.

Recommendations

Note the content of this Minute and **Attachments 1 – 9b**;

Agree to declare an amended STRLUS (**Attachment 1**) to:

- include additional sites within the UGB on Map 10 of the STRLUS; and
- amend policy SRD 2.12 in the regional policies for settlement and residential development.

Sign and date the instrument of declaration (**Attachment 2**) of an amended STRLUS for inclusion in the front end of the STRLUS;

Approve the notice (**Attachment 3**) to be published in the Gazette in accordance with s.5A(4) of the *Land Use Planning and Approvals Act 1993* (the Act); and

Approve the letters (and the use of your electronic signature) giving notice of your declaration of the amended STRLUS to the southern region planning authorities, the Tasmanian Planning Commission (the Commission), and those State Service Agencies and State Authorities consulted on both of the proposed amendments (**Attachment 9**).

Approvals (Please ensure you allow a minimum two days for each stage of approval)

Deputy Secretary/Division
Head

Out of scope

Thursday, 11 May 2023

Minister

Approved?

No ☐

Yes ☒

Out of scope

15/5/23

Minister's notations:

Note the amended 2.12.

Key reason/s

The proposed amendment to the STRLUS UGB (as shown in Map 10) will correct a number of errors and anomalies in the UGB and include several minor logical inclusions to the UGB.

The proposed amendment to SRD 2.12 will address immediate development pressures by providing Councils and the Tasmanian Planning Commission with greater flexibility when considering the planning merit of proposals to rezone land for urban purposes on the periphery of the urban growth boundary (UGB).

Consultation

In accordance with s.5A(4) of the Act, feedback on the proposed amendments was sought from all southern councils, the Tasmanian Planning Commission, LGAT and relevant State Agencies.

Twenty-three submissions were received and further discussions undertaken with several agencies and councils to clarify and/or expand on specific issues raised. A summary is provided in the Attachment 5.

Financial impact

There are no financial impacts that require consideration as part of the amended STRLUS.

Compliance

There are no legal, regulatory, contract, procurement employment direction or other compliance issues.

Communications

The amendment will be declared in the Tasmanian Government Gazette and an information sheet placed on the SPO website.

Landowners with interests in the UGB and their planning consultants who made unsolicited submissions, will be advised of the amendment.

There will be no media releases required for declaration of the STRLUS amendment.

Options

#	Options	Analysis
1	Do Nothing	The current anomalies and errors in the UGB will remain unresolved, and there will be continued and increasing concern about the inflexibility of the UGB and associated pressures on the Government to address the issue.
2	Approve the proposed changes to the Urban Growth Boundary and Regional Policy SRD 2.12.	Amending the STRLUS now will address a number of errors and anomalies, and allow for a number of minor logical extensions to the UGB, providing greater flexibility in considering development opportunities immediately adjacent to the UGB, as they emerge.

KEY ISSUES:

- On 10 March 2023, you undertook a five-week consultation with the southern region councils, the local Government Association of Tasmania (LGAT), the Tasmanian Planning Commission, and State Agencies and Authorities under s.5A(4) of the Act in relation to a proposed amendment to the Southern Tasmanian Regional Land Use Strategy (STRLUS).
- The proposed amendment involved an adjustment to the Urban Growth Boundary (Map 10) at thirteen identified sites, and a change to the wording of Regional Policy SRD 2.12.
- The background, details and rationale behind the proposed amendments were provided in a previous Minute 23/6077.
- Twenty-three (23) submissions were received, the majority of which were in favour of, or provided qualified support to the proposed changes. A detailed assessment of the submissions and the Department's response is provided in Attachment 4 and summarised in Attachment 5.
- A common concern expressed in the submissions was around the perceived impact of the identified sites on residential land supply at a regional level and that it may be inconsistent with the objectives of the recently endorsed Greater Hobart Plan, specifically; to limit growth outside the UGB and encourage densification and infill in identified growth areas within it.
- Two identified sites were considered problematic for a number of reasons, including the potential to compromise road and rail infrastructure, but also the potential to undermine efforts by councils in the greater Hobart area to manage land supply pressures on the urban fringe.
- Based on the feedback received, three (3) of the identified sites are recommended to be excluded from the amendment.
- Several minor amendments are recommended to the proposed wording of Regional Policy SRD 2.12, primarily to clarify the intent of the policy and its application. This will assist landowners and councils in determining the suitability of land for consideration under the SRD 2.12 provision.

Background

- The regional land use strategies are given legal effect through s.5A of the Act. Amendments to regional land use strategies occurs when the Minister declares a new strategy.
- In declaring a regional land use strategy, **s.5A(3A)** of the Act requires you to be satisfied that the amendment:
 - furthers the objectives set out in Schedule 1 of the Act;
 - is consistent with each State Policy; and
 - is consistent with the Tasmanian Planning Policies (TPPs).
- Before making a declaration, **s.5A(4)** of the Act requires you to consult with:
 - the Tasmanian Planning Commission (the Commission);
 - planning authorities; and
 - State Service Agencies and State authorities, as you see fit.
- A detailed background was provided in previous Minute 23/6077 dated 10 March 2023.

DISCUSSION

- Detailed discussion and analysis is provided in the following documents:
 - STRLUS UGB Update - May 2023: Consultation Report (Attachment 4)
 - STRLUS UGB Update - May 2023: Analysis of Comments by Site (Attachment 5).

Recommended revisions to the proposed STRLUS amendment

- It is recommended that the proposed new Regional Policy SRD 2.12 be revised in response to the submissions received to read as follows:

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

- a) shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:
 - i. only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or
 - ii. only constitutes a minor increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and
 - b) can be supplied with reticulated water, sewerage and stormwater services; and
 - c) can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and
 - d) results in minimal potential for land use conflicts with adjoining uses.
- It is also recommended that Map 10 be amended to include the revised list of identified sites as shown in the attached map (Attachment 7).

Attachments

Attachment Title (CM reference)

- 1 Southern Tasmanian Regional Land Use Strategy - (CM 23/456443)
- 2 STRLUS UGB Update - May 2023: Instrument of Declaration - (CM 23/452452)
- 3 STRLUS UGB Update - May 2023: Gazette Notice (CM 23/452456)
- 4 STRLUS UGB Update - May 2023: Consultation Report – Detailed Assessment of Submissions (Internal) (CM 23/451266)
- 5 STRLUS UGB Update - May 2023: Consultation Report – Analysis of Comments by Site (Internal) (CM 23/451909)
- 6 STRLUS UGB Update - May 2023: Consultation Report (CM 23/455448)
- 7 STRLUS UGB Update - May 2023: Map 10 (CM 23/455848)
- 8 STRLUS UGB Update - May 2023: Regional Policy SRD 2.12 (CM 23/453563)
- 9 Letter – Councils, TPC, State Agencies and Authorities (Proforma) (CM 23/455289)
- 9a Letter – Clarence Council (CM 23/456265)
- 9b Letter – Kingborough Council (CM 23/456263)

DPAC contact for
more information:
Author, responsible
Division

Name

out of scope

Phone Number

Out of scope

From: Out of scope
To: Price, Benjamin
Subject: Fw: Visit to Richardsons Road - Sunday 11 August
Date: Tuesday, 1 October 2024 3:42:04 PM
Attachments: [Richardsons Rd - Response to the SoE Sep 2024.pdf](#)
[Richardsons Rd - Letter of Support - UTAS Wetlands Expert 20-06-20\[41\].pdf](#)
[Richardsons Road - Minister Ellis Briefing Note\[80\].pdf](#)

For your action

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From: out of scope
Sent: Tuesday, October 1, 2024 3:21:42 PM
To: Out of scope @dpac.tas.gov.au>
Cc: Out of scope @thehousefo.com>
Subject: Re: Visit to Richardsons Road - Sunday 11 August

Hello Out of scope

I hope we find you well. Just in follow up to the Minister's visit to Richardsons Road back in early August I have attached some information that may be useful.

It would be greatly appreciated if you would please pass on the below message and attached information to the Hon Felix Ellis MP, Minister for Housing and Planning.

Dear Minister

I would like to thank you again for taking the time out of your extremely busy schedule to visit the property of 52 Richardson's Road. I hope it was beneficial in assisting with your future decision making on the property.

As it has been almost two months since your visit to site any update or information you are able to provide on the status of our application to amend the Urban Growth Boundary would be greatly appreciated.

Out of scope and I also thought the attached briefing note may be useful as an updated summary of the project.

Also attached is a brief summary of how the Richardsons Road Masterplan responds to a number of specific environmental pressures that were highlighted in the recent State of The Environment 2024 Report. Again we hope this information might be useful and it highlights some of the community and environmental benefits of what we consider the Gold Standard in residential master planned communities.

Kind Regards

Out of scope

out of scope

State of the Environment Report

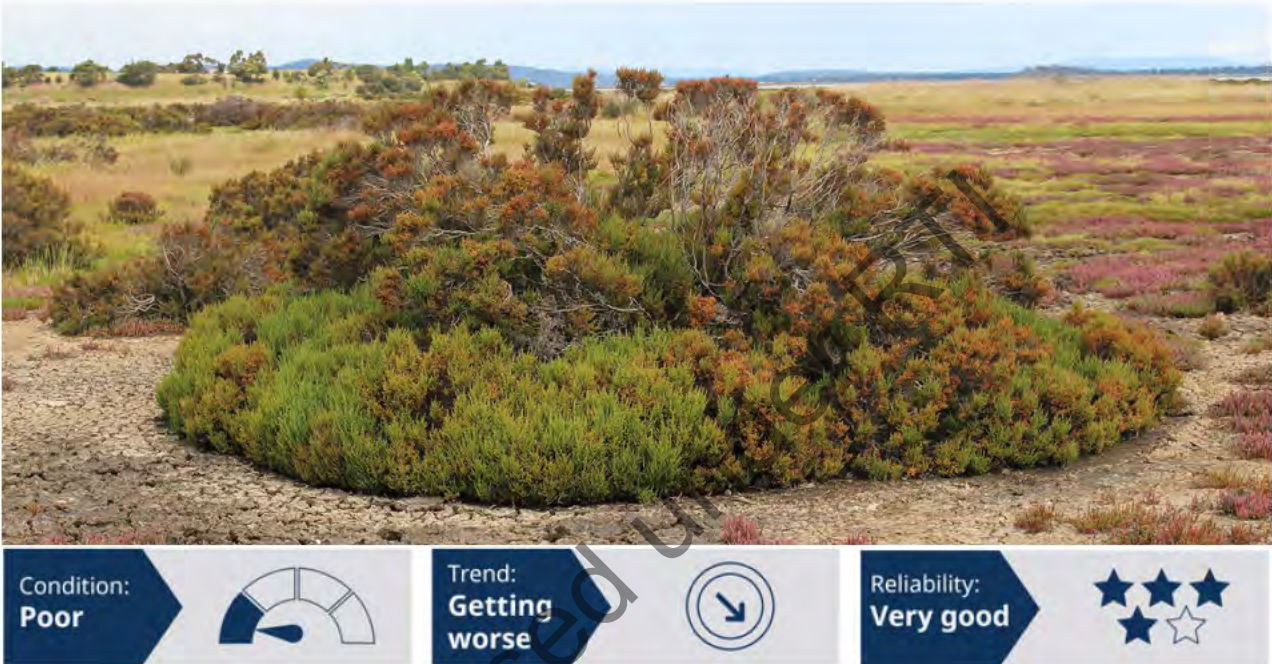
2024

52 RICHARDSONS ROAD

A Gold Standard Masterplan
that responds to identified
Environmental Pressures.



Saltmarshes



OUR SALT MARSHES NEED HELP

“The condition of Tasmanian coastal saltmarshes is poor, with a long trend of decline in their extent and condition.”

SoA - Vol. 1, p91

“Where data is available, it shows about one fifth of coastal saltmarshes have been lost and about half of those remaining are deemed to be in poor condition due to a range of pressures.”

SoA Vol 2 Part A, P64



Lauderdale Saltmarsh



LARGEST IN THE DERWENT ESTUARY

The Lauderdale Saltmarsh Reserve is the largest saltmarsh in the Derwent Estuary, with Racecourse Flats (adjacent 52 Richardsons Road) the largest patch in the Reserve. The saltmarsh is internationally recognised as a crucial migratory shorebird habitat.

