

# CLARENCE LIFESTYLE VILLAGE

## S.40T APPLICATION

ireneinc & smithstreetstudio
PLANNING & URBAN DESIGN

PLANNING TAS PTY LTD TRADING AS IRENEINC PLANNING & SMITH STREET STUDIO PLANNING & URBAN DESIGN ABN 78 114 905 074

# CLARENCE LIFESTYLE VILLAGE

**s.40T Combined Planning Permit & Scheme Amendment Submission**

Last Updated – March 2026

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# CONTENTS


1. INTRODUCTION ..... 5
1.1 BACKGROUND ..... 5
1.2 SITE DESCRIPTION ..... 6
1.2.1 2 Piper Road (CT 226109/1) ..... 6
1.2.2 647 East Derwent Highway (CT 115696/1) ..... 6
1.2.3 657 East Derwent Highway (CT 61125/1) ..... 6
1.3 SERVICES ..... 8
1.4 ADJOINING LAND USES & ZONING ..... 8
2. EXISTING PLANNING CONTROLS ..... 9
2.1 ZONING ..... 9
2.1.1 Use ..... 9
2.2 CODES AND OVERLAYS ..... 10
2.2.1 Bushfire-Prone Areas Code ..... 10
2.2.2 Road and Railway Assets Code ..... 10
2.2.3 Natural Assets Code ..... 10
2.2.4 Flood-Prone Areas Code ..... 10
2.2.5 Safeguarding of Airports Code ..... 11
3. S.40T OVERVIEW ..... 12
3.1 AMENDMENT CONSIDERATIONS ..... 12
3.1.1 Option 1 – Retain existing zone and apply a new SAP ..... 12
3.1.2 Option 2 – Apply the General Residential Zoning ..... 12
3.1.3 Option 3 – Apply the Particular Purpose Zone ..... 15
3.2 DEVELOPMENT APPLICATION COMPONENT ..... 15
3.2.1 Dwellings ..... 16
3.2.2 Communal Services / Facilities ..... 17
3.2.3 Lot Consolidation ..... 18
3.3 PROPOSED INFRASTRUCTURE ..... 18
3.3.1 Initial Stormwater Design ..... 20
3.3.2 Altered Design ..... 20
3.3.3 Food Management ..... 21
4. PROPOSED AMENDMENT ..... 22
4.1 PURPOSE AND INTENT ..... 22
4.2 PROVISIONS AND RATIONALE ..... 22
4.3 FORMAT OF THE AMENDMENT ..... 26
4.3.1 Ordinance ..... 26
4.3.2 Mapping ..... 26
5. STRATEGIC ANALYSIS ..... 27
5.1 SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY ..... 27
5.1.1 Managing Risks and Hazards ..... 27
5.1.2 Activity Centres ..... 28
5.1.3 Land Use and Transport Integration ..... 30
5.1.4 Settlement and Residential Development ..... 32
5.2 CITY OF CLARENCE STRATEGIC PLAN ..... 36
5.3 POTENTIAL FOR LAND USE CONFLICT ..... 37
6. ASSESSMENT UNDER LUPAA ..... 38
6.1 CONTENT OF LPS ..... 38

6.2 LPS CRITERIA ....40
6.3 SCHEDULE 1 OBJECTIVES OF LUPAA ....41
6.3.1 **Part 1 – Objectives of the Resource Management and Planning System of Tasmania** ....41
6.3.2 **Part 2 – Objectives of the Planning Process Established by this Act** ....42
6.4 STATE POLICIES ....43
6.4.1 The State Coastal Policy 1996 ....43
6.4.2 The State Policy on Water Quality Management 1997 ....43
6.4.3 The State Policy on the Protection of Agricultural Land 2009 ....44
6.4.4 National Environment Protection Measures (NEPMs) ....44
7. PERMIT APPLICATION ....45
7.1 PARTICULAR PURPOSE ZONE – CLARENCE LIFESTYLE VILLAGE ....46
7.1.1 Zone Purpose Statements ....46
7.1.2 Use ....46
7.1.3 Development Standards ....46
7.1.4 Development Standards for Subdivision ....60
7.2 PARKING AND SUSTAINABLE TRANSPORT CODE ....63
7.2.1 Use Standards ....63
7.2.2 Development Standards ....65
7.3 ROAD AND RAILWAY ASSETS CODE ....68
7.3.1 Use Standards ....68
7.3.2 Development Standards for Buildings or Works ....70
7.3.3 Development Standards for Subdivision ....73
7.4 NATURAL ASSETS CODE ....74
7.4.1 Development Standards for buildings and works ....74
7.4.2 Development Standards for Subdivision ....77
7.5 FLOOD PRONE AREAS HAZARD CODE ....78
7.5.1 Use Standards ....78
7.5.2 Development Standards ....81
7.5.3 Subdivision Standards ....83
7.6 BUSHFIRE PRONE AREAS CODE ....84
7.6.1 Use Standards ....84
7.6.2 Development Standards for Subdivision ....85
8. SUMMARY ....90

# 1. INTRODUCTION

Ireneinc Planning and Urban Design has been engaged by the Clarence Lifestyle Village, to prepare a request for an S40T application for the sites at 1 Pipers Road and 647 East Derwent Highway. The report is divided into two parts.

Part A deals with the proposed amendment to the Planning Scheme including the strategic background and consideration against the requirements of LUPAA and State Policies.

Part B deals with the proposed development, which will be assessed as though the requested amendments have been approved. The following documents accompany the application:

- Particular Purpose Zone provisions
- Civil & Hydraulic Engineering Documentation
- Stormwater Design Report (JSA) and Hydraulic Design Report (Flussig)
- Bushfire Hazard Management Plan & Evacuation Plan
- Traffic Impact Assessment & addendum
- Acoustic Assessment
- Concept Landscape Plan
- Dwelling plans, Indicative layout and Lot consolidation plan
- Flood Hazard Report; and
- Letters of support from village residents

## 1.1 BACKGROUND

The Clarence Lifestyle Village was originally approved on 28th June, 2010 under the former *Clarence Planning Scheme 2007 (CPS 2007)*. In 2015, the Clarence Interim Planning Scheme came into effect that resulted in the land being zoned Rural Living. As a result, community living use became a prohibited use.

To rectify this and allow for future expansion, a combined planning scheme amendment, consisting of a Specific Area Plan and accompanying development application was submitted in 2019. The amendment sought to implement site-specific use and development standards to cater for the established development and facilitate the proposed expansion of the village. Under that proposal, the underlying Rural Living zoning was to be retained.

As part of Council's assessment of the proposal, the following shortfalls were identified:

1. The amendment/SAP did not provide sufficient standards to provide and protect residential amenity such as privacy, overshadowing and landscaping that would normally be applicable to residential development.
2. The proposal sought unit/residential densities that would normally be provided within an urban area. However, the site was not located within an 'urban area' and fell outside of the Urban Growth Boundary.

3. The purpose of the SAP contradicted the purpose of the underlying Rural Living Zone.

As a result, Council determined that the proposed amendment was not consistent with LUPAA or the STRLUS and subsequently rejected the proposal on the 31st of August 2020. In 2023, the State Government made amendments to the Urban Growth Boundary, which now includes the site at 1 Piper Road and 647 East Derwent Highway.

## 1.2 SITE DESCRIPTION

### 1.2.1 2 Piper Road (CT 226109/1)

The existing site is located at 2 Piper Road, Geilston Bay (formerly identified as 625 East Derwent Highway) and is comprised of a 6.1ha lot, supporting the existing 'Clarence Lifestyle Village'. The existing village comprises of 111 single storey independent living units, along with associated support facilities, including:

- Clubhouse – which provides a cinema, pool tables, computer area, visiting consultant rooms (i.e. hairdresser, doctor and podiatrist, fitness instructor) and a library.
- Leisure Centre – includes heated spas, gym facility, sauna and massage room;
- Bowling green, Men's shed and Craft cottage; and
- Landscaped communal outdoor recreation areas.

### 1.2.2 647 East Derwent Highway (CT 115696/1)

The proposed expansion is to be sited at 647 East Derwent Highway, which is owned by the Clarence Lifestyle Village and directly adjoins the village. The property has an area of 2.6ha and currently supports a vacant dwelling and outbuilding which are to be removed. The property is currently accessed via a right-of-way over the adjoining property at 657 East Derwent Highway.

Pending approval of the scheme amendment and development application, 2 Piper Road and 647 East Derwent Highway will be consolidated into a single title. The existing right-of-way access over 657 East Derwent Highway will be expunged, with access to be provided from Pipers Road.

### 1.2.3 657 East Derwent Highway (CT 61125/1)

Due to a previous agreement struck between Clarence Lifestyle Village and the owner of 657 East Derwent Highway, it is proposed that 657 East Derwent Highway will be connected into the new sewer infrastructure (as this property currently relies on an on-site wastewater system).

As a result, the property at 657 East Derwent Highway forms part of the application.




**Figure 1: Site location with cadastre and topographic plan. Blue area denotes the proposed expansion area, whilst the orange area denotes the existing site (source: www.theLIST.tas.gov.au © the State of Tasmania).**



**Figure 2: Blue area denotes the property at 657 East Derwent Highway – the red area denotes the subject site, comprising 2 Piper Road and 647 East Derwent Highway (source: www.thelist.tas.gov.au © State of Tasmania)**

The proposal also includes a portion of the adjoining Highway road reservation, for the provision of infrastructure connections.

## 1.3 SERVICES

The site and surrounding areas are fully serviced by existing reticulated water and sewer infrastructure – however, additional upgrades will be required and undertaken by TasWater at the developers cost.

These works are detailed in section 3.3 of this report.

## 1.4 ADJOINING LAND USES & ZONING

The site is adjoined to the west and south by an existing Rural Living residential area, supporting dwellings on moderate to large lifestyle lots.

To the north, the site adjoins an existing caravan park which is also zoned Rural Living and further to the north, the Willows Tavern and bottle shop, which is zoned Local Business. To the east, the site adjoins the Tasman Highway with the Risdon Prison complex located on the adjacent side. This area is zoned Community Purpose.

The site is in relatively close proximity to a number of key residential growth areas within Risdon, as shown by the red and orange areas in the figure below.

