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**From:** Frazer Read <Frazer@allurbanplanning.com.au>  
**Sent:** Tuesday, 7 July 2026 5:01 PM  
**To:** Barlund, Paola; TPC Enquiry  
**Cc:** evan@e3planning.com.au; Natalie Waters; Planning Policy; clarence; Naomi Billett  
**Subject:** RE: Extension of time- Clarence- draft amendment PDPSAMEND-2025-054641  
**Attachments:** Submission to TPC 7 July 2026.pdf

**Categories:**

Please see attached a submission on behalf of the applicant in response to the Commission's Directions 9 June.

Regards

**Frazer Read**  
Principal

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**AllUrbanPlanning**



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**From:** Barlund, Paola <Paola.Barlund@planning.tas.gov.au>  
**Sent:** Wednesday, 1 July 2026 9:06 AM  
**To:** Naomi Billett <naomi@billettlegal.com.au>  
**Cc:** evan@e3planning.com.au; Natalie Waters <nwaters@ccc.tas.gov.au>; Frazer Read <Frazer@allurbanplanning.com.au>; Planning Policy <planningpolicy@stategrowth.tas.gov.au>; clarence <clarence@ccc.tas.gov.au>  
**Subject:** Extension of time- Clarence- draft amendment PDPSAMEND-2025-054641

Dear Ms Billett,

I refer to your request for an extension of time to respond to the Commission's directions of 9 June 2026.

The Commission advises that an extension is granted until 7 July 2026.

Please feel free to contact me if you have any questions.

Kind regards,

Paola Barlund  
**Planning Adviser**

**TASMANIAN PLANNING COMMISSION**

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*In recognition of the deep history and culture of this Island, we would like to acknowledge and pay our respects to all Tasmanian Aboriginal people; the past and present custodians of the Land.*

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7 July 2026

Michael Hogan  
Delegate (Chair)  
Tasmanian Planning Commission  
Via email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Mr Hogan

**Tasmanian Planning Scheme – Clarence Draft amendment PDPSAMEND-2025-054641  
Submission on behalf of the applicant - Response to TPC Directions dated 9 June 2026 -  
Potential Specific Area Plan**

This submission responds to the Commission's Directions dated 9 June 2026 regarding the possible inclusion of a Specific Area Plan (SAP) as part of Draft Amendment PDPSAMEND-2025-054641.

The Applicant accepts that a limited SAP is appropriate in this instance. However, to satisfy the requirements of s.32(4)(b) of the Act, its scope should be confined to provisions addressing the unique spatial characteristics of the land. In the Applicant's submission, those matters relate to the coordinated future redevelopment of the site, including consolidation of the existing titles and the provision of a single coordinated vehicle access arrangement.

Section 32(4)(b) provides that a Local Provisions Schedule may only include a SAP where an area of land has particular environmental, economic, social or spatial qualities that require provisions, unique to that land, to apply in substitution for, or in addition to, the State Planning Provisions.

This test contains two cumulative requirements:

- Firstly, the land must possess particular environmental, economic, social or spatial qualities; and
- Secondly, those qualities must require planning provisions that are unique to that land.

In the Applicant's submission, the requirements of s.32(4)(b) are satisfied only to the extent that the unique spatial qualities of the land justify provisions requiring future redevelopment to occur on a coordinated basis with a single coordinated vehicle access arrangement.

The land is distinguished by two particular spatial characteristics. Firstly, it comprises four existing titles that together form a logical redevelopment site located between two existing Local Business zoned sites. Secondly, the land has frontage to the East Derwent Highway and Ballawinnie Road, incorporates multiple existing access points, is located adjacent to an unconventional access arrangement serving the adjoining IGA site, has constrained available sight distance and is immediately adjacent to a signalised pedestrian crossing.

The traffic evidence demonstrates that it would be preferable for future development to occur with a single coordinated vehicle access arrangement designed having regard to available sight distance and the safe operation of the adjacent pedestrian crossing.

These matters arise directly from the particular spatial characteristics of the land discussed in the hearing. Accordingly, the Applicant supports the inclusion of SAP provisions requiring coordinated redevelopment of the site through consolidation of the four existing titles into a single title and provision of a single coordinated vehicle access arrangement informed by the traffic evidence.