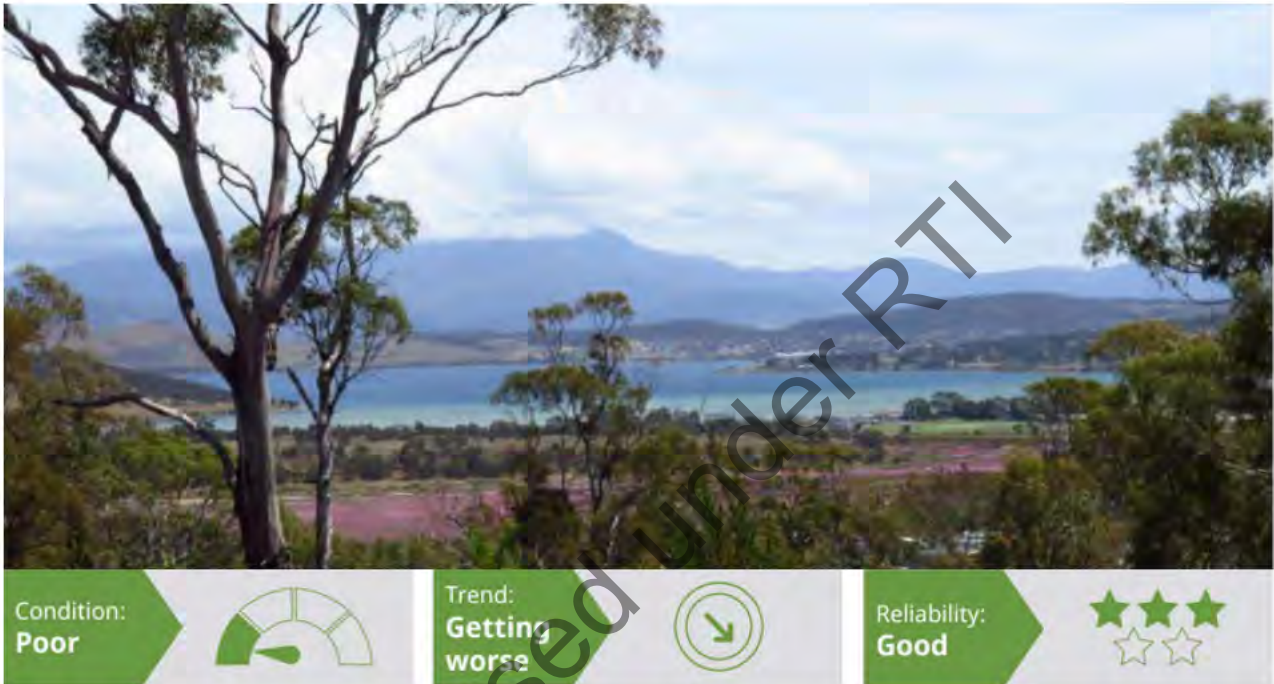
FUTURE PROOFING THE SALTMARSH

As the sea level rises at the result of climate change the saltmarsh is predicted to retreat into a significant area of 52 Richardsons Road.

Our Masterplan's 35ha of proposed Public Open Space allow for this retreat and so future proofs the saltmarsh's migration pathway.

The University of Tasmania's wetlands expert, Out of Scope has provided a letter of support for our proposed Public Open Space that promotes the future conservation of the saltmarsh

Threatened flora



A Natural Values Assessment of 52 Richardsons Road identified a number of threatened communities within the woodland and wetland areas contained within the proposed 35ha of Public Open Space

The Masterplan's proposed Public Open Space and formalised trail network will help protect these communities from damage as the result of unauthorised activities and land degradation.

Though no detailed survey was undertaken, threatened fauna may also use the property for both breeding or foraging. The most likely species include the eastern barred bandicoot, the Tasmanian devil, the eastern and spotted-tail quoll and Tasmanian masked owl.

North Barker NVA 2020 & 2023



Our Masterplan

The Gold Standard in
Residential Development



17 June 2020

Proposed Development - 52 Richardsons Road, Sandford

To The Minister for Planning and the Mayor - Clarence City Council

I have been involved in the development of the Clarence City Council's Reserve Activity Plan 2020-2030 for the Lauderdale Saltmarsh Reserve. The Lauderdale Saltmarsh System is the largest saltmarsh cluster in the Derwent Estuary. The Racecourse Flats section of the saltmarsh covers an area of 68.5 ha within this system and is the largest single section of saltmarsh associated with the Derwent Estuary.

Saltmarshes are expected to be one of the most sensitive habitats to rising sea levels as a result of global warming. Modelling of potential sea level rises predicts that the Racecourse Flats saltmarsh will migrate inland and occupy a large area within currently privately owned land at 52 Richardsons Road. The map below extracted from the Draft Reserve Activity Plan indicates the level of predicted migration.



The proposed development at 52 Richardsons Road, specifically the proposed 35 Ha of public open space would greatly assist in future proofing the predicted migration pathways of the saltmarsh. The proposed public open space would incorporate a substantial area that is predicted to be subject to saltmarsh migration, thereby conserving this area and allowing for its long-term protection. It is further notable that this area also has a large remnant native vegetation patch that increases the biodiversity value of this saltmarsh, adding to the potential for community engagement, outdoor recreation and science communication activities as part of the larger Saltmarsh Reserve.

Yours sincerely

Out of scope

Lecturer, University of Tasmania.

PROJECT SUMMARY - 52 RICHARDSONS ROAD, SANDFORD

The Property & Location

The property is 73ha in area and is adjacent to the Lauderdale Urban Growth Boundary (UGB).

Demand for property in the coastal suburb is extremely high - there is virtually no vacant land in the area that is feasible for future General Residential housing.

The project is fully funded by the owners and a rezone and development application will commence immediately pending approval of an amendment to the UGB.

The Application & Masterplan

The application is to amend the UGB to include 12.1ha for residential housing.

The amendment would enable an indicative 147 new General Residential & 8 Rural Living lots.

Masterplanned - a Gold Standard greenfield development that integrates community recreation and regionally significant environmental protections.

35ha (48 per cent of the total property) would be rezoned to Public Open Space.

Clarence Council has formally consulted with regional councils and the community.

The Council formally supported the application in Feb 2021 and March 2022.

The previous Minister had set aside his decision pending work on the Greater Hobart Plan.

Community Benefits

Future proofs the low lying community from potential sea level rises.

Recreation - 35ha of diverse bushland proposed for public open space including a formal trail network and connection to Council's existing Tangara and Coastal trails.

Supports existing and potential local businesses and job creation.

Potential for the inclusion of social housing within the masterplan.

Provides an alternative vehicle access to South Arm Road for existing residents.

Environmental Protections

Protects a number of threatened species within the proposed public open space.

Future proofs the Lauderdale saltmarsh from sea level rises.

Formalises trail networks to limit unregulated use and land degradation.

Infrastructure & Servicing - Fully Costed

The proposed residential area is serviced by the existing water and pressure sewer networks.

A Traffic Impact Assessment shows no reduction in service capacity of the road network.

Supports the government's \$6.5m upgrade to Lauderdale Primary School.

Supports the government's commitment to the upgrade of Rokeby and South Arm Roads.

Population Growth & the Greater Hobart Plan (GHP)

The 2021 Census showed 10,000 more people than predicted and a 3,000 dwelling shortfall in Greater Hobart.

The Census showed the GHP hugely underestimated the required housing supply to 2050.

Treasury's 2022 population growth forecasts highlighted the supply issue in Clarence to 2050:

- 5,270 more people - 89% more than the GHP assumption (Medium series)
- 7,365 more people - 57% more than the GHP assumption (High Series)
- 132 (M) and 184 (H) additional dwellings every year above the GHP estimate to 2050

Projects require lead times so a pipeline of viable housing projects is critically required.

Richardsons Road is fully costed, funded and ticks all the boxes.

Could the area be assessed as part of the STRLUS review?

It is widely accepted that the STRLUS review is many years overdue and is still some time away.

Large areas of designated future residential zones within the UGB are not being developed.

All levels of government have identified the critical need for increased housing supply.

Require a pipeline of viable new housing supply now that is in areas of high demand.

Why not have the project assessed under the new SRD2.12?

SRD2.12 effectively renders the UGB irrelevant for applications that meet the criteria.

Council officers and the project's planner strongly believe the masterplan fails to meet the eligibility criteria due to the site area and number of proposed dwellings.

What about infrastructure and "urban sprawl"?

A comprehensive Traffic Impact Assessment has concluded there would be no reduction in the level of service of the existing road network.

The masterplan provides an alternative road link to South Arm Road for existing residents.

Bayview Road ends at the property boundary indicating an intention to extend the roadway.

The site is a 35-minute bus ride to the CBD and 12-minute drive to Glebe Hill and Shoreline Shopping Centre.

The masterplan is based on best practice urban design and supporting healthy communities.

Local & State Government Support

Minister Ferguson has been supportive of the Application over the past 24 months.

Minister Abetz and Premier Rockliff have both been supportive of the project.

Clarence Council has formally supported the application twice. Mayor Blomely is strongly supportive.

The project ticks all the boxes and provides an opportunity for the Government to support increased short term housing supply and increased social housing.

The Property - adjacent the Lauderdale UGB and General Residential zone (red)

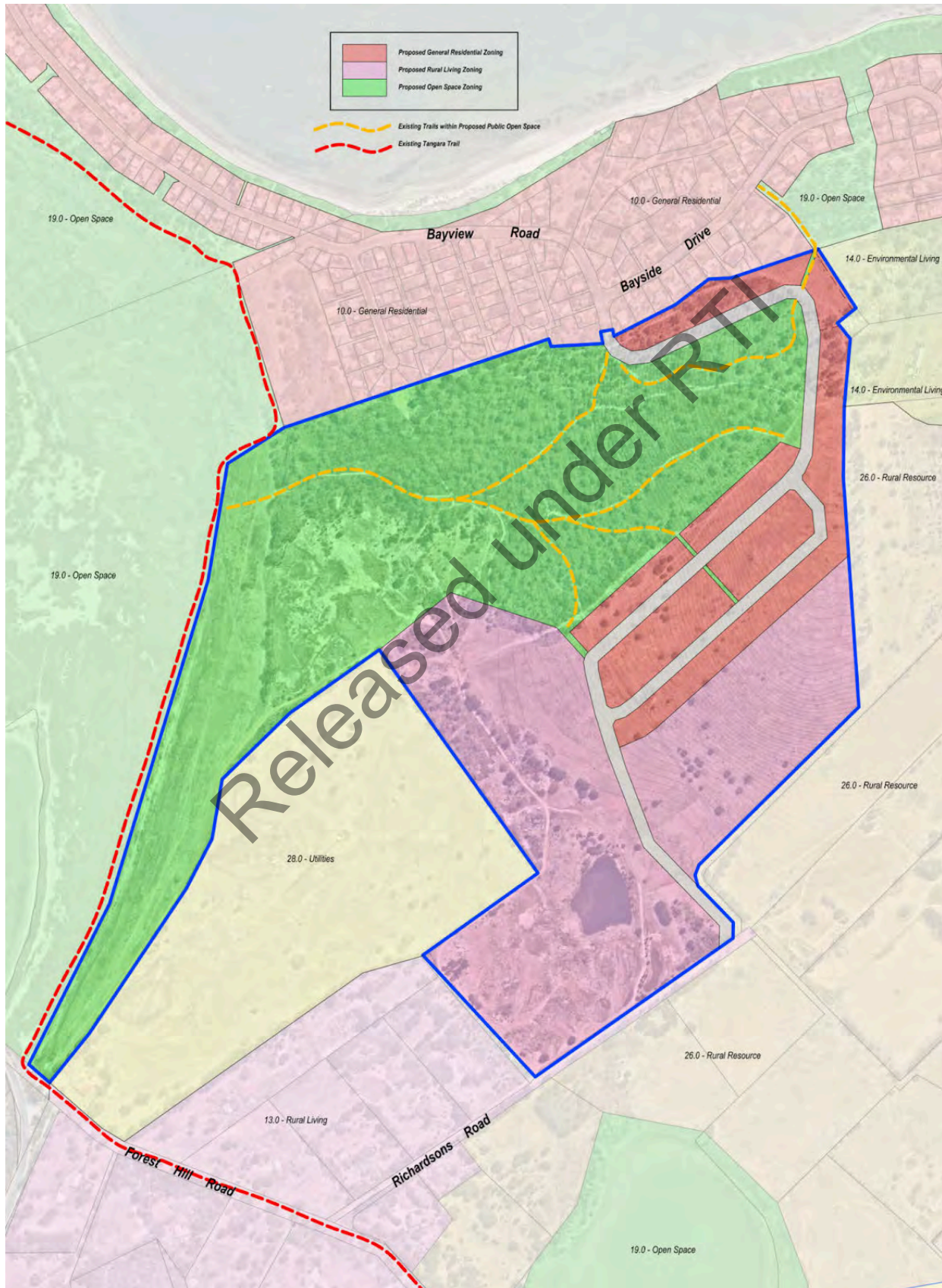


The Masterplan

General Residential (Red) intrinsically linked to the existing community.

35ha of Public Open Space (Green) connected to the existing and new residential areas.

Rural Living (Pink) as a buffer to more rural areas further south.



Environmental & Recreation Opportunities

Protects threatened species and future proofs the predicted migration pathway of the Lauderdale Saltmarsh.

Will include a trail network that links the Tangara Trail to the Coastal Trail.

Opportunities for mountain biking and other recreational pursuits.



Dear Minister Ellis,

Firstly, I would like to thank you for having courage to stand up for the people and what is right.

I am very impressed with what you have done and achieved so far, thank you.

The reason for this email is to seek an appointment with you in your busy schedule so that I can bring you up to date with what is happening in our community with the planning scheme and to see how you may be able to help with the movement of the Urban Growth Boundary in Lauderdale.

Around 2010 Clarence Council and the Minister were favorable to the UGB being moved over the Central Lauderdale area, which consisted of 27 5 acre rural lots.

I have been closely involved as a resident of clarence in the planning system for the past 30 years.