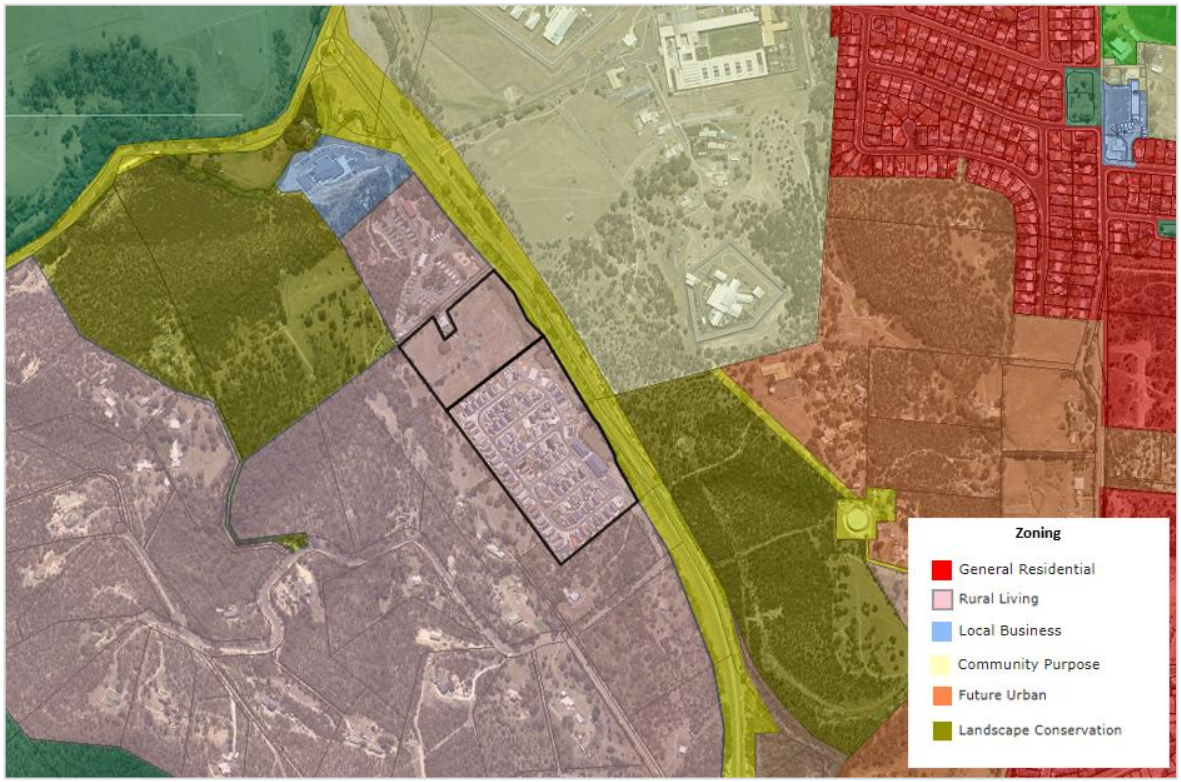



**Figure 3: Land zoning in the immediate area, denoting large rural residential area (pink), local shop (blue), Risdon Prison Complex (light yellow) and nearby general residential (red), future urban (orange) and landscape conservation areas (green) (source: www.thelist.tas.gov.au © State of Tasmania)**

# 2. EXISTING PLANNING CONTROLS

## 2.1 ZONING

The site is currently zoned Rural Living under the *Tasmanian Planning Scheme* and *Clarence Local Provisions Schedules*.

### 2.1.1 Use

The current use of the site is for residential use, which is defined as follows:

> *use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.*

The use qualifications under the Rural Living zone currently restrict residential use to the following:

***Rural Living Zone***

***11.2 – Use Table***

| **Use Class** | **Qualification** |
|---|---|
| **No Permit Required** | |
| Residential | If for a single dwelling. |
| **Permitted** | |
| Residential | If for a home-based business |

Within the Rural Living Zone, Residential use other than a single dwelling or home-based business is prohibited.

In its current form, the Clarence Lifestyle Village is an existing non-conforming use and development.

## 2.2 CODES AND OVERLAYS

The following Codes/Overlays apply under the *Tasmanian Planning Scheme*.

### 2.2.1 Bushfire-Prone Areas Code

The site and surrounding area is identified as being prone to bushfire. A bushfire hazard management plan and evacuation plan were prepared for the original lifestyle village and these documents have been updated to encompass the proposed expansion.

The site is considered a vulnerable use, therefore the provisions of the Code apply and will be addressed under Part B of this report.

### 2.2.2 Road and Railway Assets Code

A portion of the site is covered by a road/railway attenuation area. This has been addressed within section 5.5 under Part B of this report.

### 2.2.3 Natural Assets Code

The Natural Assets Code seeks to protect and minimise impacts on natural assets, including vegetation, waterways and water quality. The extent of the waterway overall across the subject sites is illustrated below.

A response to the relevant Code provisions will be provided under Part B of this report.



**Figure 4: Extent of the waterway/coastal protection areas across the subject sites (source: www.thelist.tas.gov.au © State of Tasmania)**

### 2.2.4 Flood-Prone Areas Code

The site is also subject to the Flood Prone Areas Code, due to the two dams and existing drainage lines which run through the site, as illustrated below.

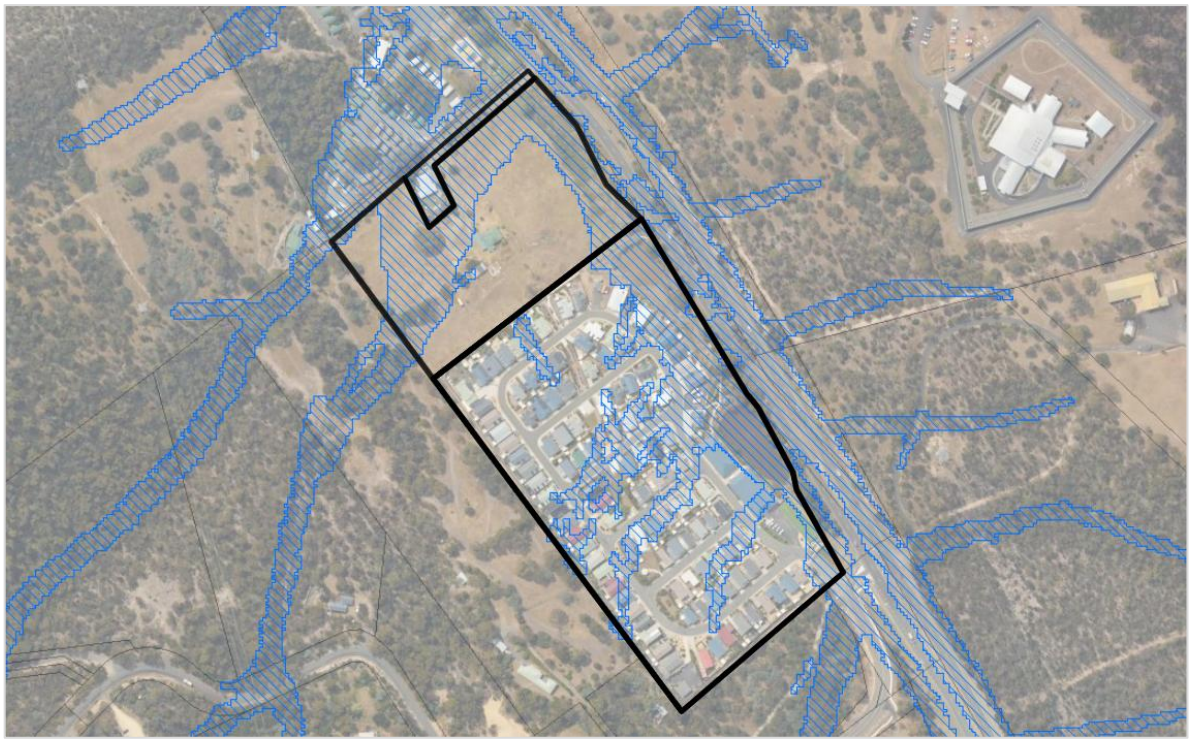


**Figure 5: Extent of Flood Prone Areas across the subject sites (source: www.thelist.tas.gov.au © State of Tasmania)**

The provisions of the Code will be assessed in Part B of this report.

### 2.2.5 Safeguarding of Airports Code

This Code controls building height to minimise conflict with aircraft utilising the Cambridge Aerodrome. The proposed development does not include any buildings which would trigger consideration under the Code.

# 3. S.40T OVERVIEW

The application seeks approval to amend the *Tasmanian Planning Scheme – Clarence*, to insert a new Particular Purpose Zone which is required to bring the existing lifestyle village into greater conformity with the planning scheme and to accommodate the proposed expansion.

The following outlines the various amendment mechanisms explored, along with an overview of the development application component.

## 3.1 AMENDMENT CONSIDERATIONS

The following options were considered to determine the most appropriate strategic/planning mechanism to facilitate the proposed development and bring the existing site/development into greater conformity with the scheme.

- Option 1 - Retain the existing zoning and apply a Specific Area Plan.
- Option 2 - Rezone the site to General Residential
    - Including a Specific Area Plan; or
- Option 3 - Apply a Particular Purpose Zone.

### 3.1.1 Option 1 – Retain existing zone and apply a new SAP

This option was explored in 2022 prior to the Urban Growth Boundary amendments in April 2023.

Due to the existing Lifestyle village being a non-conforming use within the Rural Living Zone, presenting development akin to that found in urban areas, the Specific Area Plan would have been required to completely override the provisions of the underlying Rural Living Zone.

Option 1 would have constituted a significant departure from the intent of the Tasmanian Planning Scheme and had little strategic basis. As such, it was not pursued further.

### 3.1.2 Option 2 – Apply the General Residential Zoning

The application of the General Residential Zone is restricted to urban areas within the Urban Growth Boundary, and it is generally preferred that new residential land should adjoin existing residential land. Whilst the site is now within the Urban Growth Boundary, the closest residential land is located 543m to the east, encompassing land at Risdon Vale. This includes several large subdivisions currently under development.

There is additional residential land approximately 654m south of the site, beginning at 22 Napier Street and extending south. This area constitutes the northern most edge of Geilston Bay and has already been subdivided, with most lots now supporting dwellings. This is similarly the case to the east, with several large landholdings currently zoned Landscape Conservation, Community Purpose and Future Urban.

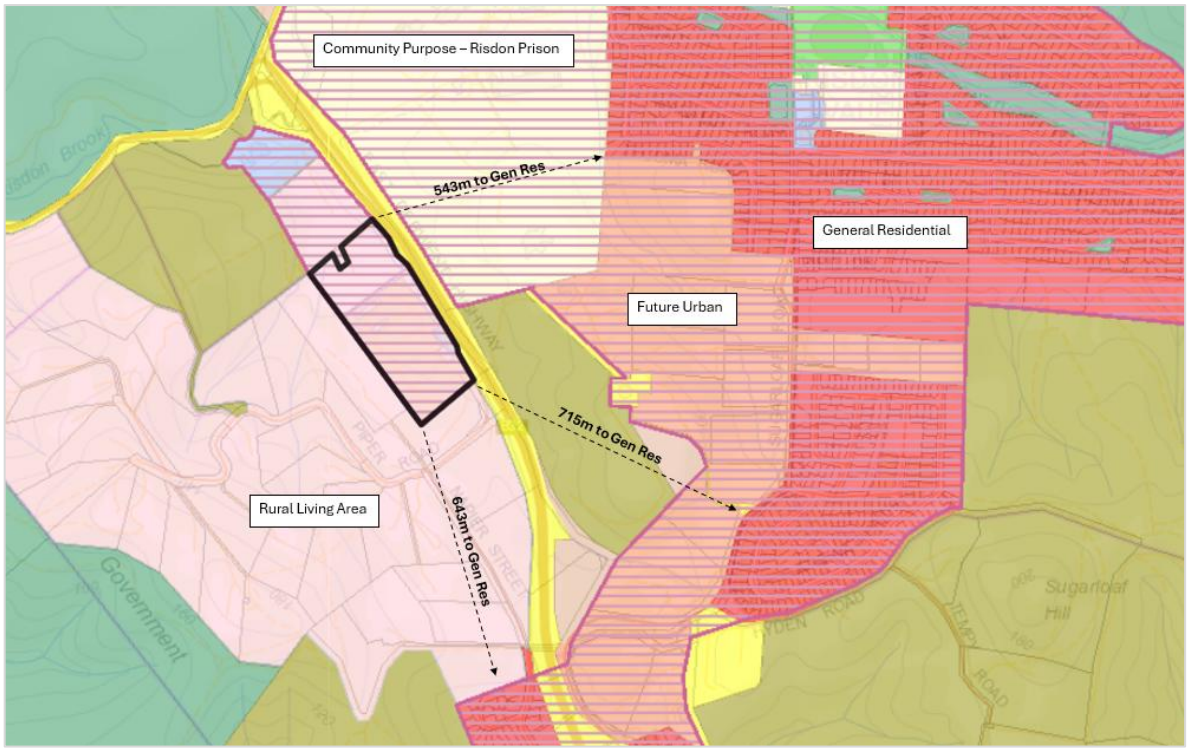



**Figure 6: Site location in black. Urban Growth Boundary areas shown hatched, with current land use zoning underlay and notations (source: www.thelist.tas.gov.au © State of Tasmania)**

The land between the subject site and the residential zoned land to the south in Geilston Bay was not included in the Urban Growth Boundary adjustments made in April 2023.

