

TASMANIAN PLANNING COMMISSION



Our ref: DOC/26/43516
Officer: Tim Robins
Phone: 6165 6164
Email: tpc@planning.tas.gov.au

28 April 2026

Ms Jennifer Wells
Senior Town Planner
Launceston City Council

Mr Ashley Brook
Planning Consultant
6ty

By email: jen.welch@launceston.tas.gov.au
abrook@6ty.com.au

Tasmanian Planning Scheme - Launceston
Draft amendment PSA-LLP0021 and permit DA0140-2024
40768 Tasman Highway, Waverly and the adjoining casement title – rezone
from Rural to Rural Living A and a 23-lot subdivision

I refer to the above draft amendment and to a hearing held at the Town Hall in Launceston on 16 April 2026 which was adjourned.

The Commission is considering both the amendment and the application for a permit that relates to the amendment in accordance with the Act and has not determined either of these matters.

At the hearing a number of issues related to permit conditions were raised. Parties indicated that they required some additional time to consider these matters and consequently the Commission is interested in seeking advice from the planning authority on these matters.

To that end the Commission gives the following directions:

1. The planning authority, in consultation with the applicant, is to provide advice on whether the 3.0m wide pipeline easement (marked as C-D on registered plan SP177465) and its associated rights are to be retained, and provide advice on any proposed relocation of the easement and the process required to enact it.
2. The planning authority, in consultation with the applicant, is to provide advice on a draft permit condition that relocates the driveway and access point for the proposed lot 8 and requires the eucalyptus trees adjacent to the road reserve to be retained as part of any subdivision works.
3. Having regard to the Department of State Growth's correspondence dated 20 December 2024, concerning right-turn traffic generated at the Boomer

Road junction, the planning authority is to provide a submission advising whether it considers that condition 12 of the permit, that requires road works for a right turn off the Tasman Highway, should be amended or removed.

4. The planning authority is to provide advice if there are further amendments to its recommended Part 5 Agreement conditions, including the changes shown below.

Prior to the final plan being sealed, a Section 71 agreement must be executed, that provides for the following:

- a. *A 40m 'no build zone' from the top of the bank from Distillery Creek. The buffer must be placed onto the folio plan for lots 8, 9, 12, 13, and 14 of the endorsed plans, once registered.*
- b. *Sediment barriers must be used downslope of any construction on lots 8, 9, 12, 13, and 14.*
- c. *The 'no build zone' includes no buildings (habitable or non-habitable), no earthworks, no native vegetation removal, and no fencing.*
- d. *Declared weeds within the 'no build area' must be actively managed.*
- e. ~~*The exception to the 'no build area' is future lot 9, which is permitted to remove vegetation, other than within the eastern riparian scrub (SRE) community identified on TASVEG 4.0 mapping, to undertake earthworks for the access purposes.*~~

5. The planning authority is required to advise if the changes made below give effect to the recommendation outlined in its statement of evidence dated 2 April 2026.

1. Endorsed Plans & Documents

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a. *Proposal Plan, prepared by 6ty°, Rev K, Issue 12, 30/03/2026;*
- b. *Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;*
- c. *Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;*
- d. *Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;*
- e. *Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025, subject to condition 2;*
- f. *Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and*
- g. *Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.*

2. Suitability of Bushfire Hazard Management Plan

Prior to works on the development commencing, written confirmation is required from an accredited bushfire practitioner that the Proposal Plan (Rev K, Issue 12, 30/03/2026) is consistent with

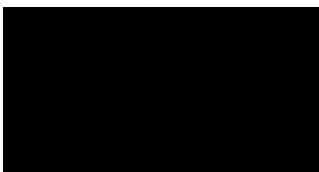
recommendations of the Bushfire Hazard Management Plan (BHMP). If any changes to the BHMP are required an amended plan is to be provided and is to be endorsed by the Senior Leader of Development Assessment.

The Commission requests that the submission from the planning authority be provided by close of business on 12 May 2026.

The planning authority's submission will be posted to the Commissions website and other parties will have a 14-day period to provide response submissions if they choose to. A separate notice will be sent to parties when this occurs.

If you require further information please contact Tim Robins, Planning Adviser, on 6165 6824.

Yours sincerely



Michel Hogan
Delegate (Chair)