### **Other matters**

The Commission's Directions identify a number of additional matters that could potentially be addressed through a SAP, including the range of permissible uses, retail floor area, building setbacks and urban design. In the Applicant's submission, these matters are adequately addressed by the provisions of the Local Business Zone and do not satisfy the test in s.32(4)(b). They are matters of general application to Local Business land rather than matters arising from the particular environmental, economic, social or spatial qualities of this site.

### *Use*

In relation to land use, the Use Table in Clause 14.2 establishes a range of No Permit Required, Permitted and Discretionary uses appropriate for Local Business land. The Applicant submits that it is not necessary to modify the operation of the Use Table in relation to this land. While different uses may generate different levels of traffic, those impacts are already addressed through the existing planning framework.

In particular, Clause C3.5.1 - *Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction* will ensure that the scale of any use and associated traffic generation can be managed to avoid adverse effects on the safety and efficiency of the road network. The associated Performance Criteria require the planning authority to assess whether the traffic generated by a proposed use can be safely accommodated, having regard to matters including the volume and nature of traffic, the function and capacity of the road network, the suitability of access arrangements, the safe and efficient operation of the adjoining road, and any advice from the road authority. Where necessary, the planning authority may require modifications to the proposal or refuse a development that cannot demonstrate compliance with these requirements.

Accordingly, the scale and intensity of future development is not determined solely by the classification of a use within the Use Table but is also regulated through the Road and Railway Assets Code and the other applicable provisions of the planning scheme.

Clause 14.3.2 – Discretionary Uses requires a discretionary use to demonstrate that it does not cause an unreasonable loss of amenity to adjoining residential land and does not compromise or distort the activity centre hierarchy. In undertaking that assessment, the planning authority must consider the characteristics of the site, the intensity of the proposed use, the size and scale of development, the functions of surrounding activity centres and the extent of any impacts on

those centres. The Local Business Zone therefore already provides a framework for assessing discretionary uses on their individual merits. It is submitted that it is not necessary to modify the Use Table of the Local Business Zone.

Similarly, the Commission has identified tenancy size and retail floor area as potential SAP matters. Clause 14.3.3 – Retail Impact limits General Retail and Hire and Bulky Goods Sales uses to 250m<sup>2</sup> per tenancy as an Acceptable Solution and requires any larger proposal to demonstrate that it will not compromise or distort the activity centre hierarchy. In doing so, the planning authority must consider whether the proposal broadens commercial choice, its impact on other activity centres and any relevant local area objectives. These provisions already regulate retail scale and activity centre impacts and there is no demonstrated need for additional site-specific controls.

#### *Development*

The Commission has also identified setbacks and urban design as matters that could potentially be addressed through a SAP. The Applicant submits that these matters are appropriately addressed by the provisions of the Local Business Zone.

Clause 14.4.2 – Setbacks regulates frontage setbacks, streetscape compatibility, passive surveillance, the provision of forecourts and the interface with adjoining residential land. Clause 14.4.3 – Design contains detailed provisions relating to active frontages, pedestrian entrances, glazing, façade articulation, awnings, service infrastructure and streetscape compatibility. Together, these provisions apply consistently to Local Business land throughout Tasmania and achieve substantially the same planning outcomes contemplated by the Commission's Directions.

#### **Conclusion**

Having regard to the above, it is submitted that the matters identified in the Commission's Directions, other than coordinated redevelopment and vehicle access, do not arise from the particular environmental, economic, social or spatial qualities of this site. Rather, they are matters of general application to Local Business land throughout Tasmania and are therefore more appropriately regulated through the existing provisions of the Local Business Zone than through a site-specific Specific Area Plan.

If the Commission concludes that a SAP is appropriate under s.32(4)(b), the Applicant submits that it should be confined to provisions addressing:

- a purpose statement recognising the coordinated redevelopment of the site;
- consolidation of the four existing titles into a single title;
- provision of a single coordinated vehicle access arrangement informed by the traffic evidence; and
- any ancillary provisions necessary to implement those outcomes.

All other matters should continue to be regulated by the Local Business Zone, the Road and Railway Assets Code, and the other applicable provisions of the planning scheme.

I would appreciate the opportunity to discuss further at the reconvened hearing.

Yours sincerely,



Frazer Read  
Principal  
All Urban Planning Pty Ltd