The Regional Land Use Strategy does provide a mechanism for residential zoning to be applied to land outside the UGB, however the land must directly adjoin land *within* the UGB. Whilst there may be opportunities to rezone smaller parcels north of 22 Napier Street to general residential and include those lots within the UGB, it is highly unlikely that a new strip of general residential zoning could be extended to join the northern edge of Geilston Bay and the subject site.

Despite the subject site being recognised as an urban area, applying the General Residential zone would create an isolated piece of general residential land which does not adjoin any existing residential land. In addition, SRD 2.12 of the Regional Land Use Strategy would then present opportunities for land outside the UGB (such as immediately adjoining Rural Living lots) to be considered for rezoning.

This would not appear consistent with SRD 1.1A, which allows more residential land to be made available, where the additional growth:

> ***SRD 1.1A*** *…*
>
> *(a) supports urban consolidation or contiguous development;*
>
> *(b) does not significantly alter the intended relative growth between the settlements in the region and their proposed regional function listed in Table 3;*
>
> *…*

Applying the General Residential Zone to the site would constitute an ad-hoc, spot-rezoning that is inconsistent with the STRLUS and settlement strategy for Clarence, where growth is focused around Risdon Vale, Pass Road/Glebe Hill and Droughty Point.

**Zone Application Guidelines:**

> ***GRZ 1*** *- The General Residential Zone should be applied to the main urban residential areas within each municipal area which:*
>
> *(a) are not targeted for higher densities (see Inner Residential Zone); and*
>
> *(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.*

The Urban Growth Boundary broadly encompasses land which already supports or is intended to support urban development and is not restricted to residential. Whilst the site is now located within the UGB, it is significantly detached from existing urban residential areas in Geilston Bay and Risdon Vale and does not constitute an urban residential area.

> ***GRZ 2*** *- The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:*
>
> *(a) within the General Residential Zone in an interim planning scheme;*
>
> *(b) within an equivalent zone under a section 29 planning scheme; or*
>
> *(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and*
>
> *(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system.*

The site may be considered consistent with the definitions which identify green-field/grey-field sites; however, it is our understanding the site and surrounding properties were included within the UGB as they represent and support existing urban development.

Whilst the site is currently connected to reticulated services, it was not previously zoned General Residential under the Interim Planning Scheme or the previous Clarence Planning Scheme 2007. The analysis provided in this report indicates the strategic merits to support the application of the General Residential zone are limited and unlikely to be supported.

> ***GRZ 3*** *- The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.*

The site is subject to overland flow and potential flooding during a 1 in 100 year ARI event. It is also subject to noise emissions from the East Derwent Highway, which is addressed via the road attenuation area overlay.

Whilst the existing development and proposed expansion have been designed to appropriately manage overland flow and 1 in 100-year ARI events, specific controls are proposed within the Particular Purpose Zone to address noise attenuation in addition to the requirements set out in the Road and Railway Assets Code.

These controls have been implemented following expert advice and via a recommendation by the Department of State Growth.

The existing development on the site and the proposed expansion are unique and the controls set out in the General Residential zone, such as dwelling density, site coverage, lot size and residential amenity are not aligned with the design and layout of the existing and proposed development on the site. In addition, the lifestyle village and proposed expansion provide for a unique type of residential development, along with existing community expectations that are a core aspect and attraction for new residents.

This requires site-specific controls to maintain the built form and character of the village (which is vital to its operation). Therefore, applying the General Residential Zone would also necessitate a Specific Area Plan to address the above, with new and overriding standards creating unnecessary complexity.

However, if the Planning Authority or the Tasmanian Planning Commission believe rezoning to General Residential is more appropriate, a review of the existing and proposed development against the provisions of the zone demonstrate compliance will all applicable standards be achieved.

### 3.1.3 Option 3 – Apply the Particular Purpose Zone

The proposed expansion and existing Lifestyle Village require a unique approach to ensure appropriate use/development standards are applied to maintain and enhance the existing built form, character and sense of community that is crucial to the viability of the village.

Particular Purpose Zones have been prepared and applied to similar residential retirement villages within Clarence and Brighton, which are also located within the Urban Growth Boundary and constitute urban development.

**Zone Application Guidelines:**

> *PPZ 1 - A Particular Purpose Zone (PPZ) may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. It may be applied to land that provides major facilities or sites which require a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.*

Given the analysis above and presented within this report, applying the Particular Purpose Zone to the site is appropriate, as the existing and proposed development requires a unique/tailored approach.

A rezoning to any other zone would also require a SAP, creating an additional layer of complexity which is unnecessary.

## 3.2 DEVELOPMENT APPLICATION COMPONENT

The associated development application component seeks approval for the expansion of the existing Clarence Lifestyle Village, comprising of the following:

- Demolition of the existing dwelling and shed on the site at 647 East Derwent Highway
- Provision of fifty-four (54) additional dwelling sites and associated dwellings

- Internal road, sewer, water and stormwater infrastructure; and
- Connection of the existing dwelling at 657 East Derwent Highway to the proposed reticulated sewer infrastructure.




**Figure 7: Proposed expansion, illustrating 54 additional dwellings and associated works (source: JSA Engineers)**

### 3.2.1 Dwellings

Each dwelling site will provide for one of six dwelling types, each with a different floor area and layout to provide flexibility and cater for the variable needs of future/prospective residents.

All dwelling types are of a single-storey construction, pre-fabricated off-site and clad with pre-set materials to improve affordability and maintain the existing character of the village. The specification for each dwelling type is as outlined below:

**Type A:**

- 3 x bedroom layout. Total floor area of 100m2 (14m Long x 7.2m Wide), including 5.25m2 covered deck.

**Type B:**

- 2 x bedroom layout. Total floor area of 100m2 (14m Long x 7.2m Wide), including 5.25m2 covered deck.

**Type C:**

- 2 x bedroom layout. Total floor area of 70m2 (14m Long x 5m Wide), **excluding** uncovered 14.4m2 deck.

**Type D:**

- 2 x bedroom layout. Total floor area of 100m2 (14m Long x 7.2m Wide), including 5.25m2 covered deck.

**Type E:**

- 3 x bedroom layout. Total floor area of 115m2 (14m Long x 8.2m Wide), including 7.14m2 covered deck.

**Type F:**

- 1 x bedroom layout. Total floor area of 60m2 (12m Long x 5m Wide).

All dwelling types are provided with a 6m long x 3.6m wide carport, plus provision for a 3m x 2.25m garden shed. Dedicated visitor parking is also provided throughout the village. Please refer to the accompanying documentation for a copy of the dwelling floor plans and standard elevations.

The Type B and D layouts will be the most common, providing a two-bed variable layout – as indicated on the indicative dwelling layout plan.

Typical elevations for the Type C dwellings are included in the submitted plan set and reproduced below. These elevations are reflective of all six dwelling types, with minor variations to floor layouts.

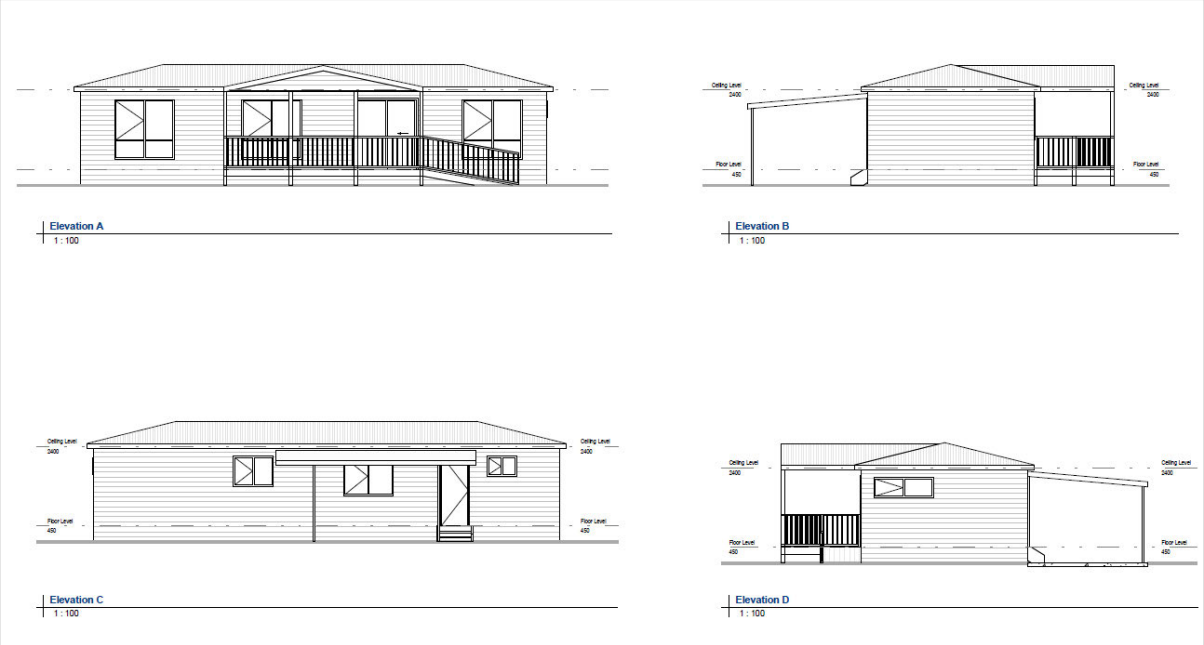



**Figure 8: Typical elevations across each dwelling type (source: Dwelling Plans, Clarence Lifestyle Village)**

### 3.2.2 Communal Services / Facilities

The existing communal facilities within the Lifestyle Village were constructed to account for future resident demand and are sufficient to cater for the projected increase in residents.