In that time, I have been able to have the "Refugia" zone statewide taken off areas affecting private land owners and made more equitable for all. What was my driver in this was the refugia overlay meant that once the land was covered by the sea through global warming, **the ownership of the land reverted to the Crown without compensation.**

I Live at Lauderdale and have been closely involved in the CLAC, the Walker Ralphs Bay development, the proposed rezoning and development of Central Lauderdale 25x 5 acres with potential 800 lots from rural to residential, the connection of the UGB from Bengalee street down Mannata street to allow the development of the Woolworths site on south arm road. I have also been closely involved with Woolworths over the last 15 years to help them get to the stage of submitting their DA late last year.

I have also had input into the raising of south arm road at Lauderdale as well as the south arm rd and Acton Road intersection.

As Lauderdale has all the infrastructure such as water, NBN, doctors, schools, bus routes, sewerage etc, I find it unusual and questionable that planning decisions in relation to Lauderdale's past and current seemingly spot UGB proposals are happening. Logically you would include all of Central Lauderdale in the New UGB or at least have a continuous UGB along south arm road.

I have recently been to a PMAT public meeting where this GREEN front is lying to the community about the DAP and the planning system with what is really an election bid but may also muddy the water.

I look forward to meeting with you to discuss this matter and help in any way that I can.

Thank you again for your work and time.

Kind regards

Out of scope

[Redacted]

From: Out of scope @grayplanning.com.au>
Sent: Tuesday, 21 January 2025 4:39 PM
To: Minister Ellis: felix.ellis@parliament.tas.gov.au
Subject: Rezoning of Out of scope land at Margate
Attachments: Traffic impact - 5 Gemalla Road Margate Final.pdf

You don't often get email from Out of scope @grayplanning.com.au. [Learn why this is important](#)

Dear Minister Ellis,

Following on from correspondence with your office during the course of 2024 on the matter of rezoning the Out of scope family's land at Margate, of whom I act on behalf of as their consultant town planner, I am pleased to now be able to provide an update on the rezoning of the property at 26 Crescent Drive/21 Gemalla Road, Margate.

A rezoning application lodged with Council in early 2024 progressed to the 20 January 2025 Kingborough Council agenda with an accompanying recommendation of approval for rezoning to 'General Residential' by Council's Senior Strategic Planner. This recommendation was unanimously supported by Councillors on 20th January 2025.

The Council agenda can be found here:

<https://www.kingborough.tas.gov.au/wp-content/uploads/2025/01/Agenda-No.-1-20-January-2025-Public-Copy.pdf>

The approval for rezoning would not have been possible without the Tasmanian Government's amendments to the Southern Tasmanian Regional Land Use Strategy SRD2.12 to allow for growth adjacent to the Urban Growth Boundary. These amendments have allowed the Out of scope family to pursue a rezoning of the Out of scope Road property.

This rezoning proposal is particularly timely as a recent report commissioned by the Tasmanian Government's State Planning Office to examine residential supply and demand in Southern Tasmania found that of the 42 areas considered by the study, Margate was found to have the second lowest amount of available land supply compared to the other areas considered, with Margate's existing land supply expected to be exhausted within two years - Page 27

of https://www.shapingtasmania.com.au/images/projects/2/1727065660_Residential%20Demand%20and%20Supply%20Study%20Demand%20and%20Supply%20Report.pdf

Margate is one of three 'Major Satellite' suburbs in the Greater Hobart region, with the other two Brighton and Sorell having experienced growth and development over the past 10 to 15 years. Margate has been practically stagnant during that time largely due to the Out of scope land, which represents the only land suitable for growth, being locked in a planning abyss by being held in a holding zone by Kingborough Council for future urban growth but sitting outside the Urban Growth Boundary.

With the support of Kingborough Council (and local MP's, including two of whom are former Kingborough Councillors), as well as strong alignment to the 2019 Kingborough Land Use Strategy and State Government's 30-Year Greater Hobart Plan, the Out of scope family is well placed to deliver an appropriately located supply of residential land (circa 100-130 houses) over future years. All

consultant reports to date including environmental, traffic and engineering have been consistently supportive of the rezoning and future development of the property.

To the best of my knowledge, this rezoning application is potentially the first time that the Tasmanian Government's SRD2.12 amendment has been utilised and progressed to this extent.

Some uncertainties continue to exist as the application will ultimately progress to the Tasmanian Planning Commission and their interpretation of the amended clauses contained in SRD2.12 has not been tested.

To remove the risk of varied interpretation of the requirements pursuant to SRD2.12, we are hopeful that the Crescent Drive/Gemalla Road property (CT 187452/1, CT 137794/2, CT146336/1 & CT146336/3) and the other [out of scope] family property at 1830 Channel Highway (CT 116263/1, CT 126607/1, CT 166524/1 & CT111837/1) will both be included in a revised Urban Growth Boundary in the future, for which I understand a review of the Southern Tasmanian Regional Land Use Strategy is currently underway.

Following Council's recent positive vote on the rezoning, this proposal will now go out for public comment and then be returned to Council for another vote. I understand that the Department of State Growth will have the opportunity to provide comments on the proposal at this upcoming public comment stage.

We are obviously seeking a positive outcome through this process and would like to extend an opportunity to discuss this rezoning proposal with State Growth ahead of any public submission by State Growth, particularly in light of the strong existing strategic policy support for the proposal and the recent findings from the land supply/demand study.

If you are able to facilitate such a discussion between myself, the [out of scope] family and the appropriate officers at State Growth that would be much appreciated. I have attached the Traffic Impact Assessment report to this email for convenience.

Assuming we are successful in obtaining a rezoning from the Tasmanian Planning Commission for the Crescent Drive/Gemalla Road property, we look forward to then working in consultation with both Kingborough Council and State Growth to progress towards a subdivision development application of the Gemalla Road and Crescent Drive property.

Please do not hesitate to get in touch if you have any questions and I am happy to assist.

Regards

[Out of scope]

On behalf of the Estate of [Out of scope]

[out of scope]

Principal Consultant

Gray Planning

M: [Out of scope]

P: [Out of scope]

E: [Out of scope]@grayplanning.com.au

W: www.grayplanning.com.au

From: Out of scope @grayplanning.com.au>
Sent: Friday, 14 March 2025 10:29 AM
To: Minister Ellis; felix.ellis@parliament.tas.gov.au
Cc: Reilly, Tom
Subject: Follow up correspondence RE: Rezoning of Out of scope land at Margate
Attachments: Letter to Minister Ellis re 1830 and Lot 1 Channel Highway Margate for Out of scope 13 March 2025.pdf

Importance: High

You don't often get email from Out of scope @grayplanning.com.au. [Learn why this is important](#)

Dear Minister Ellis,

Following on from my email to you on 21 January 2025 and a subsequent telephone call from Out of scope of your office, I attach follow up correspondence regarding the currently advertising of the *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025.

There is still concern that the Out of scope property has not been wholly picked up by the proposed UGB amendment, with two titles still proposed to be left out, these being: CT-111837/1 and CT-166524/1. It is my request that this be rectified by an adjustment to the proposed UGB amendment to contain all eight of the Out of scope titles at Margate.

A copy of my representation to the currently advertising of the *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025 will be sent to your office shortly for your assistance and information.

If you wish to discuss I may be connected on Out of scope

Regards
Out of scope

On behalf of Mr Out of scope and the Estate of Mr Out of scope

Out of scope B.Env.Des, MTP, MPIA
Principal Consultant
Gray Planning

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A: 224 Warwick St, West Hobart, TAS, 7000

Duplicate



Out of scope

Gray Planning

224 Warwick Street

West Hobart TAS 7000

13 March 2025

The Hon Minister Felix Ellis MP,
Minister for Housing, Planning and Consumer Affairs
Level 5, 4 Salamanca Place
Hobart Tas 7000

Dear Minister Ellis,

I refer to my email to your office on 21 January 2025 regarding the zoning and Urban Growth Boundary issues faced by the Out of scope owned land at Margate. I also make reference to a subsequent phonecall from Out of scope of the State Planning Office (SPO) and recent discussions with Senior Planning Advisor Mr Tom Reilly of your office in relation to the proposed placement of the Urban Growth Boundary (UGB) at Margate as currently advertised.

I make reference to the *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025, currently being advertised by the SPO. The proposed amendment to the UGB will result in two Out of scope owned titles being excluded from the UGB whilst the remaining six titles are proposed to be wholly enclosed within the amended UGB.

I wish to bring to your attention that the proposed amendments to UGB location will still result in land held by the Out of scope family being located outside the UGB.

The status of the Out of scope owned land at Margate has a long history of being flagged by Kingborough Council for future consideration of a substantial extension of the urban area of Margate to the south – I refer you to correspondence to and from Kingborough Council attached at the end of this letter that dates as far back as 2015.

As you may be aware, the Tasmanian Planning Commission has adopted a position of having a refusal to entertain any proposal for rezoning and subdivision outside of the Urban Growth Boundary. To date, there has been a single approval of a rezoning and subdivision outside of the Urban Growth Boundary (UGB) and this is for land already zoned Future Urban at Cygnet.

Despite the housing crisis there have been no other rezoning proposals approved by the TPC located outside of the UGB since the Southern Tasmanian Regional Land Use Strategy (STRLUS) was enacted eleven years ago.

Out of scope



Out of scope

@grayplanning.com.au

224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au

ABN 99148920244

I appreciate that amendments have been made to the Southern Tasmanian Regional Land Use Strategy (STRLUS) under the recently amended SRD 2.12 to enable consideration of land being rezoned that is directly adjacent to the UGB.

The **out of scope** land on the eastern side of Channel Highway has recently been initiated by Kingborough Council for a rezoning to General Residential following a unanimous vote by Council. This rezoning application has been prepared in accordance with the recent amendment to the *Southern Tasmania Regional Land Use Strategy* which came into effect on 17 May 2023 and relies on the amendment to Regional Policy SRD2.12.

The amendment to Regional Policy SRD 2.12 provides greater clarity and enables Councils and the Tasmanian Planning Commission greater flexibility in considering the planning merit of proposals to rezone land for urban purposes which are outside, but immediately adjacent to, the UGB. However, this amendment is not a magic bullet for a rezoning proposal.

The **out of scope** owned land at Margate is illustrated below in Figure 1.

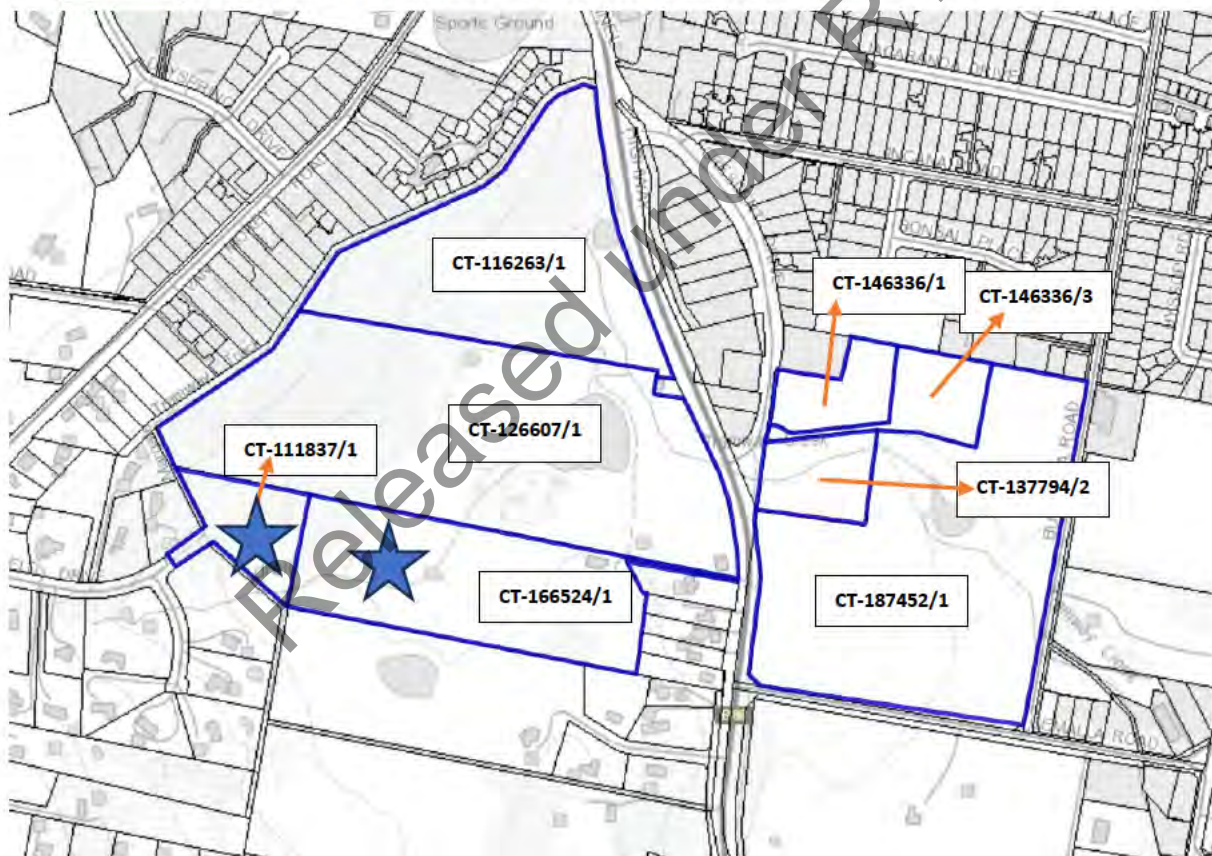


Figure 1. **out of scope** owned titles in southern Margate. Source: TheList, 10 March 2025. No nominated scale.

