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16 October 2026

Executive Commissioner
Tasmanian Planning Commission

via e-mail: tpc@planning.tas.gov.au

DRAFT LPS AMENDMENT PDPSPAMEND-2024/048902 AND COMBINED PLANNING APPLICATION AT 2 PIPER ROAD, GEILSTON BAY 647 EAST DERWENT HIGHWAY & 657 EAST DERWENT HIGHWAY, RISDON.

Dear Sir/Madam,

I advise that pursuant to s40K and s42 of the *Land Use Planning and Approvals Act 1993 (the Act)*, the Clarence City Planning Authority has resolved at its Council meeting held Monday, 12 October 2026, that the representations received during the exhibition of the draft amendment and planning permit do not warrant modifications to the previously agreed draft amendment to the Clarence Local Provision Schedule (LPS) and a minor modification has been made to the draft permit for the abovementioned development.

The proposal seeks to amend the LPS by rezoning the subject land from Rural Living B to a Particular Purpose Zone - Clarence Lifestyle Village. The combined planning permit application is for the consolidation of two lots (2 Piper Rd & 647 East Derwent Highway), development of 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway, and associated works.

As required under s40K and s42 of the Act, and detailed in the *Commission's Practice Note No. 13 – Combined permit and amendments to Local Provisions Schedules Appendix 2*, please find attached the following documentation:

1. Copy of Planning Authority decision as recorded in the Minutes of Council Meeting 12 October 2026, including reasons for the decision.

2. Copy of the Agenda Report, including the S40K report on the representations and the amended planning permit;

3. Copies of the unredacted representations as a separate file.

4. A list of the names and addresses of representors.

5. A copy of the TasWater response to the original referral under *Section 56S of the Water and Sewerage Industry Act 2008.*

6. It is noted that the Fees payable under regulation 11 of the Act were remitted to the Commission on 23 July 2026, and a copy of remittance advice is attached.

If you have any questions about this matter, please contact me on 6217 9550.

Yours sincerely



Memory Hatendi
TEAM LEADER PLANNING ASSESSMENT

7.1 REVIEW OF REPRESENTATIONS - LOCAL PROVISIONS SCHEDULE AMENDMENT AND COMBINED PERMIT APPLICATION PDPSPAMEND-2022/028417 – 2 PIPER ROAD, GEILSTON BAY, 647 EAST DERWENT HIGHWAY & 657 EAST DERWENT HIGHWAY, RISDON

EXECUTIVE SUMMARY

PURPOSE

This report has been prepared to consider the representations received during the public exhibition of draft amendment PDPSPAMEND-2022/028417 and the associated development permit.

The proposal relates to a request to amend the Clarence Local Provisions Schedule through the rezoning of land, from Rural Living B to a Particular Purpose Zone - Clarence Lifestyle Village, together with a combined permit application for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), development of 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway, and associated works.

LEGISLATIVE REQUIREMENTS

The draft amendment and associated permit were certified and approved for exhibition by the Planning Authority on 20 July 2026 and publicly exhibited in accordance with Sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993* (LUPAA). Following exhibition, the Planning Authority is required to undertake an assessment of those representations in accordance with Sections 40K and 42 of LUPAA and make recommendations to the Tasmanian Planning Commission (the Commission).

Such report must be provided within the statutory period which expires on 19 October 2026.

CONSULTATION

Two representations were received during the exhibition period, comprising one representation from a state authority and one public representation submitted on behalf of two people from the same property.

The representations from the members of the public related to:

- Stormwater, flooding and downstream impacts;
- Detention basins, external flows and system resilience;
- Existing dam releases;
- Erosion, waterway and infrastructure maintenance;
- Landscape and water sensitive urban design;
- State highway drainage;
- Pedestrian access, bus stops and public transport connectivity;
- Future road link;
- Access arrangements and removal of the emergency access onto East Derwent Highway; and
- Noise impacts from the highway.

RECOMMENDATION:

A. Pursuant to Section 40K(2) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the merits of each representation received with regard to the requested amendment of the Clarence Local Provisions Schedule PDPSPAMEND-2022/028417 and the associated planning application for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway and associated works, are contained in the Associated Report, and the Planning Authority considers that a minor modification to the associated planning permit is warranted.