These facilities include:

- A cinema room and library

- Men's Shed & Women's Shed
    - Providing equipment/facilities for art/crafts, pottery, woodwork etc.
- 2 x Saunas and 15 x spas pools
- A bowling green
- Communal open space, gardens and walking tracks

Additional services provided include:

- a regular shuttle bus service to shopping precincts at Rosny Park and/or Glenorchy and trips to outer areas on occasion; and
- Scheduled on-site visits by a local GP and Hairdresser.

The proposal also includes an extension of the existing landscape buffer between the existing village and the East Derwent Highway. This will be designed to account for the water sensitive urban design and on-site retention areas outlined in the accompanying flood/overland flow assessment and stormwater design.

The proposed amendment will ensure the full utilisation of existing infrastructure and facilities on the site which is already well established by the existing Lifestyle Village.

### 3.2.3 Lot Consolidation

647 East Derwent Highway (expansion site) will be consolidated with 2 Piper Road (existing village) to form a single title.

This requires the following benefitting and burdening easements to be removed from the expansion site and adjoining property at 657 East Derwent Highway:

- Drainage easement over 647 East Derwent highway (benefitting 657 East Derwent Highway).
    - As stated in section 1.2.3 and 1.2.4 of this report, 657 East Derwent Highway will be provided with a gravity sewer connection to the reticulated network, removing the need for the current drainage easement.
- Right-of-way (benefitting 647 East Derwent Highway) over the access strip forming part of 657 East Derwent Highway.
    - Expunging this easement was stipulated by Department of State Growth, to ensure only one vehicle access to the highway is provided per lot.

A new easement will be required in the north-eastern corner of the subject site, to accommodate a new water pipe (as shown on the accompanying civil plans).

The above requirements are shown on the accompanying concept subdivision plan (consolidation). A final plan of subdivision and associated survey will be completed and submitted to Council for approval, prior to the issue of any subsequent building approvals.

## 3.3 PROPOSED INFRASTRUCTURE

The proposed development will require the following upgrades to service the site.

- New DN100 SN10 Lot Connection by TasWater at developers cost;

- New DN1050 Maintenance Hole and pipe by TasWater and developer's cost – this will connect into a new DN150 uPVC SN8 sewer lot connection within the subject site.

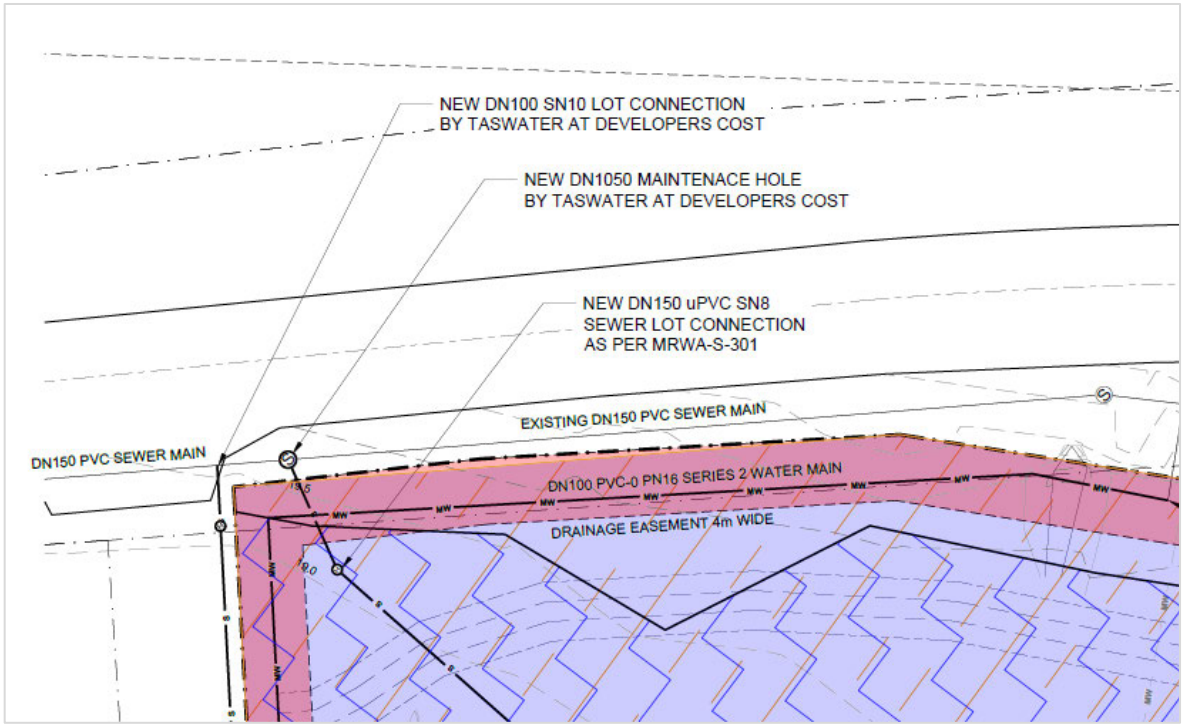



**Figure 9: Proposed service infrastructure – indicating works within the road reserve (source: JSA Consulting Engineers**

Consent from the Department of State Growth was granted and forms part of the submission.

### 3.3.1 Initial Stormwater Design

The application is accompanied by the following reports, which address stormwater design/management (including overland flow and on-site detention).

- **Stormwater Design Proposal report (JSA) – 2023; and**
- **17E99-118 – C - Civil & Hydraulic Plans (JSA) - 2024**

The report was prepared in 2023 to detail the proposed stormwater management system shown in the accompanying civil plans. The plans have a more recent revision date, due to minor adjustments required to the site layout in response to various RFI's received from Council.

The stormwater system detailed in the report and shown on the plans is comprised of the following components:

Swale drains

- To manage potential overland flow entering the property from the south-west, a swale drain is proposed along the south-western boundary. From here, stormwater is directed via inlet headwalls to the proposed underground piped system.

Underground pipe system

- A conventional pipe system is proposed beneath the private internal access/road network, capturing and directing water to the proposed bio-retention / detention basins along the north-eastern side of the property.
    - The pipe system is sized to accommodate runoff from a 5% AEP storm event. The layout of the dwelling sites and access/road network has been designed to allow for overland flow in the event the pipes do not have sufficient capacity (due to blockage or major storm event).

Detention basins

- Two (2) x detention basins are proposed along the north-eastern side of the property, to accommodate a 5% AEP event.

### 3.3.2 Altered Design

Following revisions to Clarence City Council's flood maps in 2024, the overland flow path from the south-west of the site (which previously terminated at the boundary) was expanded, and now implicated a larger portion of the site.

This also meant an expansion of the Flood Prone Hazard Areas Code, which previously only applied to the north-eastern portion of the site. The Department of State Growth also required this to be addressed (to minimise potential impact to the highway), prior to issuing Crown landowner consent.

Although minor updates to the JSA documentation were completed to acknowledge the revised mapping (including adjustments to the site layout), JSA did not have capacity at the time to complete updates to the stormwater system design (due to a business restructure).

To address these implications and ensure the system was sufficiently designed to cater for the increase and reduce post-development discharge, Flussig Engineers were engaged to prepare the following additional report.

- **Hydraulic Design Report (Flussig Engineers) – 2024**

The report undertook a review of the JSA Stormwater Design Report and proposed civil plans, and identified adjustments required to enable the system to accommodate the additional overland flow and limit post-development discharge.

Upon completion of the review and additional modelling, the Flussig report made the following recommendation:

- That both detention basins should be increased in depth by 0.2m (for a total depth of 0.9m), to increase overall detention volume to accommodate the development and additional overland flow during a 1% AEP event.

**Appendix A** of Flussig's report includes an updated detention basin design, which confirms the following:

  - Basin 1 will have a total volume of 292m$^3$, providing 146m$^3$ of detention.
  - Basin 2 will have a total volume of 265m$^3$, providing 133m$^3$ of detention

These adjustments will provide a total detention volume of approximately 557m$^3$, which has been accepted as sufficient to manage overland flow.

**Advice received from Council - 2025:**

Council have subsequently advised that the initial bio-retention component of the stormwater system proposed by JSA cannot be accepted, as the system:

- *Does not include pre-treatment devices; and*
- *Is designed as an 'online' basin.*

As such, it is accepted that the basins will provide detention only and that Council will impose a cash-in-lieu contribution toward quality and treatment.

### 3.3.3 Food Management

Following the revisions to Clarence City Council's flood maps, the Code was also revised and applies to a section of the site that was previously unimpacted. The following Flood Hazard Assessment was prepared to address the provisions of the Flood Prone Hazard Areas Code.

- **Flood Hazard Assessment Report (Rare.) – 2025.**

The report addresses the revised Council flood mapping, the additional overland flow path from the south-west and the applicable provisions of the *C12.0 - Flood-Prone Hazard Areas Code*.

# Part A

## 4. PROPOSED AMENDMENT

### 4.1 PURPOSE AND INTENT

The purpose of the amendment is to bring the existing lifestyle village operations into greater conformity with the planning scheme and facilitate the proposed expansion of the village.

To achieve this, the amendment seeks to modify the *Tasmanian Planning Scheme*, specifically the *Clarence Local Provisions Schedules*, to rezone the site from Rural Living to Particular Purpose – Clarence Lifestyle Village.

The site, existing development and proposed expansion require a unique approach to ensure appropriate use/development standards are provided to cater for the existing development on the site.

This is consistent with the approach taken for similar lifestyle/retirement villages such as the Fairway Rise and Springvale developments located along Gordons Hill Road, and the St. Anne's Retirement Living development in Bridgewater. The above facilities are all located within the urban growth boundary.

Ultimately, the intent of the proposed amendment is:

(a) To provide for the existing Clarence Lifestyle Village located at 2 Piper Road and 647 East Derwent Highway;

(b) To provide convenient access to communal facilities that encourage social and recreational opportunities for residents.

(c) To promote consistency in the siting of dwellings throughout the Lifestyle Village.

### 4.2 PROVISIONS AND RATIONALE

The following briefly outlines the basis for the core provisions proposed as part of the PPZ.

**CLA – P4.7.1 - Building Height**

Standards for building height are a core element of all zones within the TPS. The proposed height standard reflects the consistent one-storey built form and character of the village and seeks to retain that character by limiting the height of dwellings and communal buildings to:

- no more than 5m, for dwellings; and
- no more than 6.5m, for communal buildings.

This will be imposed through the performance criteria, with no acceptable solution. The reason for this is to provide certainty of compliance in the absence of separate elevations for every dwelling site / type configuration.

These heights provide flexibility to accommodate on-site variations including slope/gradient and overland flow, whilst ensuring the height and character of all proposed dwellings remain consistent with the character of the village.

Several acceptable solutions are also included under this standard, to provide a permitted pathway for outbuildings (e.g. garden sheds, carports etc) not otherwise exempt and for alterations / extensions to existing buildings.