cc: all parties

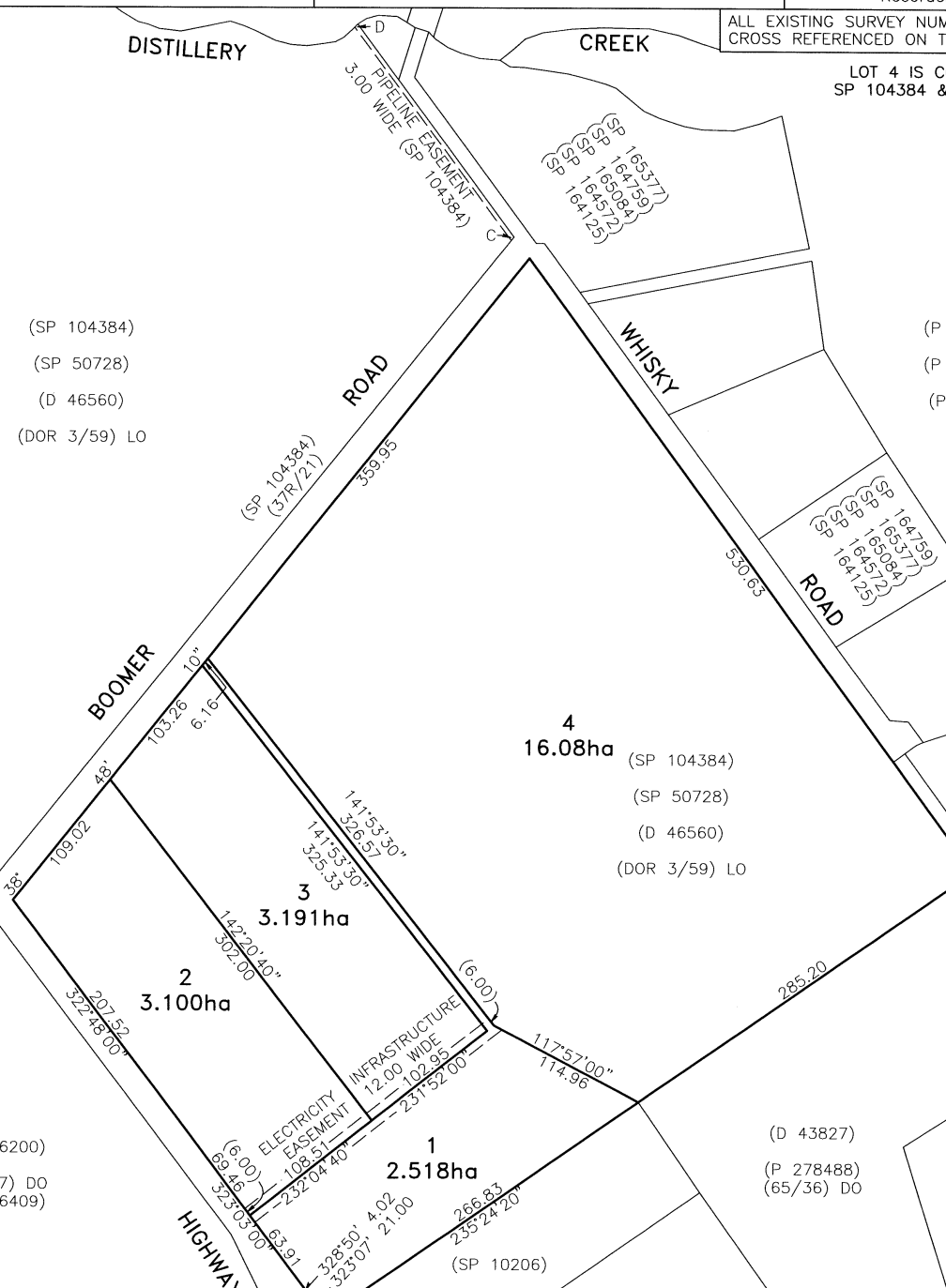
Attachments:

- Registered Plan SP177465
- Schedule of Easements SP177465
- Department of State Growth email correspondence, 20 December 2024

OWNER JOSEPH HENRY BREWIN MEREDITH GRACE BREWIN FOLIO REFERENCE 104384/3 GRANTEE PART OF 122a-3r-0p GTD TO JOHN WADDELL	PLAN OF SURVEY  COHEN & ASSOCIATES PTY LTD, LAUNCESTON BY SURVEYOR: A.R.FAIRFIELD CITY OF LAUNCESTON LOCATION SCALE 1 : 3000 LENGTHS IN METRES	REGISTERED NUMBER SP177465 APPROVED EFFECTIVE FROM 16 SEP 2019 <i>Renn</i> Recorder of Titles
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ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

 LOT 4 IS COMPILED FROM SP 104384 & THIS SURVEY



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<i>A.R. Fairfield</i> REGISTERED LAND SURVEYOR	26-6-19 DATE	<i>L. FOSTER</i> COUNCIL DELEGATE
		4/9/2019 DATE

SCHEDULE OF EASEMENTS NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	Registered Number SP 177 4 65
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PAGE 1 OF 2 PAGES

EASEMENTS AND PROFITS:-

Each lot on the plan is together with:-

- (1) Such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) Any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) Such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) Any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS:-

Each lot on the Plan is TOGETHER WITH the full free and uninterrupted right and liberty from time to time and at all times hereafter to:-

- (a) lay relay inspect maintain repair renew remove and cleanse a line or lines of water mains and water pipes and pumps on and under the surface of the Pipeline Easement 3.00 wide marked "C-D" on the Plan ("the Pipeline Easement") together with all such sluice and other valves manholes inspection openings stopcocks and other fittings of whatever nature as may be necessary or expedient
- (b) to install poles wires and other necessary apparatus for the purpose of conveying electricity on under or over the surface of the Pipeline Easement.
- (c) to install and maintain a pump and to erect a building for use as a pump house on the surface of the Pipeline Easement.

and for all and any of those purposes the full free and uninterrupted right and liberty to go pass and repass over and along the Pipeline Easement with or without inspectors workmen servants or agents or machinery and for the purpose aforesaid to open and break up the soil of the Pipeline Easement and remove such materials doing as little damage as may be but without being responsible or held liable for any inconvenience to the owner or owners his or their heirs and assigns or occupiers for the time being of the Pipeline Easement.