In the above Figure, the two titles proposed to be left outside of the amended UGB are indicated with a star and are titles CT-111837/1 and CT-166524/1.

I make note of the proposed amendments to the UGB currently being advertised (page 20, *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025):

4.3 Kingborough

Figure 3 shows the areas for inclusion in the UGB at Kingborough.

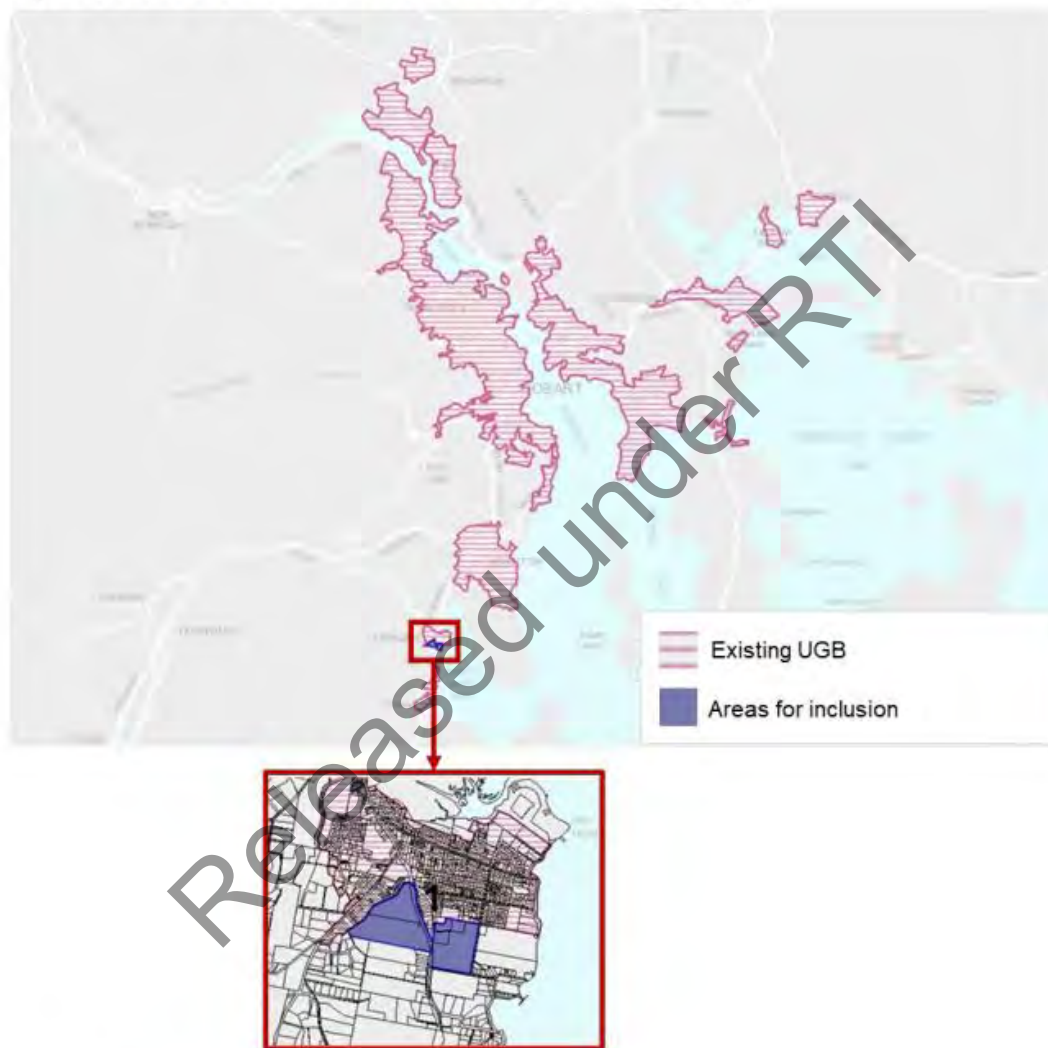


Figure 3. Areas for inclusion in the UGB at Kingborough.

I note that the **out of scope** owned land on the eastern side of the Channel Highway is proposed to be wholly located within the UGB as proposed to be amended. These titles include:

- 21 Gemalla Road (CT-187452/1); and
- 26 Crescent Drive (CT-137794/2, CT-146336/3 and CT-146336/1).

The proposed amendment to the UGB unfortunately does not seek to include all **out of scope** owned land on the western side of Channel Highway.

Included within the proposed UGB are:

- Lot 1 Channel Highway (CT-116263/1 and CT-126607/1).

The following land also owned by the **out of scope** family is not proposed to be located inside the UGB:

- Lot 1 Channel Highway (CT-111837/1) and
- **out of scope** Orchard', Lot 1 Channel Highway (CT-166524/1).

As you may be aware, the **out of scope** land combined will likely provide for in excess of 500 General Residential lots in a highly sought after area and is therefore an extremely significant development that will go a long way to addressing the current housing crisis in southern Tasmania as far as single developments under a single ownership go. The **out of scope** family has sought, over more than 20 years, to have this land treated consistently in terms of zoning.

I have attached correspondence as appendices to this letter dating from as far back as 2015 where the **out of scope** family has made consistent requests to have the land wholly zoned the same to ensure consistency in how they intend approaching development of the land and to avoid a piecemeal approach.

The TPC refused to agree to Kingborough Council's draft LPS mapping which was originally initiated to have the **out of scope** land being rezoned to Future Urban, a rezoning that referenced a long held strategic direction of Council's for the **out of scope** land to facilitate a much needed and logical expansion of Margate. Their rationale provided to Council was that the change in zoning was 'too great' and that the land was 'not in the UGB'.

Advice from Minister Ferguson to **out of scope** dated 30 June 2022 advised that Kingborough Council should initiate the process to amend the UGB.

In response, in August 2022 Kingborough Council refused to initiate any amendment to the UGB and placed this responsibility solely on the **out of scope** family. As a result, an application to amend the UGB was lodged by the **out of scope** family in December 2022. This application was subsequently withdrawn upon amendment of the STRLUS in May 2023 to Regional Policy SRD 2.12 to enable consideration of a separate rezoning application.

However, the **out of scope** family now find themselves in the predicament of having half of their titles on the western side of the Channel Highway continuing to be located outside the UGB as proposed in the *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025 currently being advertised.

The **out of scope** family have engaged Gray Planning to prepare a representation as part of the public notification process for this amendment and a copy of this representation will be forwarded to your office shortly.



It should be noted that the cost and responsibility for providing such strategic town planning research to justify amendment of state government introduced strategic plans (the STRLUS and UGB) is being pushed onto private citizens, an approach (given the excessive cost and the associated stress and uncertainty) is considered to be entirely unreasonable.

There is no formal UGB amendment process under the *Land Use Planning and Approvals Act 1993*. Where Council refuse to initiate or agree to such a process, I further understand that the Minister (yourself) has the power to override local government input. I also understand that from discussions with Brighton Council that this is what happened to a Brighton Council application to amend the UGB at 69 Brighton Road.

It is inexplicable why some of the **out of scope** land has been left out of the UGB amendment as proposed in the *STRLUS Urban Growth Boundary Update Consultation Paper* dated February 2025.

Lot 1 Channel Highway (CT-111837/1) and **out of scope** 's Orchard', Lot 1 Channel Highway (CT-166524/1) have common characteristics with land to be contained within the UGB at Lot 1 Channel Highway (CT-116263/1 and CT-126607/1) including land use, topography, lack of identified land use constraints and favourable orientation to both future servicing and access.

To date, an engineering servicing report, a land capability assessment report and a land supply and demand study report commissioned by the **out of scope** family all reinforce the suitability of the 'missed' titles CT-111837/1 and CT-166524/1 for future residential development of an urban density. Copies of these reports can be provided to your office if necessary.

It is particularly important for these 'missed' lots to also be located within the UGB as any development of CT-116263 and CT-126607/1 will rely on access to Englefield Drive via CT-111837/1. On this basis, in and of itself, CT-111837/1 and CT-166524/1 must also be likewise located within the UGB to ensure that neighbouring properties can be accessed, and these properties, as a whole under common ownership, can be developed in a proposal that does not rely wholly on access via the Channel Highway.

A check of TheList or a site inspection confirms that the Englefield Road abruptly terminates into an intended future road connection in terms of physical works. Englefield Drive was designed and approved by Kingborough Council to facilitate a former subdivision of the **out of scope** land in 1992.

This approved subdivision is shown below:



It must be considered that the land owned by the **out of scope** at CT-116263/1 and CT-126607/1 being proposed to be located within the UGB effectively forces CT-111837/1 and CT-166524/1 to be likewise located within the UGB in order to properly facilitate any future access and development.

Given that CT-166524/1 is a property likewise held long term by the **out of scope** family and is also strategically and favourably located to be included as part of any future development of the expansion of Margate to the south (and could be accessed via Englefield Drive) it is also requested that you re-examine the placement of the UGB.

The consistent treatment of all parcels of **out of scope** owned land will allow a consolidated and master planned future development of Margate to the south.

Council has acknowledged the strategic importance of the **out of scope** land in terms of future expansion of Margate and has been repeatedly highlighted this in multiple strategic documents including their 2019 Land Use Strategy.

While I do acknowledge that your government has recently undertaken amendments to the STRLUS to facilitate the development land outside of the UGB, unfortunately none provide comparable certainty as a location inside the UGB.

We will continue to remain in touch with your office to attempt to resolve a situation that has been created by the inflexible application of strategic directions and a convoluted planning process.



I understand that due to the ongoing zoning and strategic planning issues faced by the **out of scope** properties, despite their strategic positioning and support by Council, that there is increasing interest in the progress of their development due to the ongoing housing and land supply crisis and the suitability of the **out of scope** titles to be developed.

On that basis it is hoped that a prompt resolution to the proposed location of the UGB can be favourably made to the **out of scope** land in the coming months to provide the **out of scope** family with certainty.

For more than 20 years the **out of scope** family have shown ongoing willingness and ability to work with relevant stakeholders such as Council for the long term benefit of all stakeholders with respect to the properties, rather than adopting a piecemeal approach to developing parts of the separate titles of their land. The **out of scope** family could have progressed to some extent over recent years the separate development of their titles for low density residential development but have instead chosen to hold off any development plans for the long term vision of an extension of Margate.

Should you wish to discuss the above, I may be contacted on **out of scope**, and I would welcome the opportunity to do so.

Yours faithfully

out of scope

Principal Consultant, Gray Planning

On behalf of the **out of scope** family and the Estate of **out of scope**

From: Out of scope @grayplanning.com.au>
Sent: Monday, 17 March 2025 10:44 AM
To: Minister Ellis; felix.ellis@parliament.tas.gov.au
Cc: Reilly, Tom
Subject: RE: Follow up correspondence RE: Rezoning of Out of scope land at Margate
Attachments: Representation UGB Amendment Out of scope land at Margate 14 March 2025 V2.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Out of scope

Dear Minister Ellis

Following on from my email on Friday, please see attached a copy of the representation sent to the State Planning Office about the *STRLUS Urban Growth Boundary Update Consultation Paper* that finished being publicly advertised last Friday 14 March 2025. This representation was submitted to the SPO last Friday morning.

The attached representation seeks an adjustment of the proposed amendment to the Urban Growth Boundary so that the titles comprised in Lot 1 Channel Highway (CT-111837/1 and CT-166524/1) are also included within the proposed UGB to ensure that a holistic approach to the planning and strategic considerations of the Out of scope land can be achieved in terms of its future use and development.

I again reiterate that leaving out CT-111837/1 and CT-166524/1 of the Future Urban zoning (as previously sought by Council) or out of the UGB is not based on any strategic planning argument. These titles were inadvertently left out by Council when considering a possible application of the Future Urban zoning under their original draft LPS mapping. It is my understanding that subsequent talks with Council about an amendment of the UGB then relied on the location of the Future Urban zoning in the original draft LPS as it applied to the Out of scope land that erroneously did not pick up all titles.

If you wish to discuss I may be contacted on Out of scope or by Out of scope @grayplanning.com.au

Regards

Out of scope

Out of scope B.Env.Des, MTP, MPIA
 Principal Consultant

Gray Planning

M: Out of scope
 P: Out of scope
 E: Out of scope @grayplanning.com.au
 W: www.grayplanning.com.au
 A: 224 Warwick St, West Hobart, TAS, 7000

Dept Reference: MR25/206/1

DOT POINTS FOR THE MINISTER FOR HOUSING, PLANNING AND CONSUMER AFFAIRS

SUBJECT: URBAN GROWTH BOUNDARY – MEREDITH LAND – MARGATE

- **out of scope**, spoke to **out of scope** on Friday 21 February regarding her email request to Minister Ellis to include the **out of scope** land at Margate within the Southern Tasmania Regional Land Use Strategy (STRLUS) Urban Growth Boundary (UGB).
- Her request to include the land within the UGB was made prior to the Minister releasing consultation on amendments to the STRLUS UGB in early February. The amendments proposed as part of that consultation include the **out of scope** land at Margate.
- The **out of scope** land was proposed for inclusion in the UGB by Kingborough Council as part of the comprehensive review of the STRLUS, and supported by the STRLUS Steering Committee.
- **out of scope** raised the issue that she originally sought for an additional 2 lots to be included within the UGB (CT 166524/1 & CT 111837/1) as shown below, however it appears that these were omitted from the land parcel put forward by Council, and therefore also omitted from the Minister's subsequent consultation on the amendments to the STRLUS UGB. The additional land is approximately 6.5 hectares in area.