B. Pursuant to Section 40K(2) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the draft amendment meets the LPS criteria.

C. Pursuant to Section 40K (1) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the Planning Authority provides the Associated Report and relevant attachments, including a copy of each representation, to the Tasmanian Planning Commission.

D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

The request for a planning scheme amendment and combined permit application relates to land at 2 Piper Road, Geilston Bay, and 647 and 657 East Derwent Highway, Risdon. The proposal was lodged with Clarence City Council and accepted as a combined application for:

- an amendment to the Clarence Local Provisions Schedule to rezone the subject land at 2 Piper Road, Geilston Bay and 647 East Derwent Highway, and
- to allow for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), construction of 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway and associated works.

The land is currently zoned Rural Living B under the Tasmanian Planning Scheme - Clarence. The proposed development outcomes and use are prohibited within this zone, as a retirement village is not an allowable use. The proposal would therefore require a planning scheme amendment to proceed.

Council, as Planning Authority, considered the request and resolved at its meeting of 20 July 2026 to certify the draft amendment as meeting the Local Provisions Schedule criteria under Section 34 of LUPAA, and approve the draft permit for public exhibition, subject to the certified amendment.

The certified draft amendment and associated permit material were publicly exhibited in accordance with the requirements of Sections 40G and 40Z of LUPAA. The representations are summarised and assessed in Section 5 of this report.

This report has been prepared in response to those representations and forms part of Council's obligations under Sections 40K and 42 of LUPAA.

2. PROPOSAL IN DETAIL

2.1. The Site

The subject land consists of three titles. The land at 2 Piper Road, Geilston Bay and 647 East Derwent Highway are under the same ownership and will be consolidated into one lot with the resultant area being 8.43ha. The adjoining land at 657 East Derwent Highway has an area of 1599m^2 and will not form part of the rezoning but is included for access and infrastructure sharing purposes only. It is noted that 657 East Derwent Highway, Risdon has changed ownership within the last three months. The landowner consent submitted at lodgement remains valid. However, the applicant has been advised to liaise with the new owner regarding the specifics of the proposal.

The site is shown in Figure 1, with the subject titles highlighted.

The proposal includes works within Crown Land (the East Derwent Highway Road Reserve) administered by the Department of State Growth (now Building Tasmania).

The works in the reserves are for sewer, water and stormwater infrastructure. Landowner consent for the application was provided by the Department of State Growth.



Figure 1: Subject Titles. (Source Council GIS,2026)

2.2. The Draft Amendment and Planning Permit

On 20 July 2026, the Planning Authority resolved to certify a draft amendment that:

- Rezones land at 2 Piper Road, Geilston Bay and 647 East Derwent Highway from Rural Living B to a Particular Purpose Zone - Clarence Lifestyle Village.
- Determines that the draft amendment meets the requirements of LUPAA, including the Section 34 Local Provisions Schedule criteria.
- Determines a draft planning permit for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), construction of 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway and associated works.
- Places the certified draft amendment, draft planning permit and associated permit material on public exhibition for a period of 28 days.

A copy of the certified draft amendment is provided in Attachment 1, and a copy of the draft planning permit is contained in Attachment 2.

3. STATUTORY IMPLICATIONS

Following the exhibition of a draft Local Provisions Schedule (LPS) amendment, the Planning Authority is required to consider any representations received and provide a report to the Tasmanian Planning Commission in accordance with Sections 40K and 42 of LUPAA.

The Planning Authority is required to submit this report to the Commission within 35 days of the close of the exhibition period (subject to approved extensions), which is 19 October 2026.

4. CONSULTATION

The certified draft LPS amendment and associated draft planning permit were publicly exhibited for 28 days, concluding on 31 August 2026 in accordance with the requirements of LUPAA.

Public notification of the proposal included:

- advertisements in The Mercury on 1 August 2026 and 15 August 2026,
- letters to landowners and occupiers adjoining the subject land, and
- the placement of notification signage on the subject site.

During the exhibition period, two representations were received.