Lots 1,2, and 3 on the Plan are subject to an ELECTRICITY INFRASTRUCTURE EASEMENT (as defined herein) over the land marked "ELECTRICITY INFRASTRUCTURE EASEMENT 12.00 WIDE" on the Plan. ^{each} (appurtenant to Lot 4)

Lot 4 on the Plan is together with an ELECTRICITY INFRASTRUCTURE EASEMENT (as defined herein) over the land marked "ELECTRICITY INFRASTRUCTURE EASEMENT 12.00 WIDE" on the Plan.

FENCING COVENANT:-

The owner of each lot on the Plan covenants with the Vendor (Joseph Henry Brewin and Meredith Grace Brewin) that the Vendor shall not be required to fence.

  	PLAN SEALED BY: CITY OF LAUNCESTON DATE: 4.9.2019 FP0169/2017.1 REF NO. L. FOSTER Council Delegate
SUBDIVIDER JOSEPH HENRY BREWIN and MEREDITH GRACE BREWIN FOLIO REF Volume 104384 Folio 3 SOLICITOR & REFERENCE: P L CORBY & CO (CJF)	
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

ANNEXURE TO SCHEDULE OF EASEMENTS	Registered Number SP177465
PAGE 2 OF 2 PAGES	
SUBDIVIDER: JOSEPH HENRY BREWIN and MEREDITH GRACE BREWIN	
FOLIO REFERENCE: Volume 104384 Folio 3	

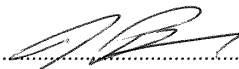
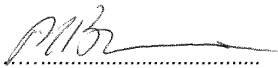
INTERPRETATION: -

"ELECTRICITY INFRASTRUCTURE E EASEMENT" means the full and free right and liberty for the owner of the dominant tenement and their successors and their servants and contractors at all times to enter upon the land marked "Electricity Infrastructure Easement 12.00 wide" on the Plan:-

- (a) to maintain, lay erect, construct, install and operate in upon, over, along and under the land which is the subject of the Electricity Infrastructure Easement, poles wires, cables, apparatus, appliances and other ancillary work (herein collectively called "the electricity infrastructure") for all transmission of electrical energy and for purposes incidental thereto;
- (b) to inspect, maintain, repair, modify, add to, replace and remove the electricity infrastructure;
- (c) to cause or permit electrical energy to flow or be transmitted or distributed through the electricity infrastructure;
- (d) to cut away, remove and keep clear of the electricity infrastructure or trees and other obstructions or erections of any nature whatsoever which may at any time overhang, encroach upon or be in or on the land and which may in the opinion of the owner of the dominant tenement or their successors and their servants and contractors endanger or interfere with the proper operation of the electricity infrastructure;
- (e) to enter into and upon the land for all or any of the above purposes with or without all the necessary plant, equipment and machinery and the means of transporting the same and if necessary to cross the remainder of the servant tenement for the purposes of access and regress to and from the easement land.

Signed by JOSEPH HENRY BREWIN and MEREDITH GRACE BREWIN
the registered proprietors of the land comprised in Folio of the Register
Volume 104384 Folio 3 in the presence of:

Witness:
Full Name: Colin James Foon
Occupation: Solicitor
Address: 4 Paterson Street
Launceston Tas 7250

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Appendix G – DSG advice on TIA acceptability

Fri 20/12/2024 1:24 PM

RE: Tasman Hwy - Boomer Road junctio, Waverley - Updated TIA



Siale, Vili <Vili.Siale@stategrowth.tas.gov.au>
 To  Richard Burk



1:24 PM

Our Reference: D24/291309/2

Hi Richard,
 Thank you for your email and latest TIA.

Following a review of the attached TIA, your assessment of the generated right turn traffic would be very low which would not have triggered a BAR. However, the BAL is still warranted, according to the traffic number.

Given the above, your latest TIA is accepted.

If you have any further queries regarding this matter, please let me know.

Regards,
 Vili,

Vili Siale | [Traffic Engineering Liaison Officer](#)

Traffic Engineering | Network Management

State Roads | Department of State Growth

11A Goodman Court, INVERMAY TAS 7248 | GPO Box 536, Hobart TAS 7001

Ph. (03) 6777 1951 | Mb. 0439 101 614

www.stategrowth.tas.gov.au

Courage to make a difference through

TEAMWORK | INTEGRITY | RESPECT | EXCELLENCE

My current work pattern:

Monday	Tuesday	Wednesday	Thursday	Friday
Office	Office	Office	WFH	WFH