- **out of scope** was advised to provide a submission to the consultation process addressing the matter of including the 2 additional lots and requesting that they be included within the final amendment to the STRLUS UGB.

Out of scope

Denise McIntyre

Deputy Secretary, Strategy, Housing, Infrastructure and Planning

4 March 2025

Prepared by:	Out of scope	Cleared by:	out of scope
Position:	Out of scope	Position:	out of scope – Planning Systems
Email:	Out of scope @stategrowth.tas.gov.au	Email:	Out of scope @stategrowth.tas.gov.au
Date:	24 February 2025	Date:	25 February 2025
Phone:	Out of scope	Phone:	Out of scope

Released under RTI

out of scope

From: **Out of scope** @grayplanning.com.au
 Sent: Monday, 5 May 2025 11:08 AM
 To: Reilly, Tom (DPaC) <Tom.Reilly@dpac.tas.gov.au>; felix.ellis@parliament.tas.gov.au; Minister Ellis (DPaC) <Minister.Ellis@dpac.tas.gov.au>
 Cc: **Out of scope** @gmail.com>
 Subject: FW: Urban Growth Boundary - Margate, **Out of scope** land

You don't often get email from **out of scope** @grayplanning.com.au. [Learn why this is important](#)

Dear Minister Ellis and **out of scope**,

Following on from my earlier submission provided to yourself and Minister Ellis on 17 March 2025 regarding the amendment of the Urban Growth Boundary to contain all of the **Out of scope** owned land at Margate, please see attached correspondence and also the below email trail provided to me by my client Mr **Out of scope** who acts for the Estate of Mr **Out of scope**.

I would be grateful if this additional information could be considered by the Minister in any deliberations about the UGB amendment.

If you wish to discuss, I may be contacted on **Out of scope**.

Regards

Out of scope

Please note our office will be closed from Monday 18 August 2025 and will reopen Wednesday 10 September 2025 at 9am.

Out of scope B.Env.Des, MTP, MPIA
 Principal Consultant
Gray Planning

M: **Out of scope**
 P: **Out of scope**
 E: **Out of scope** @grayplanning.com.au
 W: www.grayplanning.com.au
 A: 224 Warwick St, West Hobart, TAS, 7000

From: Out of scope [redacted] <[redacted]@gmail.com>
Sent: Wednesday, 30 April 2025 11:49 AM
To: Out of scope [redacted] <[redacted]@grayplanning.com.au>
Subject: Fwd: FW: Urban Growth Boundary - Margate

Hi Out of scope [redacted]

Please see below support from Minister Petrusma for the inclusion of all our properties in the Urban Growth Boundary. It may be worth ensuring that this has been directly provided to Out of scope [redacted] of Minister Ellis' office.

Also attached are letters of support from Kalis Group and the local Childcare Centre that highlight the economic/business need for our properties being developed given Margate has been essentially stagnant for a decade. I don't think we included these in the UGB submission but they are worth noting at a political/economic level, particularly given Kalis Group's comments that:
'Kalis Group is currently developing a new shopping complex in the central business district of Margate. The proposed residential development by Out of scope [redacted] will strongly support the utilisation of the shopping complex and is viewed as critically important to the long-term prosperity of the Margate shopping complex and tenant businesses.'

Regards,
Out of scope [redacted]

----- Forwarded message -----

From: **Petrusma, Jacquie** <Jacquie.Petrusma@dpac.tas.gov.au>
Date: Mon, Mar 17, 2025 at 4:26 PM
Subject: FW: Urban Growth Boundary - Margate
To: Out of scope [redacted] <[redacted]@gmail.com>
Cc: Out of scope [redacted] <[redacted]@dpac.tas.gov.au>

Hi Out of scope [redacted]

Many thanks for your email – I am very happy to provide my support for this very worthwhile development and have sent the below email to Minister Ellis.

Warmest regards,

Jacquie Petrusma

From: Petrusma, Jacquie
Sent: Monday, 17 March 2025 4:21 PM
To: Minister Ellis <Minister.Ellis@dpac.tas.gov.au>
Subject: FW: Urban Growth Boundary - Margate

Dear Minister Ellis,

I am writing to you on behalf of my constituent, Mr. **Out of scope**, whose father **Out of scope** and he, have been pursuing the rezoning and development of their land on the southern border of Margate for over 20 years.

Specifically, I seek your support for the following:

- Support of the inclusion of the **Out of scope** family's land at Margate in the expansion of the Urban Growth Boundary, including the two titles (CT-111837/1 and CT-166524/1) that are currently not part of the proposed expansion of the Urban Growth Boundary but that the **Out of scope** family has requested be included.

I note that the **Out of scope** family have long been pursuing a strategic and sensible approach to the future development of this land. The inclusion of all of this land in the Urban Growth Boundary will provide the **Out of scope** family with the confidence and ability to progress and accelerate the development of these key parcels of land, for the benefit of many, especially first home buyers.

I am advised that the **Out of scope** land combined will likely provide for in excess of 500 General Residential lots in a highly sought after area, and is therefore an extremely significant development that will go a long way to providing more housing in southern Tasmania, as far as single developments under a single ownership go.

Thank you for your consideration of this very important matter.

Warmest regards,

Jacquie Petrusma

From: **Out of scope** <[\[redacted\]@gmail.com](mailto:[redacted]@gmail.com)>
Sent: Monday, 17 March 2025 11:59 AM
To: jacquie.petrusma@parliament.tas.gov.au
Subject: Urban Growth Boundary - Margate

Dear Minister Petrusma,

I trust you are well.

As you may be aware, my late father **Out of scope** had been pursuing the rezoning and development of our land on the southern border of Margate for many years.

I cannot recall if he ever discussed the challenges he had been experiencing with you prior to his passing in 2023.

The challenges he has been facing were largely due to the Urban Growth Boundary not including our properties, despite Kingborough Council having long identified the properties for future urban growth.

We have however recently had some very positive progress with Kingborough Council voting unanimously to rezone our land to the east of the Channel Highway, following some changes by the Tasmanian Government to regulations that allowed us to progress a rezoning outside the Urban Growth Boundary.

A subsequent public submission process has further occurred to this unanimous vote to initiate our rezoning and I understand that this public submission process has also gone well.

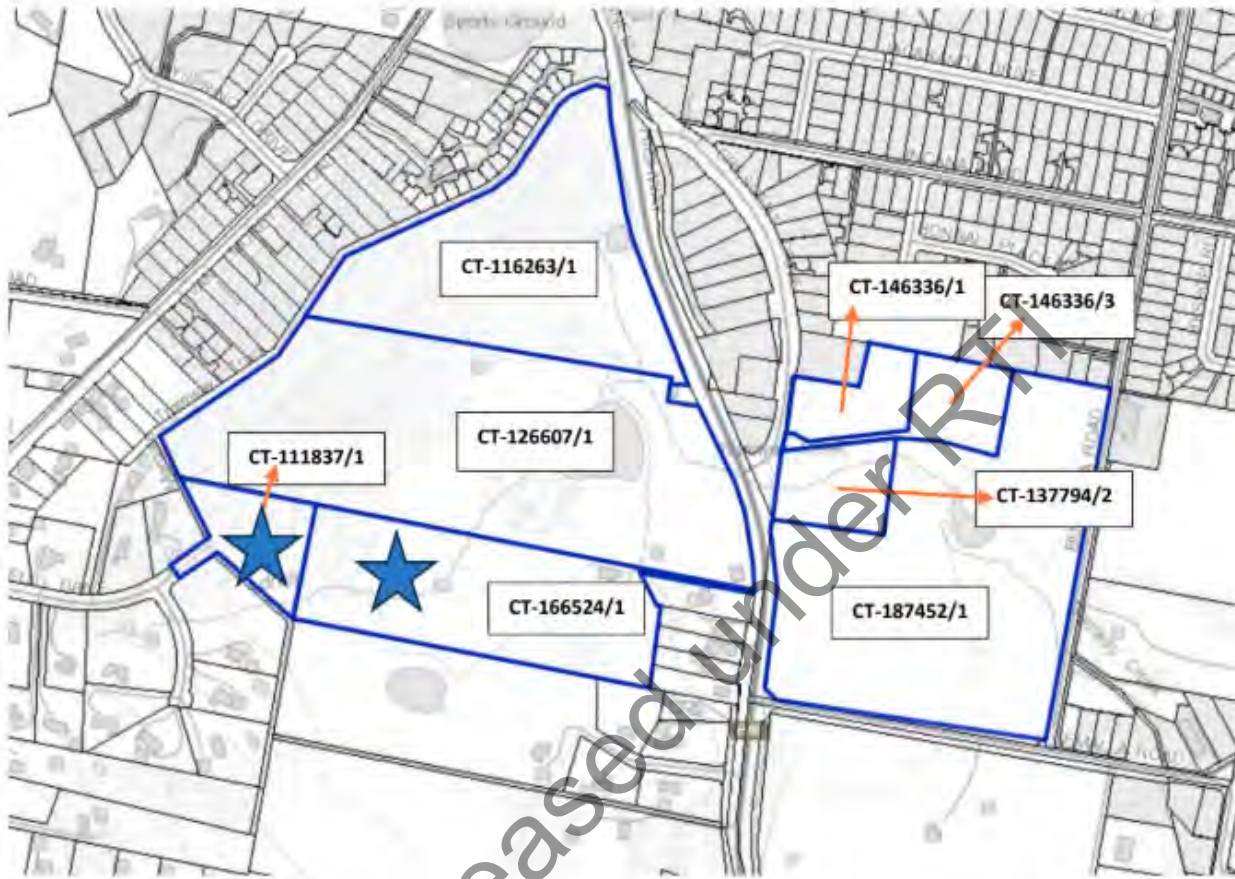
Council is expected to vote on the rezoning again tonight and (subject to a positive outcome) it will then progress to the Tasmanian Planning Commission (TPC). It is our understanding that this rezoning is expected to proceed to the TPC in the next few months for the standard hearing process before Commission panel members.

The State Planning Office (SPO) has also advertised several Urban Growth Boundary (UGB) amendments in Southern Tasmania for public feedback via a submission process. This amendment to the UGB as currently advertised by the SPO proposes to include all of our four titles of land to the east of the Channel Highway and two of four titles of our land on the western side of the Channel Highway.

My family's property is the only property south of Hobart to be picked up in the proposed amendment to the Urban Growth Boundary.

Our planning consultant **Out of scope** has been engaged of our behalf to lodge a detailed submission to this Urban Growth Boundary amendment process in support of the proposed expansion to include all of our property and has specifically requested that the two remaining/missing titles on the western side of the Channel Highway also be included in the Urban Growth Boundary.

These missing titles (CT-111837/1 and CT-166524/1) are identified in the map below with blue stars:



There is no strategic planning reason evident to exclude these two titles from the proposed amendment to the Urban Growth Boundary and it would cause me some significant issues and challenges if only part of the property was in the Urban Growth Boundary. This is further detailed in the attached letter sent to the Office of Minister Ellis by our planning consultant **out of scope** on our behalf.

Based on discussions with Minister Ellis' office to date we are hopeful that our request to include all **Out of scope** land in the UGB amendment will be viewed favourably.

I am writing to you to seek any support or facilitation you are able to provide into Minister Ellis' Office in your capacity as Member for Franklin. Specifically, I seek your support on the following:

- Support of the inclusion of the [Out of scope] family's land at Margate in the expansion of the Urban Growth Boundary, including the two titles (CT-111837/1 and CT-166524/1) that are currently not part of the proposed expansion of the Urban Growth Boundary but that the [Out of scope] family has requested be included; and
- Your support in noting that the [Out of scope] family have long been pursuing a strategic and sensible approach to the future development of this land. The inclusion of all of this land in the Urban Growth Boundary will provide the [Out of scope] family with the confidence and ability to progress and accelerate the development of these key parcels of land.

Kind regards,

[Out of scope]

[Out of scope]

[Out of scope]

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Simon Behrakis

Document
14
Liberal Member for **Clark**



The Hon. Felix Ellis MP
Minister for Police, Fire and Emergency Management
Minister for Housing and Planning
Minister for Skills and Training
Email: felix.ellis@dpac.tas.gov.au

Dear Minister,

Please find attached correspondence I have received from the JAC Group in regard to the Southern Regional Land Use Strategy (STRLUS) with particular focus on the current issues JAC Group is facing in relation to planning and development in Tasmania.

Some confusion appears to be evident in regard to a key development being discussed in the Sorell East area which appears to be identified by Sorell Council through its own strategic planning as an area for the supply of land for housing, education and industrial development, however the rezoning for the development has been restricted.

The correspondence received outlines in further detail the challenges faced and the benefits of new greenfield developments precincts as part of the STRLUS review.