5. DISCUSSION ON THE MERITS OF THE REPRESENTATIONS

The representations comprise:

- one representation from a State Agency, and
- one representation from a member of the public.

Each representation has been considered on its merits including, where relevant, the statutory mechanism through which the issue is addressed, and whether any modification to the draft LPS amendment or draft planning permit is required.

Building Tasmania provided a representation, accompanied by the original landowner consent reiterating the conditions of approval, and one representation was received from a member of the public (non-authority representation).

Both representors expressed support for the proposal in principle while raising engineering concerns relating to accessibility, stormwater, flooding, erosion and drainage infrastructure. Given that two representations were received raising substantially similar issues, the respective concerns have been consolidated and addressed as follows.

5.1. Stormwater, Flooding and Downstream Impacts

Building Tasmania raised concern that the submitted flood information does not include post-development flood mapping or clearly demonstrate impacts on the East Derwent Highway reservation. It also questioned whether the stormwater analysis has appropriately accounted for the two external overland flow paths through the site. The representation by the member of the public also reported existing flooding, overtopping and erosion at 673 East Derwent Highway and expressed concern that increased impervious areas or underperformance of the proposed system could worsen downstream impacts.

- **Response**

  The concerns regarding downstream flooding, stormwater discharge and impacts on adjoining land are acknowledged.

  The application has been supported by specialist flood and stormwater assessments that identify a range of mitigation measures including detention basins, cut-off drains and overland flow management infrastructure. These measures are intended to manage stormwater runoff and maintain acceptable flood behaviour across the site.

  It is proposed that permit conditions be imposed requiring the applicant to prepare detailed stormwater and flood management designs demonstrating that the development will not adversely affect adjoining properties, receiving waterways or public infrastructure, including the East Derwent Highway reservation.

The detailed design will also need to address the interaction between the proposed drainage system and external overland flow paths. These designs would be subject to further review and approval as part of the engineering approval process.

On the basis of the information provided, there is insufficient evidence to conclude that the proposed development will result in an unacceptable increase in flooding, erosion or stormwater impacts on downstream properties.

The matters raised therefore, do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.2. Detention Basins, External Flows and System Resilience

Building Tasmania raised concern that the proposed detention basins may have been sized only for the increase in development runoff and may not account for upstream through-flows. It also noted that the basins are located within the existing north-eastern drainage course and may operate as check dams. The public representation requested assessment of detention basin overflow, infrastructure blockage, major events exceeding the design standard and independent verification of the modelling.

- **Response**

  The concerns regarding detention basin performance, external overland flows and system resilience are acknowledged.

  The proposed conditions, included in the draft permit, require the submission of a coordinated flood and stormwater management design prepared by a suitably qualified engineer. The detailed design must demonstrate that the stormwater management system appropriately accounts for both runoffs generated by the development and existing overland flows through the site.

The detailed design will also be required to demonstrate that the development will not create or contribute to unreasonable flooding or stormwater impacts on adjoining land or public infrastructure. The design would be subject to further review and approval through the engineering approval process.

On the basis of the information currently available, there is insufficient evidence to conclude that the proposal would result in unacceptable flood or stormwater impacts.

The matters raised, therefore, do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.3. Existing Dam Releases

The public representation raised a concern regarding the apparent releases of water from dams within the existing Clarence Lifestyle Village at various times without prior warning and requested assessment of dam operation and any controlled discharges as part of the overall drainage and flood management strategy.

- **Response**

  The concerns regarding the operation of existing dams and associated downstream impacts are acknowledged.

  Where existing drainage infrastructure forms part of, or is affected by the proposed development, it is proposed that permit conditions require it to be considered as part of the detailed stormwater and flood management design. The detailed design will need to demonstrate that the development does not create or contribute to adverse impacts on adjoining land or downstream receivers.

The concerns raised primarily relate to the operation of existing infrastructure rather than the merits of the current proposal. On that basis, the matters raised do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.4. Erosion, Waterway and Infrastructure Maintenance

The public representation raised concern regarding erosion beneath their boundary fence, instability of fencing infrastructure and the condition and maintenance of the natural drainage corridor. The representation requested that the proposed development not increase reliance on a waterway already experiencing difficulties during significant storm events.