**CLA – P4.7.2 - Siting and Setbacks**

Clause P4.7.2 requires development to be sited in accordance with the overall site plan, as identified in Figure CLA P4.9 within the PPZ. The purpose is to ensure that dwellings and communal facilities are sited in a manner which maintains residential amenity, promotes efficient functionality of the village and retains the character of the village which enhances the tight-knit community which is a significant drawcard for prospective residents and key element for existing residents.

The overall site plan specifies the location and size of each dwelling site, internal roads and communal buildings/facilities. The performance criteria does allow for variations to the layout, provided the dwelling site areas are not reduced below the minimum and that no dwellings are sited closer to the East Derwent Highway than that currently shown on the overall site plan.

Setbacks from the property boundaries are also imposed, to maintain consistent separation from adjoining properties and ensure compliance with the bushfire hazard management plan. Setbacks from dwellings to dwelling site boundaries are also provided to maintain consistency in the siting across the site. Each dwelling is allocated a parcel of land for the exclusive use of the occupants via a rental lease arrangement.

**CLA – P4.7.3 - Design**

The design clause provides several standards to control density, the gross floor area of communal buildings and specific requirements to address noise attenuation for dwellings located within 50m of the East Derwent Highway.

During Council's assessment of the original application, the proposed density was raised as an issue due to the similarities to that found within general and inner residential zones. As a result, Council's view was that the proposal should be located within an urban area. This issue has now been addressed through the inclusion of the site within the Urban Growth Boundary.

As outlined in this report, the proposal requires tailored controls that address the design of the existing lifestyle village as well the proposed expansion. The provision of the Particular Purpose Zone acknowledges this type of residential development and is consistent with the approach for similar developments which have utilised Particular Purpose Zones.

**CLA – P4.7.4 - Privacy & Private Open Space**

A requirement for private open space has been implemented into the PPZ. The provision requires an area of at least 24m$^2$ for each dwelling. This ensures the design and siting of each dwelling type provides and maintains appropriate private open space.

Additional standards include an acceptable solution and performance criteria to control privacy, specifying minimum separation distances from windows to habitable rooms where finished floor levels exceed 1m above existing ground level. The provision is adapted from the General Residential Zone, providing additional controls to ensure appropriate levels of privacy and amenity are maintained.

**CLA – P4.7.5 - Landscaping**

The purpose of this provision is to ensure appropriate landscaping is provided along the frontage of the site to the East Derwent Highway. The acceptable solution specifies a minimum depth of 10m, and a requirement to include a variety of plant types and sizes.

The performance criteria allows discretion, provided the landscaping treatment is sufficient to:

- Enhance the visual qualities of the site
- Provide reasonable screening from the East Derwent Highway, and include a variety of plant types and sizes
- Take into account any advice from a suitably qualified person; and
- Have a depth of no less than 5m.

An indicative concept landscaping plan has been submitted with the application. However, it is expected a condition will be imposed requiring a detailed landscaping plan, prepared by a suitably qualified person, to be submitted for approval.

**CLA – P4.7.6 - Waste Storage**

A clause has been included to control the provision and location of waste storage on the site. The existing dwellings on the site have individual waste and recycling bins, which are serviced from the kerbside.

Whilst this arrangement will continue, the acceptable solution provides flexibility for the village operator to provide a communal bin storage area if required.

**CLA – P4.7.6 - Noise**

The provision of habitable buildings within 50m of a State highway or major road are subject to the road and railway attenuation area, forming part of the Road and Railway Assets Code.

The applicable provisions require habitable buildings to be sited within a row of existing habitable buildings and be sited no closer to the road or railway. Alternatively, the habitable buildings must be designed so that external noise levels are not more than the levels in Table C3.2.

However, habitable buildings located just beyond the buffer are not subject to the Code, despite the possibility of experiencing similar levels of noise.

This was raised by the Department of State Growth as part of the landowner consent process. It was suggested the buffer should be expanded, to accommodate a greater area. However, DSG

were advised that this would require changes to the SPPs and corresponding Local Provisions Schedules which is outside the scope of this application.

Whilst the accompanying acoustic report confirms the proposed dwelling sites and types located within the buffer can comply with the Code requirements, an additional standard has been drafted in the PPZ. The purpose of this standard is to expand the Code provisions via the PPZ, to ensure appropriate noise mitigation measures are adopted for all new habitable buildings within the village.

**CLA – P4.8.1 - Lot Design**

The operator has confirmed there is no current or future intentions to subdivide the site. However, a Particular Purpose Zone must provide a format that includes standards consistent with those within other zones. Subdivision within the PPZ is restricted to consolidation only, unless for public use by the Crown, a Council or Statutory authority, or for the provision of Utilities.

General requirements for the provision of vehicular access to a road is also accommodated.

**CLA - P4.8.2 – Services**

Provisions requiring any lot to be connected to reticulated water and sewer infrastructure are a standard requirement for any Particular Purpose Zone and have been included.

This standard also includes consideration of stormwater, requiring a connection to public infrastructure or appropriate on-site detention and management.

## 4.3 FORMAT OF THE AMENDMENT

The following changes are proposed to the *Tasmanian Planning Scheme – Clarence,* to implement the proposed Particular Purpose Zone.

### 4.3.1 Ordinance

Implement the Particular Purpose Zone - Clarence Lifestyle Village, with numbering to correspond with the Local Provisions Schedule.

### 4.3.2 Mapping

Amend the current zone mapping, as follows:

- Rezone CT 226109/1 and CT 115696/1 from Rural Living to Particular Purpose – Clarence Lifestyle Village, as illustrated in the figure below.

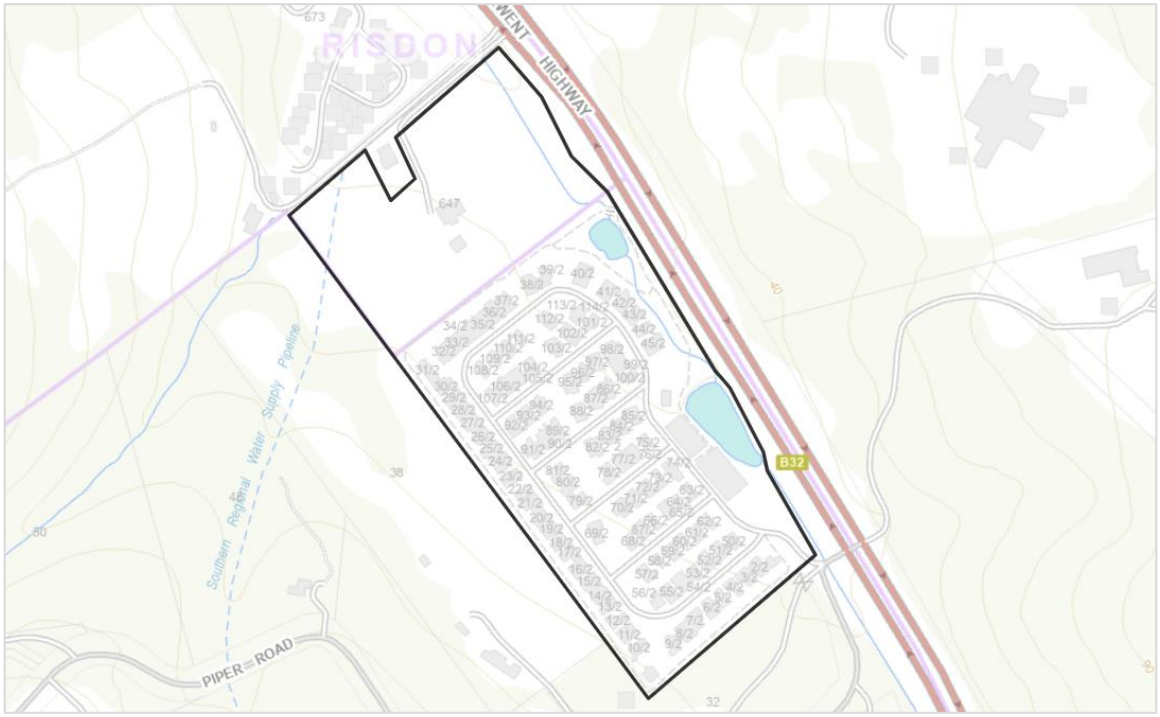



**Figure 10: Area to form part of Particular Purpose Zone (source: www.thelist.tas.gov.au © State of Tasmania)**

# 5. STRATEGIC ANALYSIS

The following is an assessment of the strategic documents that are relevant to the future use of the subject land. The *Southern Tasmania Regional Land Use Strategy 2010-2035* (amended 2023, STRLUS) is the key strategic document.

## 5.1 SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY

The STRLUS provides a broad policy framework to manage change and facilitate growth in Southern Tasmania over the next 25 years. The document provides in-depth strategic policies, directions and actions to guide economic, social and cultural growth throughout the southern region. The following strategic directions are particularly relevant to the proposed use of the building on the site.

The following is relevant given the nature of the site and surrounding rural residential areas.

> ***SD10 – Creating Liveable Communities***
>
> *Liveability refers to the degree to which a place supports quality of life, health and wellbeing for the people who live, work or visit. While it can depend upon individual circumstances, liveable environments are generally characterised by areas which are attractive, safe, accessible to people with disabilities and provide a high standard of amenity through such things as public transport, well designed open spaces, access to education and health services, recreational opportunities, air and water quality. The unique identity of a community defined by cultural development, landmarks, urban design, the developing local economy and the natural landscape are also important to how liveable a place is.*
>
> *Ensuring that our land use planning responses contribute to making the region 'liveable' will be a key competitive strength for Southern Tasmania into the future in increasing migration, visitation, trade and investment.*[1]

The strategic directions provide the overarching guidance, whilst the following regional policies provide further detailed guidance on implementation.

### 5.1.1 Managing Risks and Hazards

The site is within a bushfire prone area, with sections also subject to overland flow.

> ***MRH 1.1*** *- Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots.*
>
> ***MRH 1.2*** *- Subdivision road layout designs are to provide for safe exit points in areas subject to bushfire hazard.*

The proposed amendment and development application is accompanied by a bushfire hazard management plan and evacuation plan, which implements requirements for hazard management areas and assesses the layout of the site.

> ***MRH 2.1*** *- Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.*

[1] STRLUS 2010-2035 (revised 2023, p: 20)

***MRH 2.2** - Include provisions in the planning scheme for use and development in flood prone areas based upon best practice in order to manage residual risk.*

The flood prone areas mapping was modified within the Clarence LGA in 2021 and now encompasses a wider area across the site. However, the mapping does not strictly follow waterways. The accompanying documentation confirms the proposed layout is able to reasonably accommodate stormwater and overland flow/flooding during 5% and 1% AEP events.

All dwellings have been sited outside the primary flood area along the north-eastern boundary, and those within the overland flow path from the south-west will have raised floor levels, above the max. defined flow height of 0.2m.

Please refer to the accompanying civil plans and reports for further detail.

### 5.1.2 Activity Centres

With regard to Strategic Direction 3, Activity Centres serve as focus areas for services, employment and social interaction in towns and cities, whilst also functioning as primary retail and commercial centres. These centres also serve as community meeting places, centres for government and community services, locations for education and employment as well as entertainment and recreation.