Whilst the STRLUS as a strategic plan helps guide development according to projected population growth and other considerations, the precinct in question is not a hypothetical, and would result in the delivery of much needed housing within the short term.

What consideration can be given to options to unlock this precinct for development?

Yours sincerely,

Out of scope

Simon Behrakis MP
Parliamentary Secretary for Housing and Planning
Parliamentary Secretary to the Premier
Liberal Member for Clark



SOR-S5.0 Sorell Township Investigation Specific Area Plan**SOR-S5.1 Plan Purpose**

The purpose of the Sorell Township Investigation Specific Area Plan is:

- SOR-S5.1.1 To recognise an area of land to the south east of Sorell township that has been identified as being strategically important in catering for the potential growth of the township.
- SOR-S5.1.2 To enable decisions on the future growth of the Sorell township and the suitability of the area for urban development to be further considered through regional planning processes and any subsequent statutory land use planning processes.
- SOR-S5.1.3 To ensure that use and development of the land does not compromise the long term potential growth of the Sorell township area.

SOR-S5.2 Application of this Plan

- SOR-S5.2.1 The specific area plan applies to the area of land designated as Sorell Township Investigation Specific Area Plan on the overlay maps and in Figure SOR-S5.1.

SOR-S5.3 Local Area Objectives

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

SOR-S5.4 Definition of Terms

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

Released under RTI

SOR-S5.5 Use Table

This clause is in substitution for Agriculture Zone - Clause 21.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: (a) on land other than prime agricultural land; or (b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.
Permitted	
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Utilities	If for minor utilities.
Discretionary	
Bulky Goods Sales	If: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscape supplier; or (c) a timber yard.
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	
Emergency Services	
Food Services	If associated with Resource Development or Resource Processing
General Retail and Hire	If associated with Resource Development or Resource Processing
Research and Development	
Residential	If: (a) for a single dwelling; and (b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as Permitted.
Prohibited	
All other uses	

SOR-S5.6 Use Standards

SOR-S5.6.1 Discretionary uses

This clause is in substitution for Agriculture Zone - clause 21.3.1 Discretionary uses

Objective:	That uses listed as Discretionary: (a) support existing agricultural activities and related uses; and (b) do not restrict the future potential of the land to cater for the growth of the Sorell township.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary, excluding Residential or Resource Development; (a) must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> (i) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (ii) access to infrastructure only available on the site or on land in the vicinity of the site; (iii) access to a product or material related to an agricultural use; (iv) service or support for an agricultural use on the site or on land in the vicinity of the site; (v) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (vi) provision of essential Emergency Services or Utilities; or (b) must be for an activity that provides a significant social benefit to the Sorell township and the wider community.
A2 No Acceptable Solution.	P2 A use listed as Discretionary must be able to contain pollution such as dust, spray and noise within the site to the extent that it will not restrict the development of future sensitive uses on sites within the area shown as the Sorell Township Investigation Specific Area Plan on the overlay maps.

<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>A Residential use listed as Discretionary must:</p> <p>(a) be required as part of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use; (iii) the operational requirements of the agricultural use; (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and (v) proximity of the dwelling to the agricultural use; or <p>(b) be located on a site that does not confine or restrain agricultural use on adjoining properties.</p>
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SOR-S5.7 Development Standards for Buildings and Works

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

SOR-S5.8 Development Standards for Subdivision

SOR-S5.8.1 Lot design

This clause is in substitution for Agriculture Zone - clause 21.5.1 Lot design

<p>Objective:</p>	<p>To provide for subdivision that:</p> <ul style="list-style-type: none"> (a) relates to public use or Utilities (b) protects the long term productive capacity of agricultural land (c) does not restrict the future potential of the land to cater for the growth of the Sorell township.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p>

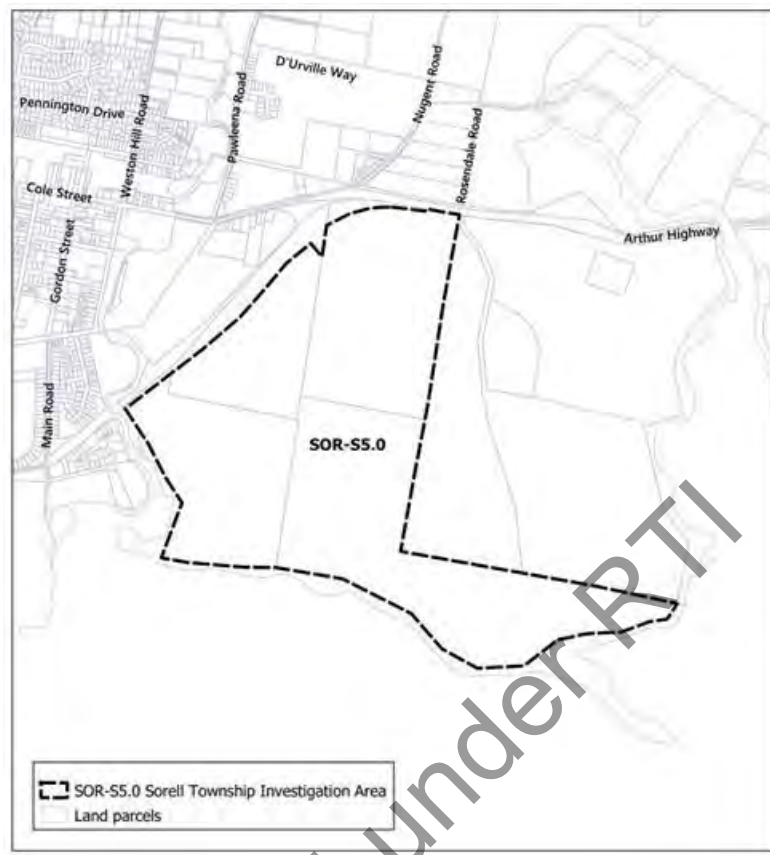
- (a) provide for the operation of an agricultural use, having regard to:
 - (i) not materially diminishing the agricultural productivity of the land;
 - (ii) the capacity of the new lots for productive agricultural use; and
 - (iii) any topographical constraints to agricultural use;
- (b) be for the reorganisation of lot boundaries that satisfies all of the following:
 - (i) provides for the operation of an agricultural use, having regard to:
 - a. not materially diminishing the agricultural productivity of the land;
 - b. the capacity of the new lots for productive agricultural use; and
 - c. any topographical constraints to agricultural use;
 - (ii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;
 - (iii) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and
 - (iv) it does not create any additional lots; or
- (c) be for the excision of an existing use or development that satisfies all of the following:
 - (i) the balance lot provides for the operation of an agricultural use, having regard to:
 - a. not materially diminishing the agricultural productivity of the land;
 - b. the capacity of the balance lot for productive agricultural use;
 - c. any topographical constraints to agricultural use; and
 - d. current irrigation practices and the potential for irrigation;
 - (ii) be the minimum area necessary for the operation of the existing use;
 - (iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and
 - (iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.

<p>A2</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>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, is capable of being 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 including pedestrians; and (d) the pattern of development existing on established properties in the area.
<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>A plan of subdivision for new lots proposing an access strip or right of way must:</p> <ul style="list-style-type: none"> (a) be designed so that access arrangements proposed in the subdivision will not restrict the future creation of a public road in the area of the specific area plan; and (b) include a draft Agreement, able to be given effect under section 71 of the Act, that enables some or all of the land associated with an access strip or right of way to be included in or replaced by a road that may be proposed as part of a future subdivision.

SOR-S5.9 Tables

This clause is not used in this specific area plan.

Figure SOR-S5.1 Sorell Township Investigation Specific Area Plan area as required by clause SOR-S5.2.1.





Custom House
First Floor,
89 Esplanade
Launceston TAS 7250

Ph: [REDACTED]
Mob: [REDACTED]
Fax: [REDACTED]
www.jacgroup.com.au

8 November 2024

Mr Simon Behrakis
Parliamentary Secretary for Planning and Housing
362 Main Rd
Glenorchy TAS 7010
Via email simon.behrakis@dpac.tas.gov.au

Dear Mr Behrakis,

RE: Briefing note on inclusion of Sorell East Precinct within STRLUS

Thank you for meeting to discuss current issues that the JAC Group is facing in relation to planning and development in Tasmania.

One key development that we discussed is the Sorell East area, which forms part of Sorell Council's Township Growth Area Masterplan

Whilst Council's own strategic planning has identified this area for supply of land for housing, education and industrial development, the rezoning for development has been restricted. The Tasmanian Planning Commission has determined that it is outside of their scope to rezone since the area is outside of the Southern Regional Land Use Strategy (STRLUS). For reference, I have included figure 5 from Council's report below, which defines the proposed use that Council identified.

Council prepared the following Strategic Land Use Planning Reports in relation to the proposed use of the Sorell East Land areas for future supply, all of which are available from their website at the link below:

<https://www.sorell.tas.gov.au/council/council-publications/#accordion-item-0-2>

- Land Supply Strategy 2019 Update Stage 1 Report
- Land Supply Strategy 2019 Update Stage 2 Report
- Land Supply Strategy 2019 Update Stage 3 Report

Based on their own strategic planning, Council included this area in their local provisions schedule in 2021, however the Tasmanian Planning Commission took the highly unusual step of recommending to the Planning Authority to include a Specific Area Plan to safeguard the future potential

- vi) Sorell Causeway is already being constructed at a cost of up to \$270+ million so it makes sense to take advantage of this connection;
- vii) Accommodating social and affordable housing and NDIS dwellings (eg The Peninsula at Midway Point, Miena Park and Pitt Water Shores at Sorell) for local and immigrant couples, families, professionals and retirees.

Our request is that this briefing is considered when the Southern Tasmanian Land Use Strategy review is finalized and the Minister to confirm that Map 10 of the STRLUS is amended to include Sorell East (as defined by SOR-S5.0) within the Urban Growth Boundary – Greenfield Development Precinct.

We would be happy to provide further information if required by your office to consider this matter.

Yours sincerely,

out of scope

Released under RTI

From: out of scope <douriasgroupholdings@gmail.com>
Sent: Sunday, 29 September 2024 4:10 PM
To: Ellis, Felix
Subject: Mannata Street Lauderdale Rezoning and Urban Growth Boundary
Attachments: DGH to Minister Ellis Letter 27 September 2024.pdf

You don't often get email from douriasgroupholdings@gmail.com. [Learn why this is important](#)

[

I hope this message finds you well. It was a pleasure meeting with you to discuss my proposed subdivision at Mannata Street, Lauderdale. I look forward to continuing our conversation with your advisers in the near future.

In preparation for our upcoming discussions, I have attached a written submission outlining my application to rezone and subdivide the land at Mannata Street. The submission also highlights how a minor adjustment to the Urban Growth Boundary could streamline the planning assessment process.

Additionally, I have included a link to my rezoning and subdivision application, which you and your team may find helpful. You can access and download the application at this link [Mannata Street Application](#) for download.

The application materials have been prepared in collaboration with GHD Engineering, Architecture & Construction Services, and AD Design + Consulting.

If you or your team require any further details or clarification, please don't hesitate to reach out. I will follow up shortly to arrange a meeting with your team to discuss this matter further.

Thank you for your time and consideration.

Warm regards,

out of scope



Dourias Group Holdings

Out of scope

out of scope

E: out of scope

You can upload large files to me at:
out of scope

Dourias Group Holdings

PO Box 3193 West Hobart,
Tasmania, AUS, 7000

Out of scope

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DOURIAS GROUP HOLDINGS

Dourias Group Holdings

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Tasmania, 7000

Email: douriasgroupholdings@gmail.com

27th September 2024

The Honorable Felix Ashton Ellis
Level 5, Salamanca Building
4 Salamanca Place
Hobart, Tasmania, 7000

Email to: felix.ellis@dpac.tas.gov.au

Dear Minister Ellis,

RE: MANNATA STREET LAUDERDALE REZONING AND URBAN GROWTH BOUNDARY

Thank you for discussing my project to rezone and develop the land at 34, 36, and 46 Mannata Street, Lauderdale (the land) for a proposed 44 lot residential subdivision per Figure 1 below.

As follow up to that discussion I write to provide you with this written submission on the details of my application and the issues with the Urban Growth Boundary and the assessment process.

In December 2022 after many years of discussions with Clarence City Council I lodged the application to rezone the land from the Rural Living Zone to the General Residential Zone under the Local Provisions Schedule (LPS) of the *Tasmanian Planning Scheme – Clarence*. The application is also to subdivide the land for residential development.

To date, the process has cost me over \$150,000, including legal advice and consulting fees. Additionally, I need to pay the Council \$25,000 for the application fee to start the formal assessment process. Unfortunately, this process has been challenging, with over 18 months spent waiting for landowner consent for a narrow access strip needed for future road infrastructure. Red tape and ongoing uncertainty has made this a difficult and expensive journey.

Before I pay the \$25,000 application fee, I want to explore options with the Tasmanian Government to ensure a fair assessment is undertaken and highlight the roadblocks and financial risks in lodging the application and commencing the formal assessment process.

I ask, in this submission, that the Urban Growth Boundary be extended over this part of Lauderdale to remove the ambiguity in the Regional Land Use Strategy and assist Council in its decision-making. This follows commitments by the Tasmanian Government made in July 2015 (see attached letter from the Hon. Peter Gutwein to the Mayor Clarence City Council).