- **Response**

  The concerns regarding erosion, waterway stability and infrastructure maintenance are acknowledged.

  The proposed conditions included in the draft permit require detailed stormwater and flood management design to demonstrate that the development will not cause or contribute to adverse erosion, scour or flooding impacts on the site or adjoining land. Additional requirements relating to erosion and sediment control during construction are also proposed to minimise impacts on downstream waterways and infrastructure.

  These requirements are intended to ensure that stormwater generated by the development is appropriately managed and does not result in unreasonable impacts on neighbouring properties or receiving waterways.

  The maintenance of existing private infrastructure, including boundary fencing, and the rectification of any pre-existing damage are separate matters unless it can be demonstrated that such impacts are caused or exacerbated by the proposed development.

On that basis, the matters raised do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.5. Landscape and Water Sensitive Urban Design

The public representation requested a comprehensive landscape plan incorporating vegetated swales, strategic tree planting, rain gardens and the use of drainage and easement corridors for soft landscaping and infiltration where practical.

- **Response**

  The request for additional landscaping and Water Sensitive Urban Design measures is acknowledged.

  It is proposed that permit conditions require the submission of a detailed landscape plan, including planting, landscaping treatments and ongoing maintenance requirements. The development will also be subject to detailed stormwater design requirements to ensure runoff is appropriately managed and adverse impacts on adjoining land and receiving waterways are avoided.

  Measures such as vegetated swales, rain gardens and strategic planting may be incorporated into detailed design where appropriate. However, it is not considered necessary to prescribe specific design solutions at this stage, provided the development achieves the required landscape and stormwater management outcomes.

  The matters raised, therefore, do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.6. State Highway Drainage

Building Tasmania requested that the drainage requirements contained in the Crown Landowner Consent dated 20 December 2024 be reflected in the permit. These include detailed hydraulic modelling of the two overland flow paths, pre- and post-development 1% AEP flood mapping showing impacts on the State Highway Reservation, and separate Ministerial consent for any concentrated stormwater discharge to the State Road reserve.

- **Response**

  The matters raised by Building Tasmania are acknowledged.

  The proposed permit conditions require the submission of detailed stormwater and flood management designs demonstrating that the development will not adversely affect the East Derwent Highway reservation or associated public infrastructure. This assessment will be required to consider external overland flows and the potential impacts of the development on surrounding land and infrastructure.

  Any works within, or discharge to, the State Road reserve remain subject to separate approval from the relevant State authority. These approvals are additional to, and separate from, any planning approval issued for the development.

  The matters raised are capable of being addressed through the detailed design process and any subsequent approvals required from the relevant State authority.

  The matters raised, therefore, do not warrant modifications to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.7. Pedestrian Access, Bus Stops and Public Transport Connectivity

Building Tasmania raised concerns regarding pedestrian accessibility between the proposed retirement village, nearby bus stops and the existing pedestrian network.

Concern was expressed regarding the lack of a dedicated footpath connection to public transport infrastructure given the expected demographic of future residents.

- **Response**

  The concern regarding pedestrian accessibility is acknowledged. The issue of a pedestrian connection between the site and nearby bus stops has been considered throughout the assessment process, including discussions between the applicant, council officers and relevant State authority.

  While the applicant has indicated a willingness to contribute toward pedestrian infrastructure, delivery of a pathway within the State Road corridor involves matters outside the scope of the current application and would require separate agreement and approval from the relevant road authority.

  The proposal provides an internal pedestrian network throughout the development site and has been assessed against the applicable requirements of the Parking and Sustainable Transport Code. While the requested external footpath connection does not form part of the current proposal, the representation identifies a legitimate accessibility issue, and Council supports ongoing discussions with the applicant and relevant authorities regarding future opportunities to improve pedestrian connectivity and access to public transport services.

  Regarding alternative transport, the Clarence Lifestyle Village shuttle bus currently operates weekly, between Eastlands, Glenorchy and Moonah, with provisions for one off or special request trips. However, the service is rarely full as approximately 85% to 90% of residents own private vehicles. Additional services will be introduced if demand increases following the construction of the new homes.