The STRLUS identifies Activity Centres within the following hierarchy, beginning with:

- Primary Activity Centres - such as greater Hobart and Launceston;
- Principal Activity Centres - such as Rosny Park, Kingston and Central Glenorchy;
- Major Activity Centres;
- Rural Services Centre;
- Minor or Neighbourhood Centre;
- Local Centres; and
- Specialist Centres[2]

Rosny Park and Glenorchy are both identified as Principal Activity Centres, with Moonah identified as a Major Activity Centre which provides a range of services and facilities (including offices for business and government) to serve the surrounding area with a substantial focus on commercial and retail sectors.

The subject site sits between Rosny Park and Glenorchy and is accessible by car.

However, the Clarence Lifestyle Village is a unique retirement village, in that it provides an array of services on site for residents, reducing reliance on services/facilities within the abovementioned activity centres.

These services include a weekly hair-dresser who provides services for residents within the main community building. In addition, there is a weekly consultant doctor who attends the site, as well as a massage therapist.

[2] STRLUS 2010-2035 (revised 2023, p: 74-76)

The village also provides swimming and sauna/spa facilities, along with other recreational spaces and activities. There is a weekly shuttle bus service, which drops and picks-up residents in Rosny Park or Glenorchy if they choose not to drive or for those that do not have access to transportation.

The availability of grocery deliveries offered by Woolworths and Coles ensures that residents are able to receive groceries and other goods without having to travel. The proposed increase in units and residents on the site will likely result in an increased offering of services on the site, through similar arrangements to those outlined above.

Ultimately, this ensures that existing and future residents are not solely reliant on access or proximity to identified activity centres.

The following relevant regional policies directly relate to Strategic Direction 3 with regard to Activity Centres.

> ***AC1*** *- Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.*
>
> ***AC1.4*** *- Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.*

The existing and proposed Lifestyle Village emulates much of the same functions/services and facilities provided within an activity centre, but at a macro level.

> ***AC1.8*** *- Encourage new development and redevelopment in established urban areas to reinforce the strengths and individual character of the urban area in which the development occurs.*[3]

Whilst the site is located on the outer fringes of established urban areas, the Clarence Lifestyle Village is already well established and forms part of the individual character of the area, which supports a number of different land uses.

Given that the proposal is for an expansion of the existing lifestyle village, the proposed amendment and associated development application will reinforce the strengths and varied character of the surrounding area.

The following figure from the STRLUS indicates the activity centres in greater Hobart and surrounding areas, including the overlap between these areas ensuring ease of access to key services, employment, community services and recreation.

[3] STRLUS 2010-2035 (amended 2023, p: A 21)

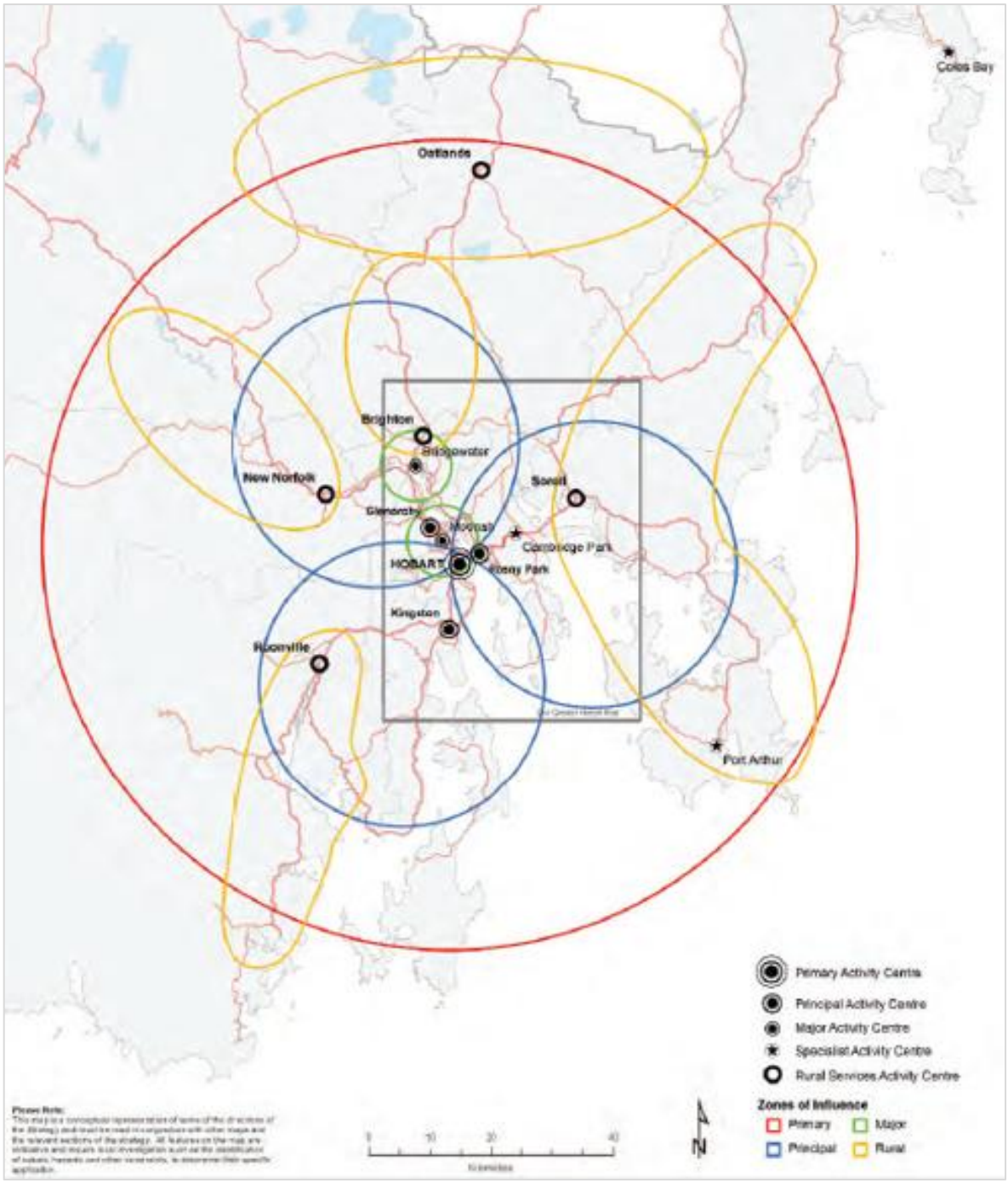



**Figure 11: Activity centre network (source: STRLUS 2010-2035, p: 83)**

### 5.1.3 Land Use and Transport Integration

Strategic Direction 10 relates directly to regional policy 13 which outlines the importance of improved integration of transport and land use planning within urban areas.

For example, the spatial distribution between locations where people live in relation to places for employment and shopping is a significant determining factor in transport demand and provision of infrastructure.

The STRLUS states that:

> *Improved integration of transport and land use planning is both a major challenge and critical factor in the development of efficient and liveable urban areas and becoming a more environmentally sustainable community in the face of a changing climate.*[4]

Activity Centres, such as Rosny Park (as detailed above) ensure that key services and amenities are located in a central area where multiple activities are catered for in one location, minimising the need for additional and potentially unnecessary travel time, thereby reducing demand on existing public transport and infrastructure. Whilst proximity to activity centres is important for most residential areas/communities, retirement villages are unique in that many services and facilities that residents require are provided either on-site, or via ongoing services provided to residents within the community (i.e. grocery deliveries, shuttle bus service, visiting GPs, barbers, physios etc). This ensures that residential retirement villages, whether within established residential areas or not, provide appropriate connectivity for residents.

For those residents that do not rely on private vehicle use, the village operates a weekly shuttle bus providing access to shops and service areas (Rosny Park and Glenorchy). Residents also have access to Community Transport Services Tasmania, which is a state-wide community based not-for-profit organisation that provides affordable door-to-door community transport for people over 65. The service already provides transport options to and from the Lifestyle Village, supported by access to mobile doctors and other taxi/uber services which ensure the key daily and weekly needs of residents are reasonably accessible.

The operator has confirmed that use of public transport by current and former residents is limited, given the general demographic of the village and the services provided by the village, in addition to private/family vehicle use.

Notwithstanding, earlier iterations of the proposed amendment included a pedestrian pathway, beginning at the north-eastern corner of the site and extending approximately 235m to the Willows Tavern at 691 East Derwent Highway. The Department of State Growth suggested any such a link should consider access to the existing bus stops on each side of the highway.

The proposed route would have required works within the adjoining Holiday Park and preliminary discussions with the owner/operator at the time indicated detailed plans, ongoing management responsibilities and associated legal/liability issues would need to be determined and provided before further consideration could be given. Even if were provided and extended to the Piper Road junction, the site and immediately adjoining properties are somewhat isolated from denser residential/urban areas. Therefore, the pathway would only service a limited number of private properties, and the overall public benefit would appear limited.

Any such pathway would constitute public infrastructure and tying it directly to this application would significantly expand the scope and complexity. Given the proposed application does not rely upon this infrastructure, it has not been included.

Notwithstanding the above, the client/operator of the village has confirmed they are willing to provide a financial contribution toward the construction of the pedestrian footpath. It is understood this may be a condition of approval and would assist in addressing pedestrian connectivity and promote use of the existing public transport network.

[4] STRLUS 2010-2035 (revised 2023, p: A-15)

If approved, the proposed expansion will ultimately consolidate the use/development and bring the use/development into greater conformity with the scheme, given that it is currently a non-conforming/prohibited use.

### 5.1.4 Settlement and Residential Development

The residential growth strategy identified within the STRLUS for greater Hobart is managed by the Urban Growth Boundary (UGB). The extent of the UGB accounts for a 20-year supply of residential land, including densification areas, consolidation and greenfield sites.

The proposed expansion of the existing lifestyle village falls within the residential use classification. Generally, residential use/development is provided within the following zones which control residential density and urban expansion:

- Inner Residential Zone;
- General Residential Zone; and
- Low-Density Residential Zone.

These zones are generally applied in descending order, with higher densities encouraged within the Inner Residential Zone, with the density decreasing as urban development moves away from established urban areas.

A key factor in Clarence City Council's original refusal of the proposed expansion, was that the type of development and the density proposed was akin to that found within an Inner or General Residential Zone. The application of these zones are generally restricted to areas within the established extent of the Urban Growth Boundary.

As a result of a recent amendment to the Urban Growth Boundary (April 2023), the site and surrounding land is now within the extent of the UGB.

Whilst the application of the General Residential Zone was considered, the site does not adjoin any existing General Residential areas and the existing/proposed density is below the minimum required within that zone. Retirement living is a unique residential use, in that it provides for a specific demographic who seek and often require on-site communal support and recreation facilities and therefore requires a specific approach.

> ***SRD 2.9*** *- Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.*[5]

As outlined above, the land contained within the Urban Growth Boundary caters for a broader type and range of residential use and development, including (1, 2, 3 and 4 bedroom) single and multiple dwellings and small to moderate lots, which also attract a much broader demographic profile (i.e. young couples, families with or without children etc).