PROJECT OVERVIEW

Location

34, 36, and 46 Mannata Street, Lauderdale.

Project Scope

A 44-lot subdivision, which will include constructing a new public road, services, footpaths, access to the local business area, access to public open space, and lots suitable for single or multiple dwellings.



Figure 1: Illustrated subdivision layout plan for Mannata Street Lauderdale (Source: GHD Pty Ltd)

LAND STATUS

The land has been progressively filled to raise its elevation above the flood level. The Flood Prone Area Overlay was largely removed in mid-2022 following a planning scheme amendment by Clarence City Council. Filling work continues, and 34 Mannata Street is currently being engineered to accommodate future construction.

Considerable investment and engineering design and assessment was undertaken to construct the fill and provide a large sandstone stormwater drainage channel through the land. This is shown below in Figure 2.



Figure 2 – Existing Sandstone stormwater channel and gravel access during rainfall event (Source: David Cundall, taken December 2021)

The land adjoins the Local Business Zone and Bangalee Road Shops and Community Purpose Zone. The proposed subdivision provides access to this area. Public transport and essential services are within walking distance, making this land ideally suited for housing development. It is also within walking distance of the proposed Woolworths Supermarket on the South Arm Road (see Figure 7).

Significant construction works continue on the land, per current permits. This is shown below in the recent aerial photographs taken 21st May 2024. These are shown below in Figures 3 – 5.



Figure 3: Site Aerial Photo and subject land taken 21st May 2024 (Source: Richard Harmey Productions)



Figure 4: Site Aerial Photo and subject land taken 21st May 2024 (Source: Richard Harmey Productions)



Figure 5: Site Aerial Photo and subject land taken 21st May 2024 (Source: Richard Harmey Productions)

CHALLENGES AND CONCERNS

After completing significant preliminary work, the next step is for me to pay the application fees and for Council Officers to commence the formal assessment of the rezoning and subdivision application. However, I am concerned that Council Officers have already formed a negative view on this application before it has even been fully assessed.

Should Council initiate the amendment and approve the subdivision it will be publicly exhibited and the application (and Council decision) will be referred to the Tasmanian Planning Commission for the final assessment and decision to rezone the land and grant a permit for the subdivision.

PRELIMINARY VIEW OF COUNCIL OFFICERS

Council Officers prepared a detailed report presented on 27th May 2024 (pages 184 to 456) (link to report: https://www.ccc.tas.gov.au/wp-content/uploads/2024/05/a27_05_24.pdf), where they argued against supporting my application. This seems premature, given the formal assessment has not begun.

APPEAL RISKS

If the Council refuses to initiate the amendment then I must decide whether I appeal that decision before the Tasmanian Planning Commission and/or to the Supreme Court per the *Judicial Review Act 2000*.

The problem with both of these appeal pathways is they are not merit based appeals. A judicial review is concerned only with errors of law or procedural errors. It does not extend to a consideration of the merits of the decision. It is a reset button and cannot overcome a planning authority who is simply set against a proposal.

With regard to an appeal before the Tasmanian Planning Commission, then similarly, the Commission is only reviewing the decision making of the Council and that the Council has made its decision by reference to the LPS Criteria.

This is a huge risk and great uncertainty.

I note that the proposed Development Assessment Panels (and Development Assessment Panel bill) has not progressed since consultation in late 2023. By reference to page 25 of the *Development Assessment Panel Framework* which was exhibited by the State Planning Office in 2023 there are similarly no right of appeal on the grounds of planning merit. Per the extract below.

19	Appeal rights	All parties	There is no right of appeal on the grounds of planning merit as the decision has been made by an independent panel with all parties engaged in the process.	Refer to Consultation Issue 5 in the Position Paper for questions regarding appeal rights. While the draft framework proposes that DAP determined development applications are not subject to a merit appeal, the decision of the DAP is subject to judicial review by virtue of the <i>Judicial Review Act 1997</i> .
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REQUEST FOR URBAN GROWTH BOUNDARY EXTENSION

The main issue hindering this development is that the land, while ideally suited for urban infill, lies adjacent to the Urban Growth Boundary (UGB). Although SRD 2.12 of the Southern Tasmanian Regional Land Use Strategy allows rezoning for land adjoining the UGB, which it is, the current situation leaves too much discretion to Council Officers in determining whether the land would be a logical extension of the urban zone. This adds significant uncertainty.

Per the attached letter from then Minister for Planning and Local Government the Hon. Peter Gutwein, dated 6th July 2015, the Tasmanian Government identified this area as a high priority and that the Tasmanian Government would support an update to the Planning Scheme and to consider expansion of the Urban Growth Boundary (UGB) over this land.

The Minister has the head of power to extend the UGB over this part of Lauderdale and allow landowners to prepare applications for rezoning and development of this area. All of which must be informed by modern best practice for planning, design and engineering. This can be done so in full cooperation with the Clarence City Council as a major stakeholder, particularly, in stormwater management.

I hope you intend to continue this work.

In this submission, I request that the Urban Growth Boundary be extended over this part of Lauderdale, for the following reasons:

STRATEGIC DEVELOPMENT POTENTIAL

The land represents a small and logical extension to the existing urban area, in line with the SRD 2.12(a)(i) policy, which allows such extensions without needing amendments to the STRLUS. The proximity to urban infrastructure and services reinforces this as a desirable location for residential expansion.

PRECEDENTS FOR UGB EXTENSIONS

In May 2023, the State Planning Office amended the UGB in several locations, including:

- 33.5 hectares at Sorell for a poultry farm,
- 62 hectares at Brighton for light industrial, roads, and residential use,
- 74 hectares at Risdon Vale for the prison and surrounding land.

These are much larger sites compared to my proposed extension of approximately 3.4 hectares, demonstrating that my request aligns with past decisions. It is a "small and logical extension" as required by SRD 2.12.



Figure 6: Urban Growth Boundary shown in hatched overlay and subject titles in blue outline (Source: theLIST Mapping Services)

CLARENCE CITY COUNCIL'S RELUCTANCE

Without extending the UGB, the Council has been unwilling to dedicate resources or take a strategic approach to help landowners in this area. This reluctance has persisted despite the continued efforts of developers and the Lauderdale Landowners Association for Central Lauderdale. An extension of the UGB would facilitate proper planning and give the Council the confidence to engage with developers in a more constructive manner.

I emphasise that my land is particularly unique due to the approved filling works and the removal of the Flood Prone Area Overlay from the land in mid-2022.

You can see from the Figures 3 -5 that the land is surrounded by urban development and already being developed.

I would be pleased to supply a map to show how the UGB could be modified over this area.

URBAN GROWTH BOUNDARY AND REGIONAL STRATEGY

Per the Southern Tasmanian Regional Land Use Strategy (STRLUS), land outside the UGB can only be rezoned for urban development if it complies with SRD 2.12. This policy statement was updated on 17th May 2023, after I submitted my application. If the UGB is not extended over my land I will need to address this clause in the application.

The Council Planning Authority will need to assess whether my proposal aligns with SRD 2.12. However, based on the Council's preliminary stance (as outlined in their 27th May 2024 report), I am concerned that Council Officers have already decided against supporting this rezoning. Their view may influence the outcome, regardless of the facts or additional studies I provide during the assessment process.

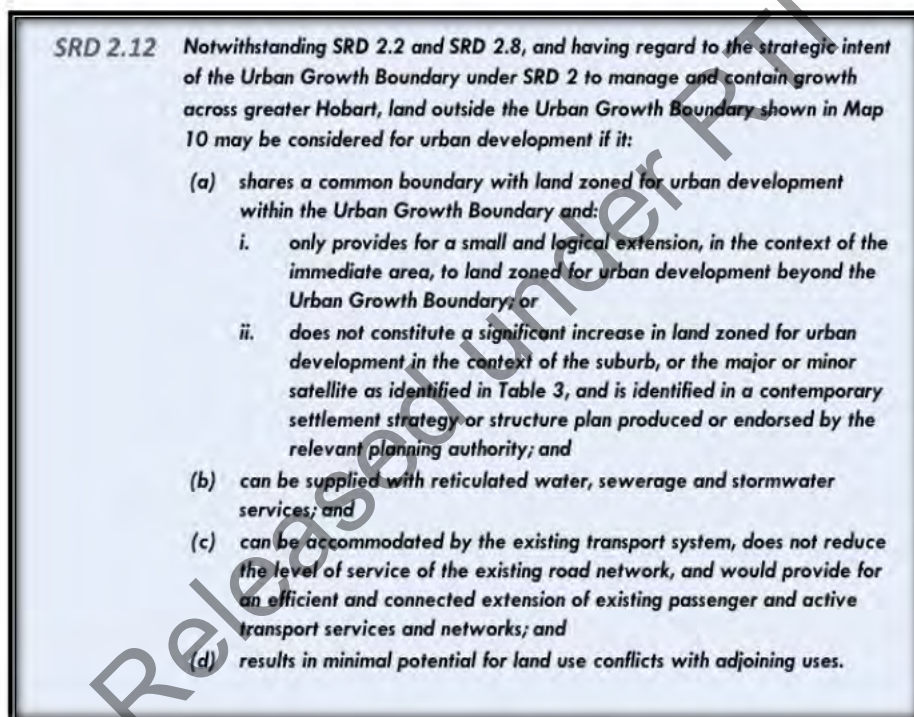


Figure 7: Policy statements SRD 2.12 under the STRLUS

I ask that the UGB be extended over this part of Lauderdale to remove ambiguity and avoid Council Officers arguing that this land is not a logical extension of an existing urban area when it clearly is. An extension would provide clarity and assist in making better use of the urban development opportunities in this area.

Should Council initiate the amendment the Tasmanian Planning Commission must still consider the LPS Criteria and the public and stakeholders will participate in the planning process through the representations to the Council and through hearings before the Tasmanian Planning Commission.

RECENT AREA DEVELOPMENTS

Lauderdale continues to grow and develop, further supporting the case for expanding the UGB. Woolworths is planning a new supermarket on South Arm Road, with pedestrian access to Ringwood Road, just 700 meters from my proposed subdivision. This demonstrates the demand for more urban infrastructure in the area, which makes my development proposal even more relevant.

Community consultation for this project is already underway, and a Development Application is expected soon (October 2024). Below is the current flyer for the consultation:



Figure 7: Flyer for the proposed Woolworths Supermarket (Source: Woolworths)

CONCLUSION

Extending the Urban Growth Boundary over this part of Lauderdale is a logical, necessary step that will benefit the entire region by enabling well-planned urban infill development. It will help reduce unnecessary red tape and ensure a fair, merit-based assessment process by Clarence City Council. This extension would also provide confidence to both the Council and developers, fostering a more collaborative and transparent planning process.

I am happy to provide additional information, including a detailed map showing how the UGB could be modified to accommodate this area. Please do not hesitate to contact me at **out of scope** or by email at douriasgroupholdings@gmail.com

Sincerely,

out of scope

Dourias MGH Pty Ltd

Attached: Letter from Hon. Peter Gutwein (6 July 2015) regarding Clarence Interim Planning Scheme 2015 and Lauderdale Structure Plan Update.

Treasurer

Minister for Planning and Local Government

Level 9 15 Murray Street HOBART TAS 7000 Australia

GPO Box 123 HOBART TAS 7001 Australia

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MAYORAL

20-10-17
RECEIVED
- 8 JUL 2015
BY: RECORDS

06 JUL 2015

Alderman Doug Chipman
Mayor
Clarence City Council
PO Box 96
ROSNY PARK TAS 7018

Dear Mayor

Clarence Interim Planning Scheme 2015 and Lauderdale Structure Plan Update

Further to my previous correspondence in regard to the Clarence Interim Planning Scheme 2015 (Interim Scheme), I note and acknowledge that Council is satisfied that the Interim Scheme complies with the Directions Notice, and I further congratulate Council on achieving this milestone in readiness for the transition to the Tasmanian Planning Scheme.

Declaration of the Interim Scheme also clears the way to update the Lauderdale Structure Plan (LSP) to address potential zoning amendments as foreshowed by Council in its original draft of the Interim Scheme.

As previously advised, I am committed to assist Council with this project and ensure the LSP integrates future land use and development with the efficient provision of infrastructure and also addresses potential natural risks and hazards at Lauderdale.

I understand that the planning and infrastructure issues are well known and past investigations provide a useful information base which can be supplemented by further targeted studies. I also understand that Council has allocated funds in its 2015/16 budget to undertake this work, particularly in relation to stormwater drainage.

There is considerable community interest in the future of Lauderdale and high expectations from some property owners that their land should be rezoned immediately to facilitate new development. I also appreciate that the previous Government's drawn out and complex interim planning scheme reform has generated these expectations and created considerable confusion in the community. Consequently, it will be important for property owners and the community to be fully and fairly consulted in the LSP updating process.

The Government's commitment is to ensure the relevant State agencies and authorities provide input at key stages of the project. The Government will also consider the outcomes of the project and how it can assist in the implementation phase. This includes consideration of any potential revision of the Southern Tasmania Regional Land Use Strategy, particularly in relation to the urban growth boundary.

M15/10567
Min/15/330

Implementing this project is a high priority and I request that a joint Council and Government steering committee be established to prepare and implement a project plan as a matter of urgency. I would also suggest that Council's General Manager chair the steering committee and that Council advise me on which particular State agencies it would like to be represented on the committee.