  The matters raised therefore, do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.8. Future Road Link

In addition to the above concerns, Building Tasmania suggested that Council should ensure that a connection between Napier Street and Dumbarton Drive is constructed as soon as possible to minimise traffic utilising the existing Piper Road intersection with the East Derwent Highway.

- **Response**

  The concern regarding the future road connectivity is noted. However, the subject land is privately owned, and Council has no head of power to initiate or construct the connection between Napier Street and Dumbarton Street. This is dependent upon the landowner's future development plans.

  On that basis, the matters raised do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

5.9. Access Arrangements and Removal of the Emergency Access onto East Derwent Highway

The Crown consent noted that only one access point is to be retained for the proposed development and that once consolidated, any existing rights-of-way should be extinguished. While Building Tasmania acknowledges the removal of the emergency exit from the proposed plans, as per the condition of granting landowner consent, concern was raised that the bushfire hazard management report still refers to the emergency fire access to the north-western side of the site.

- **Response**

  As noted on the concept plan of subdivision (consolidation), vehicular access and egress will be via the existing access from Piper Road. This plan will form an endorsed document, if the permit is approved. Any existing rights-of-way or access licence will be extinguished upon the sealing of the final plan.

Furthermore, as conditioned on the draft permit, an updated bushfire report will be required, and any inconsistencies will be rectified at that stage. A minor modification to this condition is proposed to reflect the above request, ensuring that any references to the emergency exit are removed from the bushfire management report to align with the plan of subdivision (consolidation).

5.10. Noise Impacts from the Highway

Building Tasmania acknowledged and noted its support of the recommendations made within the noise report to mitigate potential traffic noise impacts from the Highway. Furthermore, they also reiterated that the responsibility for noise mitigation rests entirely with the developer, noting that under the Tasmanian Traffic Noise Management Guidelines, the department will not provide noise mitigation due to land use changes, or increased traffic or population growth.

- **Response**

  The comments are noted and matters relating to noise mitigation will be addressed under the Road and Railway Assets Code and additional provisions have been included in the proposed zone provisions.

  The matters raised, therefore, do not warrant modification to the certified draft Local Provisions Schedule amendment or the associated draft planning permit.

6. EXTERNAL REFERRALS

The original application was referred to TasWater, Tasmania Fire Service (TFS), TasNetworks, The Department of Natural Resources and Environment – Aboriginal Heritage and Department of State Growth (now Building Tasmania).

Other than those identified above, no referral authority raised an objection to the proposal.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

The proposal is consistent with Council's adopted Strategic Plan and other relevant Council policies.

No representations raised matters suggesting inconsistency with Council policy or strategic direction, and no issues have been identified that would give rise to conflict with relevant Council policies.

8. CONCLUSION

The proposed rezoning of land from Rural Living B to Particular Purpose Zone – Clarence Lifestyle Village together with a combined permit application to enable the expansion of the existing residential development (Retirement Village) and associated infrastructure is considered to meet the LPS criteria as required under Section 34 of LUPAA.

Having assessed the merits of each representation, it is considered that they do not warrant modification to the draft LPS amendment. However, a minor modification of proposed permit condition 3, relating to bushfire management is warranted to ensure consistency between the report and the consolidation plan.

It is therefore appropriate that the certified draft amendment and associated modified draft planning permit be submitted to the Tasmanian Planning Commission with a recommendation that both be approved.

Attachments: 1. Certified Plan (1)
2. Updated Draft Planning Permit (7)

Daniel Marr
HEAD OF CITY PLANNING

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

Tasmanian Planning Scheme - Clarence
Draft Amendment



AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING PDPSPAMEND-2022/028417

To amend the Tasmanian Planning Scheme – Clarence Local Provision Map by:
- rezoning the entirety of 2 Piper Road, Geilston Bay (CT 226109/1) and 647 East Derwent Highway, Risdon (CT 115696/1) from Rural Living Zone B to Particular Purpose Zone – Clarence Lifestyle Village.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HEREUNTO AFFIXED, THIS 24th DAY OF 2026, PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE 20th DAY OF JULY 2026, IN THE PRESENCE OF:

CHIEF EXECUTIVE OFFICER

Scale - 1:3,000 (at A4)

This map has been produced by Clarence City Council using data from a range of agencies.
The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

Clarence... a brighter place

Clarence City Council

DRAFT PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: **PDPSPAMEND-2022/028417** **Approval Date:** **01 January 1900**

Description: **Consolidation of Two Lots (2 Piper Rd & 647 East Derwent Highway), 54 Residential (Retirement Village) Units, Demolition of existing Dwelling & Outbuilding at 647 East Derwent Highway and Associated Works.**

Address: **2 Piper Road, Geilston Bay 647 East Derwent Highway & 657 East Derwent Highway, Risdon**

This permit is granted, subject to the following conditions:

General Conditions:

1. The use or development must only be undertaken in accordance with the endorsed plans and any permit conditions and must not be altered without the consent of Council.

2. Development must occur in accordance with the recommendations contained within the Clarence Lifestyle Village - Noise Impact Assessment by Noise Impact Consulting, dated 28 October 2024. These measures are to be certified by a recognized Acoustic Engineer or other appropriately qualified person and submitted as part of a Building Permit.

3. An updated Bushfire Report must be submitted showing the following:
   - All dwellings be designed and built to BAL-12.5 minimum standard under AS 3959:2018.
   - An updated TFS-endorsed bushfire emergency plan drafted in accordance with the current template documents found on the TFS website.
   - All new dwellings be designed with a basic ember protection at a minimum.
   - The whole site must be maintained as a hazard management area.
   - Deletion of any references to the emergency exit in the Bushfire report.

must be submitted to and approved by Chief Executive Officer or delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). When approved, the plans will form part of the permit.

4. Suitable covenants must be included in the Schedule of Easements with respect to:

   - Establishing the 13m setback to the rear (southern boundary) of the subject property an exclusion zone with no new habitable buildings to be built within this zone.
   - the whole site must be maintained in a low fuel state as a hazard management area.

   Additional covenants or other controls must not be included on the titles to the lots created by the subdivision where they are in conflict with any provisions of, or seek to prohibit any use provided for within, the relevant Planning Scheme applying to the lot.

5. The proposed non-combustible fence must be designed in accordance with the specifications referred to in the bushfire hazard report and the construction of the non-combustible fence must be implemented as part of the site civil works to the satisfaction of Council's Chief Executive Officer or delegate.

6. A landscape plan must be submitted to and approved by Council's Chief Executive Officer or Delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). The landscape plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3 size. The landscape plan must clearly document the following:

   - a north point/arrow,
   - existing property information such as building footprints, location of underground and overhead services, boundary lines, outdoor structures, garden beds and fences,
   - existing trees identified, marked clearly as "retained" or "for removal". An outline of tree protection measures – inclusive of calculated Tree Protection Zones in line with AS 4970-2009 – is required for all "retained" trees,
   - existing contours, relevant finished floor levels and any proposed alterations to ground levels,
   - areas of proposed landscape hard work treatments such as driveways, paths, buildings, carparks, retaining walls, edging and fencing,

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- areas of proposed landscape soft work treatments including garden beds and lawns,
- proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred),
- a table listing selected species' botanical names, mature height, mature width, pot size and total quantities,
- avenue type plantings adjacent to the Commerce Road boundary with the inclusion of Ornamental pear species,
- details of proposed ongoing maintenance schedule (e.g. watering, weeding), and
- estimated cost for the installation of landscape works.

Note: Refer to "Preparing Landscape Plans for Development Applications" pamphlet for further information. Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship.

7. The detailed landscape plan must be consistent with the hazard management area requirements.

8. The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.

9. The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council's Chief Executive Officer or Delegate.

10. Engineering designs, prepared by a suitably qualified person, are required for:
    - access arrangements;
    - carpark and driveways construction;
    - service upgrades or relocations;

    and must show the extent of any vegetation removal proposed for these works. Such designs must be submitted to and approved by Council's Chief Executive Officer or Delegate.