Tasmania supports the oldest population in Australia. The following table provides data from the ABS between 2016 and 2021 outlining population levels and percentages of those aged between 55 and 85+.

[5] STRLUS 2010-2035 (revised 2023, p: A-27)

Whilst there appears to have been a drop in the number of people aged 55-59 in Tasmania between 2016 and 2021, the percentage of those aged between 65 and 85+ increased to 20.9% in 2021 compared with 19.5% in 2016.

The national average in 2021 was 17.2%.

| **Age** ***All people*** | **Tasmania 2021** | **%** | **Tasmania 2016** | **%** | **Australia 2021** | **%** |
|---|---|---|---|---|---|---|
| 55-59 | 36,993 | 6.6 | 37,383 | 7.3 | 1,541,911 | 6.1 |
| 65-69 | 35,137 | 6.3 | 32,946 | 6.5 | 1,298,460 | 5.1 |
| 70-74 | 31,856 | 5.7 | 24,433 | 4.8 | 1,160,768 | 4.6 |
| 75-79 | 22,029 | 4.0 | 17,610 | 3.5 | 821,920 | 3.2 |
| 80-84 | 14,617 | 2.6 | 11,992 | 2.4 | 554,598 | 2.2 |
| 85 + | 12,995 | 2.3 | 11,762 | 2.3 | 542,342 | 2.1 |
| | | 20.9% total | | 19.5% total | | 17.2% total |

**Table 1: Data extracted from ABS Census data 2016-2021 for Tasmania.**

This trend appears consistent with previous predictions, indicating Tasmania's population is ageing faster than the Australian average.[6]

It is well known that an ageing population increases demand for residential support services and retirement living opportunities as people look to downsize.

The *Strong Liveable Communities: Tasmania's Active Ageing Plan 2017-2022*, outlines the concept of active ageing, which seeks to encourage and promote continued belonging, involvement, learning and purpose as people age.[7]

As a result, many older Tasmanian's are looking for smaller, alternative living arrangements where their needs can be met in a consolidated location, along with the added benefit of community and social support provided by existing and future residents.

Discussions with existing residents of the Clarence Lifestyle Village indicate how important these concepts are for ageing in place and that the facilities and overall sense of community provided within the village is unique and is not easily found in other facilities in Southern Tasmania. In their opinion, the growth of the village will enhance the sense of community that has been created, ensure that the existing facilities are used to their full potential and assist in the implementation of active ageing.

The following provides several letters from current residents.

> ***Mr & Mrs Taylor***
>
> *We have now been residents of Clarence Lifestyle Village for three years.*
>
> *After researching other retirement villages in Tasmania and other states we found that with their Deferred Management Fees, exit fees and high weekly management fees Clarence Lifestyle Village to be the most affordable.*

[6] ABS Census of Population and Housing 2016
[7] *Strong Liveable Communities:* Tasmania's Active Ageing Plan 2017-2022, p: 35.

*The family atmosphere of the residents offer friendship and security.*

*A Craft Cottage and Workshop (Men's Shed) offers physical and mental stimulation for the participants. The Craft Cottage offers painting, pottery and many other crafts. The well equipped Workshop allows men to gather and produce small woodcraft projects. There is a weekly morning coffee gathering which is attended by up to fourteen men in an atmosphere of "how ya do'in and ruok" is present.*

*There are many other organised activities in which the residents can participate. We would like to see other families be given the same opportunity and be part of this secure and family life style by the proposed extension of the village.*

***Ms McPherson and Mr Martin.***

*TO WHOM THIS MAY CONCERN*

*In opening may I say that 5 years ago with some trepidation we moved, for family reasons from Latrobe to Hobart. After lots of deliberation we decided on the CLV. We could not have made a better choice.*

*The friendships we have made in this time are quite amazing, we as a couple have hit a lot of hurdles in the past few years and the compassion and caring from both friends and management has been nothing but incredible.*

*The amenities are just fantastic, from the clubhouse (incorporating the library, theatre, kitchen, indoor bowls, line dancing, availability for birthday celebrations even funerals , to name just a few.) We also have the gymnasium, the pools and saunas. The mens shed the ladies shed, the walking track and barbeques scattered throughout, the list goes on.*

*We also have for those who are unable to get around weekly or bi weekly outings on the village bus for lunch or various other activities. There is also a bi weekly bus to Eastlands to enable people who are housebound to do their shopping, there is too a monthly bus trip to Bunnings, No Frills and other establishments. If the village was to extend how many more like minded people would we get to know. In short, what more could you want.*

*Thank you CLV.*

***Ms Lampkin***

*About 3 years ago I placed a deposit on a block of land in the Clarence Lifestyle Village, to have a new home built to suit my retirement lifestyle.*

*For the past few years I have noticed continuous information in current magazines etc. about the value of having lots of social interaction as you aged.*

*About 5 years ago, I attended an Open Weekend at the Clarence Lifestyle Village, and while the blocks were small, the living conditions were the best I had seen. I had previously assessed retirement villages such as Vaucluse in Hobart, a village in Seven Mile Beach, the Fairway Rise retirement village in Lindisfarne, and units at the Queen Victoria Home for the Aged in Lindisfarne.*

*None of them came even close to the lifestyle choices available at the Clarence Lifestyle Village. While some of the above offered clubrooms for events, the CLV offers that, plus a movie theatre, men's shed, ladies craft workshop, 2 saunas and 15 jet-spa pools, plus a bus to the shopping centres close by, and bus trips to outer areas to have lunch (lunch paid for by the residents).*

*Except for paying the volunteer bus driver a gold coin or similar for his trouble, there are no direct payments for any of these services. I presume they are included in the small fortnightly payment from each resident, as the owners do have to cover their expenses, but they are there to be used freely by the residents every day. Certainly not at any other retirement village that I had researched.*

*The opportunity for daily interaction with other residents is crucial for older adults to enjoy a happy, healthy lifestyle and I sincerely hope this sub-division is able to go ahead.*

Whilst residential retirement villages and aged care in general can be supported on residential zoned land within the Urban Growth Boundary, the speciality nature of these uses is often managed by the provision of Particular Purpose Zones. Such zones have been applied to similar developments within Clarence and Brighton, including the Gordons Hill Precinct, Springvale and Fairway rise developments and St. Anne's Retirement Living.

The Springvale/Fairway Rise developments directly adjoin general residential land, however the unique requirements of these developments indicates that general residential zoning was not sufficient, hence the provision of a particular purpose zone.

The ability to cater for specific types of residential use provides flexibility in managing existing residential land supply and growth. It also allows existing land and land earmarked for expansion within residential zones to be retained to support housing for new families/professionals.

The provision of an adequate supply of retirement living options within Greater Hobart, allows people looking to downsize to sell/add their properties to the market – which goes some way as to alleviating the current housing shortages. The provision of a Particular Purpose Zone will appropriately cater for the specific nature of the proposed use in an established location.

***SRD 2.11*** *– Increase the supply of affordable housing.*

The proposed expansion of the Clarence Lifestyle Village provides additional housing choice for the aging population in Greater Hobart, particularly for individuals or couples who are seeking to downsize but maintain ongoing independent living with the added benefit of support services and community facilities in one location.

The financial cost associated with aged care and retirement living is well known and the provision of more cost-effective options is vital, allowing existing properties to be added to the market to reduce the need for further greenfield sites.

The *Aged Care Market Analysis 2024* prepared by KPMG indicates that in Tasmania, 6.2% of people 65 years or older were using residential aged care, increasing to 30.5% of those aged 85 years or older.[8]

The report also states the number of residential home care providers in Australia increased to 861 in 2023, whilst the number of aged care providers steadily decreased from 873 in FY 2015, to 661 in FY 2023. It is understood this is due to financial viability, increased regulatory burdens following recent and ongoing sector reform and an increased preference for 'ageing in place', under the home-care umbrella.

The proposed expansion to the Clarence Lifestyle Village bridges these gaps, providing new and existing residents with a sense of community and the ability to 'age in place', whilst providing

[8] Aged Care Market Analysis, KPMG (2024, p: 14)

access to community facilities, amenities and care providers who attend the site on a scheduled basis.

## 5.2 CITY OF CLARENCE STRATEGIC PLAN

Clarence City Council's Strategic Plan has been reviewed as part of this assessment. The document generally provides high-level strategic goals and milestones to be achieved through several existing mechanisms, such as the Planning Scheme, Economic Development Plan and other reports and strategies.

The primary goals of the Strategic Plan are as follows:

> ***A people city:***
>
> *Clarence is a city which values diversity and encourages equity and inclusiveness, where people of all ages and abilities have the opportunity to improve their health and quality of life.*

The strategies to achieve this goal relate to improving liveability within activity centres through urban design initiative such as streetscape and landscaping projects and improving community health and wellbeing. The plan also seeks to promote health care and active lifestyles through the provision of active and passive recreation programs combined with actions to manage and conserve the local environment.

The proposed expansion of the Clarence Lifestyle Village will contribute and reinforce this objective, by providing additional high-quality retirement living options within an established operation. The benefits of the existing village and proposed expansion to the community and residents is outlined in the accompanying letters and the examples provided on pages 18-20 of this report.

> ***A well planning liveable city:***
>
> *Clarence will be a well-planned liveable city with services and supporting infrastructure to meet current and future needs.*

The strategies also bear similarities with the STRLUS regarding land use planning and urban design strategies to enhance the vibrancy and accessibility of activity centres and community hubs through design and liveability projects.

> ***A prosperous city:***
>
> *Clarence will develop its economy, improve prosperity, and expand both the level and equity of personal opportunity within its communities.*

The economic development plan forms a primary aspect in achieving this goal, by providing a framework to guide economic development and activity within the LGA and specifically in Rosny Park and Cambridge Park.

> ***An environmentally responsible city:***
>
> *Clarence is a city that values its natural environment and seeks to protect, manage, and enhance its natural assets for the long term environmental, social and economic benefit of the community.*
>
> ***A creative and innovative city:***
>
> *Clarence is a city that fosters creativity, innovation and enterprise.*[9]

[9] City of Clarence Strategic Plan 2016-2026, p: 16.

These goals relate to ensuring the Clarence LGA continues to improve sustainability and protection and enhancement of natural values. The goals also seek to generate improved creative industries and support for arts and entertainment.

## 5.3 POTENTIAL FOR LAND USE CONFLICT

The surrounding area is comprised of several different zones. The immediately adjoining land to the south of the site is zoned Rural Living (pink), as is the land to the immediate north and west. To the east, the site is adjoined by the East Derwent Highway, which is zoned Utilities (yellow), with the adjoining land on the other side of the highway zoned Community Purpose (light yellow).

The diagram below illustrates the current zoning for the area.