I look forward to your response.

Yours sincerely,

out of scope

Hon Peter Gutwein MP
Minister for Planning and Local Government

Released under RTI

From: [Reid, Anthony](#)
To: [Ellis, Felix](#)
Cc: [Minister Ellis; Price, Benjamin](#)
Subject: Minute - Planning - Urban Growth Boundary
Date: Friday, 31 January 2025 3:04:30 PM
Attachments: **duplicate**
[Attachment 2 - STRLUS UGB Changes 2025 - Stage 1 - Letter.DOCX](#)
[STRLUS UGB Changes 2025 - Stage 1 - Consultation Paper.pdf](#)
Importance: High

Minister

Please see attached for Urgent approval is a Minute and consultation paper for the changes to the UGB.

Anthony

From: Price, Benjamin <benjamin.price@dpac.tas.gov.au>
Sent: Friday, 31 January 2025 3:02 PM
To: Reid, Anthony <Anthony.Reid@dpac.tas.gov.au>
Cc: Minister Ellis <Minister.Ellis@dpac.tas.gov.au>
Subject: FW: Minute - Planning - Urban Growth Boundary
Importance: High

Hi Anthony

For urgent clearance – as discussed.

Ben

Benjamin Price
 Principal Adviser

Office of the Hon Felix Ellis MP
 Minister for Police, Fire and Emergency Management
 Minister for Housing, Planning and Consumer Affairs
 Minister for Skills and Training

Phone: (03) 6165 7770
 Level 5, 4 Salamanca Place, HOBART TAS 7000
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From: secretariat <secretariat@stategrowth.tas.gov.au>
Sent: Friday, 31 January 2025 2:57 PM
To: Minister Ellis <Minister.Ellis@dpac.tas.gov.au>

Cc: Price, Benjamin <benjamin.price@dpac.tas.gov.au>

Subject: Minute - Planning - Urban Growth Boundary

Importance: High

Hi

Please see attached request for actioning.

Please note: I am following up on getting you Attachment 1, but wanted to provide this through to you given the urgency.

Thanks

out of scope

Business Services | Department of State Growth
4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001

Phone: out of scope

www.stategrowth.tas.gov.au

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TEAMWORK | INTEGRITY | RESPECT | EXCELLENCE

In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

Please note I do not work Thursdays.

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Department of State Growth State Planning Office

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GPO Box 536 HOBART TAS 7001 Australia
Ph: 1300 703 977
Email: spo@stateplanning.tas.gov.au
Web: www.stateplanning.tas.gov.au
Our Ref: D24/352186



[Recipient's name]
[Recipient's position]
[Organisation]

By email: xxx

Dear xxx

Southern Tasmania Regional Land Use Strategy 2010 – 2035 (STRLUS): Consultation on Proposed Changes to the Urban Growth Boundary (Map 10)

The Hon Felix Ellis MP, Minister for Housing, Planning and Consumer Affairs, has commenced public consultation on potential changes to the Greater Hobart Urban Growth Boundary (UGB). This would amend Map 10 of the Southern Tasmania Regional Land Use Strategy 2010 - 2035 (STRLUS).

Map 10 of the STRLUS shows the preferred extent of urban development for Greater Hobart, and also includes identified densification areas and greenfield development precincts. It is a key tool to support the implementation of both the regional strategy and policies for managing residential growth within the UGB and its immediate surroundings.

The UGB facilitates a more orderly and sustainable use and development of land in Greater Hobart by helping to contain development to areas already zoned for urban purposes, or identified as being suitable for growth from an economic, environmental and liveability perspective.

Periodic review of the Urban Growth Boundary is important to ensure the strategy remains relevant and fit for purpose, and also to ensure the supply of land for residential development is sufficient to meet projected demand.

The existing STRLUS was first declared on 27 October 2011 and has since undergone several amendments, the most recent being 17 May 2023 in response to residential growth needs identified as part of the Greater Hobart Plan. That amendment involved the following:

- Changes to the UGB on Map 10 to rectify some anomalies and errors and provide for logical, moderate extensions to the UGB; and
- An amended Settlement and Residential Development Regional Policy SRD 2.12 to allow for land adjoining the UGB but currently outside it to be considered for urban development, if it meets all requirements in that policy.

Concurrent with the proposed UGB changes described above, the STRLUS is undergoing a comprehensive review to ensure that it is best positioned to respond to Southern region's strategic land use planning needs into the future. The revised draft STRLUS is expected to be released for public consultation by mid-2025. The proposed UGB changes include those areas identified by councils through the current comprehensive review process.

In accordance with section 5A(4) of the *Land Use Planning and Approvals Act 1993*, the Minister is required to consult with all councils in the Southern region, the Tasmanian Planning Commission, and relevant State Agencies and authorities on the proposed amendment to the STRLUS. Given the extent of changes proposed, the Minister is undertaking a full public consultation process. The proposed UGB changes are outlined in the *STRLUS Urban Growth Boundary Update Consultation Paper - February 2025* which is available on the Planning in Tasmania website:

<https://www.stateplanning.tas.gov.au/>

If you wish to provide any comment, please make a submission by email to haveyoursay@stateplanning.tas.gov.au by **5:00 PM, Friday 14 March 2025**.

If you have any questions or would like to discuss this further, please contact the State Planning Office by email at spo@stateplanning.tas.gov.au, or phone on 1300 703 977.

Yours sincerely

out of scope

, State Planning Office

3 February 2025

Released under RTI

DEPARTMENT OF STATE GROWTH

Dept. Ref MIG25/137
Critical Signing Date 31/01/2025

APPROVED	NOT APPROVED
out of scope	
SIGNED:	
DATE:	31/1/2025

MINUTE FOR THE MINISTER FOR HOUSING, PLANNING & CONSUMER AFFAIRS

SUBJECT: SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY – URBAN GROWTH BOUNDARY (UGB) UPDATE

Minister's notation:

Recommendation:

That you:

1. **Note** the contents of this Minute and attachments
2. **Agree** to commence a 6-week public consultation process on potential changes the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS) as outlined in the *STRLUS Urban Growth Boundary Update Consultation Paper - February 2025* (Attachment 1); and
3. **Approve** the attached letter (Attachment 2) for sending by the State Planning Office on **Monday, 3 February 2025** to the southern Councils, the Tasmanian Planning Commission, and relevant State agencies and authorities.

Current Situation:

The Minister for Housing, Planning and Consumer Affairs has requested an update to the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS).

The reason for the update is to bring forward changes to the UGB which would otherwise not occur until after the STRLUS comprehensive review is completed later in 2025, thereby ensuring the UGB does not unnecessarily constrain (or be perceived as constraining) housing supply.

The land identified for possible inclusion in the UGB comprises the following:

1. Land identified through the STRLUS comprehensive review process;

2. Land identified by councils and/or the SPO independent of, and/or subsequent to, the STRLUS comprehensive review process; and
3. Opportunities identified by landowners and requested by the Minister's Office

The attached STRLUS Urban Growth Boundary Update Consultation Paper – February 2025 (attachment 1) includes a map and a summary of each of the proposed sites.

Timing and Implementation

Under s5A of the *Land Use Planning and Approvals Act 1993* (the Act), the Minister, in reviewing a Regional Land Use Strategy, must consult with the Tasmanian Planning Commission, planning authorities in the region, and the State Agencies and State Authorities as he or she thinks fit.

Given the nature and extent of the proposed changes to the UGB, a six-week public consultation period is also recommended.

Once approved, changes to the UGB are brought into effect through the Minister's declaration of an amended STRLUS (with a revised Map 10), noting that declaration of an amended STRLUS will again be required in mid-late 2025 following completion of the comprehensive review process.

Communications Strategy:

Refer comments above.

Once approved, a copy of the *STRLUS Urban Growth Boundary Update – January 2025* will be published on the SPO website here: www.stateplanning.tas.gov.au, along with a Frequently Asked Questions (FAQ). This is scheduled to go live late afternoon on Friday, 31 January 2025 to be available for the media release on Sunday, 2 February 2025.

Who needs to know	Method of delivery	Tasked to	Timeframe
Tasmanian Planning Commission, Southern Councils, State Agencies and Authorities	Letter from Minister	SPO / Minister's Office	6 week public consultation period officially commencing on 2 February 2025 following the media release.
General Public	State Planning Office Website - with link to Consultation Paper	SPO	
	FAQ		

Background:

Establishment and Function of the Urban Growth Boundary (UGB)

The UGB is shown in Map 10 of the STRLUS and comprises the metropolitan areas within Hobart, Glenorchy, Clarence and Kingborough and the two of the adjacent councils of Brighton and Sorell.

The UGB describes the preferred extent of urban development for Greater Hobart, taking consideration:

- infrastructure capacity (road, water, sewer, electricity, telecommunications),
- access to services such as health, education and public transport,
- natural values, environmental, landscape and heritage values, and natural hazards.

Map 10 also describes “densification areas” where infrastructure and services can support a comparatively higher density of residential development.

A fundamental objective of the UGB is to ensure the supply of residential land is sufficient to accommodate projected growth over time, and that infrastructure and services can accommodate that growth.

The provision of land for urban development should not only be economically and environmentally sustainable, but should also encourage the creation of well serviced, connected and liveable communities.

Importantly, the UGB should provide certainty for both the land development industry and communities by describing where urban growth should occur, and when.

Mechanisms for Amending the Regional Land Use Strategies

The regional land use strategies are given statutory effect through 5A of the Land Use Planning and Approvals Act 1993 (LUPAA) and may be amended by the Minister for Planning as part of a regular review of the strategy, or from time to time under exceptional circumstances.

Amendments to regional strategies may also be requested by planning authorities, and due to the strategic nature of RLUSs it is the responsibility of the relevant planning authority to justify a proposed amendment to a RLUS, to the Minister’s satisfaction.

In considering a request to amend a regional strategy, the Minister must ensure that the proposed amendment;

- furthers the objectives of Schedule 1 of LUPAA;
- is in accordance with State Policies;
- is consistent with the Tasmanian Planning Policies once they are made; and
- meets the overarching strategic directions and related policies in the regional Land use strategy over a 25 year time horizon.

In the case of an amendment to the UGB within the STRLUS, it must be demonstrated that additional residential land supply is required beyond that already identified within the

strategy. It must also be demonstrated that the proposed changes to the UGB are in locations that are supported by infrastructure and services, in accordance with the strategy.

Recent Amendments to the STRLUS

An amendment to STRLUS was declared in 2021 and involved the introduction of the Regional Policy known as SRD 2.12.

The intention of SRD 2.12 was to provide the Tasmanian Planning Commission with greater flexibility when considering the planning merit of proposed small and logical extensions to the UGB to be considered for re-zoning, without first requiring modification to the UGB itself.

A subsequent amendment was declared in May 2023 involving modification to the wording of SRD 2.12, and the inclusion of approximately 136ha of additional land within the UGB (refer Minute 23/13591 - copy attached). The additional land included part of the proposed "Skylands" development in Droughty Point/Tranmere, effectively removing the constraint to rezoning of the land being considered by council, and unlocking the development potential for up to 2,500 new homes. The amendment also included land opposite the Risdon Prison complex identified for expansion of an adjacent retirement living complex, creating opportunity for retirement living and/or affordable housing.

Since its introduction in 2021 (and subsequent modification in 2023), the SPO is aware of only one occasion whereby SRD 2.12 has been applied, namely, the land at Crescent Drive/Gemalla Road, Margate (also known as the "Meredith's Land"). At its meeting on 20 January 2025, Kingborough Council unanimously approved an application to rezone the land to General Residential, which will now be referred to the Tasmanian Planning Commission. The subject land is included in the proposed changes to UGB being put forward under this Minute.

According to Clarence Council, a portion of 52 Richardsons Road, Sandford has been (informally) considered for assessment under this provision, but the developer has not as yet progressed with a formal application for rezoning.

STRLUS Comprehensive Review

The first draft of the revised STRLUS has now been prepared and reviewed by council and state agency groups, with the SPO finalising state agency comments. Included in the draft are proposed growth/settlement boundaries for each municipality and a revised UGB for greater Hobart.

Under the revised STRLUS as drafted, the revised UGB (to be known as the Metropolitan Urban Boundary) would no longer include Lauderdale, Margate or Snug, with growth in those locations managed through specific growth settlement strategies for each location.

The intention is to distinguish metropolitan from non-metropolitan areas of Hobart to ensure the growth management strategies for each can be tailored more appropriately.

Consultation and Next Steps

Following the proposed 6-week public consultation period, the SPO will provide a report on the submissions received, including any suggested modifications to the UGB changes proposed.

Subject to the Minister’s agreement, a Minute will then be prepared for the Minister to formally declare the new STRLUS with the amended UGB, as required under the Act.

out of scope

Denise McIntyre
Deputy Secretary, Strategy, Housing, Infrastructure and Planning

31 January 2025

Prepared by:	out of scope	Cleared by:	out of scope
Position:	out of scope	Position:	out of scope
Email:	out of scope@stategrowth.tas.gov.au	Email:	out of scope@stategrowth.tas.gov.au
Date:	30 January 2025	Date:	30 January 2025
Phone:	out of scope	Phone:	out of scope

Released under RTI