    The detailed engineering plans must also include the internal accessways, car parking and manoeuvring areas, pedestrian paths and crossings, and demonstrate

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appropriate grades, dimensions, turning movements, parking delineation and pedestrian safety treatments.

A 'start of works' permit must be obtained prior to the commencement of any works.

A Works in Road Reservation Permit must also be obtained if any proposed works are to be conducted within the road reservation or Council land.

Works for all stages shown on the design plans must be commenced within 2 years of the date of their approval or the engineering designs will be required to be resubmitted.

11. Driveways, parking areas and other areas accessible to vehicles must be constructed in bituminous concrete or concrete, providing for adequate stormwater drainage, prior to the commencement of the use. Details of the construction must be submitted to and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of any works. The detailed engineering plans must also include the internal accessways, car parking and manoeuvring areas, pedestrian paths and crossings, and demonstrate appropriate grades, dimensions, turning movements, parking delineation and pedestrian safety treatments.

12. The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

    If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.

13. Any existing services on the land must be contained within a single lot. For any services extending beyond the property boundary, a suitable easement must be created on the affected titles and the service replaced in PVC or copper type A for water.

14. All services must be sealed off prior to any demolition works.

15. Stormwater reticulation is to be designed in accordance with the requirements of Council's Local Highways Standard Requirements By- Law and the State Stormwater Strategy to the satisfaction of Council's Head of Infrastructure and Natural Assets. The design is to identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council). Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels and water quality characteristics of receiving waters are maintained or improved. The design must incorporate Water Sensitive Urban Design principles and be submitted for approval by Council's Chief Executive Officer

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or delegate prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.

16. Prior to the issue of Engineering Approval, detailed and coordinated stormwater and flood management design, prepared by a suitably qualified engineer, must be submitted to and approved by Council's Chief Executive Officer or delegate.

The design must be consistent with the approved development plans and address the relevant findings of the supporting stormwater and flood reports. The design must demonstrate that:

a) the proposed drainage, detention and major overland flow systems safely manage the 1% AEP event, inclusive of the adopted climate change allowance;

b) post-development stormwater discharge from the development does not exceed pre-development discharge at the relevant discharge points;

c) the cut-off drain, check dams, headwalls, pipe network, detention basins, internal roads and overflow paths are coordinated and adequately designed to safely manage site runoff and external overland flows, including relevant design calculations, hydraulic modelling, longitudinal sections, cross sections, profiles, levels, pipe schedules, basin details and capacity calculations;

d) the proposed works do not cause or contribute to adverse flooding, permanent scour or erosion impacts on the site, adjoining land, East Derwent Highway or public infrastructure; and

e) finished floor levels and relevant access levels are set in accordance with the approved flood and drainage design, including appropriate freeboard where required.

The submission must include sufficient supporting calculations, modelling outputs and detailed engineering drawings to demonstrate compliance with this condition.

When approved, the amended plans will form part of this permit. If compliance with this condition cannot be demonstrated, the approved development must not proceed in its approved form, and a further planning approval may be required.

17 An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted and approved by Council's Chief Executive Officer or delegate prior to the commencement of the works / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and

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sediment control plan or to the satisfaction of Council's Chief Executive Officer or delegate prior to the commencement of works.

18. A weed management plan identifying methods to control weeds, must be submitted to and approved by Council's Chief Executive Officer or delegate prior to commencement of works. The plan must:

- reference any Weeds of National Significance and Declared Weeds under the Weed Management Act and address the spread of soil-based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control,
- identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department, and
- include a detailed breakdown of estimated costs.

The Final Plan and Schedule of Easements for any stage will not be sealed until the weed management plan for that stage has been implemented and maintained to the satisfaction of Council's Chief Executive Officer or delegate. Alternatively, a bond of 1.5 times the estimated cost of works associated with implementing the weed management plan for that stage must be submitted prior to sealing. The bond will be held as security to ensure both development and maintenance of each lot is undertaken in accordance with the approved plan until each of the newly created lots are sold or the management period has expired, whichever comes first. The bond is to be a cash deposit or a bank guarantee.

19. All works must be undertaken generally in accordance with the Wetlands and Waterways Works Manual produced by the Tasmanian Department of Primary Industries, Water and the Environment 2003 [copy available at https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual.

20. Certificates of Title for subject land, Volume 226109/1 and Volume 115696/1 must be consolidated into one title prior to the issue of a building/plumbing permit or commencement of works, whichever occurs first. To consolidate the titles, the final plan and schedule of easements must be submitted to Council for sealing.

21. The development must meet all required Conditions of Approval specified by TasWater notice dated 05/07/2024 (TWDA 2022/0088 - CCC).

The following advice is also provided:

a. This permit will lapse after 2 years from the date on which it is granted in accordance with Section 42C(2) (a) of the Act unless the development / use has been substantially commenced.

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In accordance with Section 42C(3) an application may be made to the Planning Authority for an extension in accordance with Section 42C (2) (b) or (c), any time before the period of 6 months from the day on which the permit has lapsed

b. This is a town planning permit only. Please be aware that a building permit and / or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.

c. Non-compliance with this permit is an offence under Section 63 of the *Land Use Planning and Approvals Act 1993* and may result in enforcement action under Division 4A of the *Land Use Planning and Approvals Act 1993* which provides for substantial fines and daily penalties.

d. All units and other structures are to comply with Fire Separation under the relevant National Construction Code and the Building Act 2016.

Daniel Marr
HEAD OF CITY PLANNING

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7.1 REVIEW OF REPRESENTATIONS - LOCAL PROVISIONS SCHEDULE AMENDMENT AND COMBINED PERMIT APPLICATION PDPSPAMEND-2022/028417 – 2 PIPER ROAD, GEILSTON BAY, 647 EAST DERWENT HIGHWAY & 657 EAST DERWENT HIGHWAY, RISDON

EXECUTIVE SUMMARY

PURPOSE

This report has been prepared to consider the representations received during the public exhibition of draft amendment PDPSPAMEND-2022/028417 and the associated development permit.

The proposal relates to a request to amend the Clarence Local Provisions Schedule through the rezoning of land, from Rural Living B to a Particular Purpose Zone - Clarence Lifestyle Village, together with a combined permit application for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), development of 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway, and associated works.

LEGISLATIVE REQUIREMENTS

The draft amendment and associated permit were certified and approved for exhibition by the Planning Authority on 20 July 2026 and publicly exhibited in accordance with Sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993* (LUPAA). Following exhibition, the Planning Authority is required to undertake an assessment of those representations in accordance with Sections 40K and 42 of LUPAA and make recommendations to the Tasmanian Planning Commission (the Commission).

Such report must be provided within the statutory period which expires on 19 October 2026.

CONSULTATION

Two representations were received during the exhibition period, comprising one representation from a state authority and one public representation submitted on behalf of two people from the same property.

The representations from the members of the public related to:

- Stormwater, flooding and downstream impacts;
- Detention basins, external flows and system resilience;
- Existing dam releases;
- Erosion, waterway and infrastructure maintenance;
- Landscape and water sensitive urban design;
- State highway drainage;
- Pedestrian access, bus stops and public transport connectivity;
- Future road link;
- Access arrangements and removal of the emergency access onto East Derwent Highway; and
- Noise impacts from the highway.

RECOMMENDATION:

A. Pursuant to Section 40K(2) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the merits of each representation received with regard to the requested amendment of the Clarence Local Provisions Schedule PDPSPAMEND-2022/028417 and the associated planning application for the consolidation of two lots (2 Piper Road & 647 East Derwent Highway), 54 Residential (Retirement Village) Units, demolition of existing dwelling and outbuilding at 647 East Derwent Highway and associated works, are contained in the Associated Report, and the Planning Authority considers that a minor modification to the associated planning permit is warranted.

B. Pursuant to Section 40K(2) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the draft amendment meets the LPS criteria.

C. Pursuant to Section 40K (1) and Section 42 of the *Land Use Planning and Approvals Act 1993*, the Planning Authority provides the Associated Report and relevant attachments, including a copy of each representation, to the Tasmanian Planning Commission.

D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision: **MOVED** Cr Mulder **SECONDED** Cr James

"That the Recommendation be adopted".

CARRIED UNANIMOUSLY