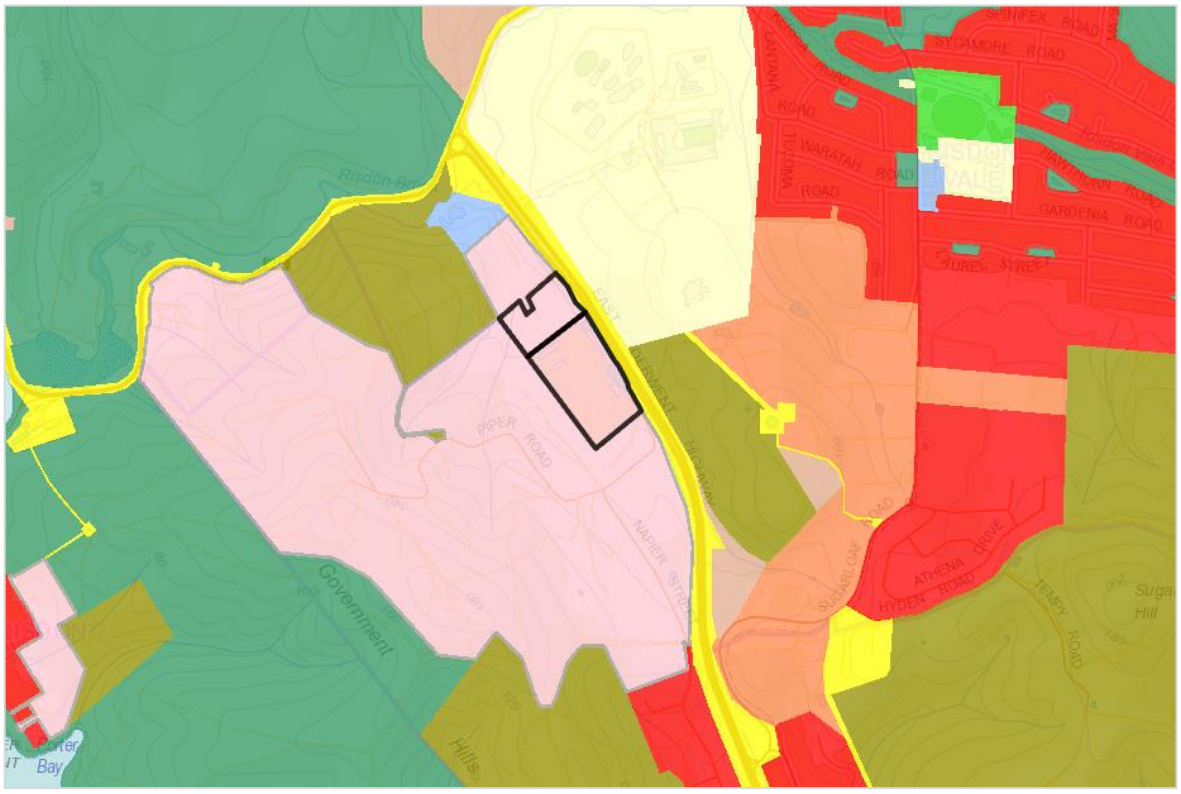



**Figure 12: Current zoning (source: www.thelist.tas.gov.au © State of Tasmania)**

The Clarence Lifestyle Village already exists on the immediately adjoining land to the south, and is surrounded by existing Rural Living communities, the Risdon Prison complex and several local businesses, including the Holiday Park and tavern. Given that the site and surrounding area are now within the Urban Growth Boundary, which will facilitate further urban growth, the expansion of the Lifestyle Village is unlikely to result in any substantial land use conflicts.

The detail of the amendment has been prepared to ensure that it is consistent with the common provisions of the scheme.

As detailed in section 2 of this report, the proposed amendment is consistent with the relevant goals and strategic directions of the Southern Tasmanian Regional Land Use Strategy.

# 6. ASSESSMENT UNDER LUPAA

## 6.1 CONTENT OF LPS

Section 32(3) and (4) of the *Land Use Planning and Approvals Act 1993,* sets out the aspects/ordinance that an LPS can/must consist of, as follows:

> *(3) Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –*
>
> *(a) a particular purpose zone, being a group of provisions consisting of –*
>
> *(i) a zone that is particular to an area of land; and*
>
> *(ii) the provisions that are to apply in relation to that zone; or*
>
> *(b) a specific area plan, being a plan consisting of –*
>
> *(i) a map or overlay that delineates a particular area of land; and*
>
> *(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or*
>
> *(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*
>
> *(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*
>
> *(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
>
> *(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*
>
> *(5) An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.*

The proposed amendment is consistent with Section 32(3a).

With regard to Section 32(4), the proposal and associated instruments (Particular Purpose Zone), is for a use/development that is of significant social and economic benefit to the municipal area and wider region. The area of land to which the zone is applied also has particular social and spatial qualities that require unique provisions. These qualities include the presence of the existing Clarence Lifestyle Village, which has a unique character created through consistent built form, design, appearance and provision of communal facilities that is not representative of a standard residential neighbourhood. These qualities are a key component of the village's appeal to current and prospective residents and to retain these qualities, site-specific controls that vary from the standard SPPs are necessary.

As outlined below and throughout this document, this approach is similar to other residential retirement and aged-care facilities in the LGA.

As detailed under section 2 of this report, Tasmania's ageing population is driving demand for affordable retirement living options across Tasmania, with many establishments experiencing long waitlists.

The Clarence Lifestyle Village has approximately fifty (50) prospective residents currently on the waiting list. The expansion will serve as an extension to the existing village, which provides a high-quality offering at a cost that is generally more affordable compared to other competitors, as indicated in the experiences shared by current and prospective residents.

- The proposal will provide additional, affordable retirement living options for an ageing population, for which there is an existing shortfall and increasing demand.
- The site is within the Urban Growth Boundary and provides for higher-density development within an urban area which is consistent with the objectives and policies for settlement and residential development under the STRLUS.
- The proposal will support local businesses during construction.
- The proposal is for an extension to an existing retirement village within an urban area.

According to a new report commission by the Property Council of Australia, retirement villages are helping to save taxpayers almost $1 billion in health care costs, by delaying their entry into aged care – as outlined below.

> *A new report has revealed Australians living in retirement villages are helping save taxpayers almost $1 billion in health care costs by delaying their entry into aged care.*
>
> *The Retirement Living Council (RLC) today launched a national report – Better Housing for Better Health – outlining the industry's contribution to housing, healthcare and the 250,000 people who live in age-friendly communities across Australia.*
>
> *RLC Executive Director Daniel Gannon said while the retirement living industry is often confused with aged care, the first-of-its-kind report sends a strong message to governments about the value of the sector, the affordability it provides in an otherwise unaffordable housing market and why its residents live healthier lives.*
>
> *"Retirement villages across Australia are already saving the government a billion dollars a year, by delaying residents' entry into aged care, and quite simply, we need more of them," Mr Gannon said.*
>
> *"People who live in retirement communities are less lonely and less depressed than older Australians who live independently, because retirement communities encourage physical wellbeing and social interaction – which all translates to economic benefits for governments.*
>
> *"For the first time, this report shows how our sector has actual solutions to Australia's two biggest worrying trends – our housing crisis and our rapidly ageing population," he said.*
>
> *Some of the key findings from Better Housing for Better Health include:*
>
> - *National expenditure on aged care reduces by $945 million annually by delaying entry of ~11,600 people into residential aged care by two years.*
> - *Residents interact less frequently with healthcare systems, and are:*

- *20 per cent less likely to require hospitalisation after only nine months, and*
- *Avoid 14,000 annual hospitalisations.*
- *The current pipeline of retirement communities will reduce the housing shortage by 18 per cent.*
- *Growing this pipeline to meet current demand levels could reduce Australia's housing shortage by 67 per cent.*

*In addition, the report also reveals that residents in retirement communities are:*

- *15 per cent more physically active.*
- *41 per cent happier, and both physically and mentally healthier.*
- *Five times more socially active.*
- *Twice as likely to catch up with family or friends.*
- *Have reduced levels of depression and loneliness, saving governments almost $5 million in additional healthcare costs.*

*Mr Gannon said there are currently two million Australians aged over 75 and this cohort will increase by 70 per cent to 3.4 million by 2040.*

*"This population shift will have socio-economic impacts on Australia, including the housing supply shortage and the pressure on an already struggling residential aged care sector," he said.*

*"Age-friendly housing can reduce interactions between older Australians, GPs and hospitals, which releases capacity back into health systems for those who need it most when they need it most.*

*"Better housing that enables better health outcomes for ageing Australians is imperative, and the bonus is that it's good for governments too."*[10]

For the reasons outlined in section 2 of this report and those identified above, the proposal will provide a significant ongoing social benefit to the municipal area and wider region and the site-specific controls are necessary to account for existing development and the unique social and spatial qualities of the site.

## 6.2 LPS CRITERIA

Section 34(2) of the *Land Use Planning and Approval Act 1993,* sets out the LPS Criteria, for which amendments to the Local Provisions Schedules must satisfy, as follows:

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

*(a) ...*

*(b) ...*

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

[10] Media Release, Property Council of Australia – *New report reveals a billion reasons for more supply of retirement villages'* (November 2023)

*(d) is consistent with each State policy; and*

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

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

*(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*

*(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*

*(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

*(2A) A relevant planning instrument satisfies the relevant criteria in relation to the TPPs if-*

*(a) where the SPPs and the relevant regional land use strategy have not been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument is consistent with the TPPs, as in force before the relevant planning instrument is made; and*

*(b) whether or not the SPPs and the applicable regional land use strategy have been reviewed under section 30T(1) or section 5A(8) after the TPPs, or an amendment to the TPPs, is or are made – the relevant planning instrument complies with each direction, contained in the TPPs in accordance with section 12B(3) , as to the manner in which the TPPs are to be implemented into the LPSs.*

*(3) An amendment of an LPS, or a draft amendment of an LPS, is taken to meet the LPS criteria if the amendment of the LPS, or the draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.*

The following sections provide a response to the objectives of Schedule 1, State policies and the relevant criteria under the TPPs.

A detailed response to the Regional Land use Strategy is provided under section 2 of this report.

The relevant strategic plan for Clarence has also been addressed under section 2.

## 6.3 SCHEDULE 1 OBJECTIVES OF LUPAA

The objectives are considered in the following table:

### 6.3.1 Part 1 – Objectives of the Resource Management and Planning System of Tasmania

| PROVISION | RESPONSE |
|---|---|
| *(a) to promote the sustainable development of natural and physical resources and the* | Not directly applicable to the amendment. |

| | |
|---|---|
| *maintenance of ecological processes and genetic diversity; and* | |
| *(b) to provide for the fair, orderly and sustainable use and development of air, land and water: and* | The proposed amendment has been prepared in accordance with the relevant planning controls, which provide for fair, orderly and sustainable use and development. |
| *(c) to encourage public involvement in resources management and planning; and* | The planning process provides for public involvement. |
| *(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c): and* | The proposal will facilitate economic development through employment of local contractors during construction and local consulting firms which have been engaged to prepare the associated documentation forming part of the application. |
| *(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.* | The assessment process promotes the involvement of the public as well as different spheres of government. |

### 6.3.2 Part 2 – Objectives of the Planning Process Established by this Act

| PROVISION | RESPONSE |
|---|---|
| *(a) to require sound strategic planning and co-ordinated action by State and local government; and* | The amendment has been prepared with respect to relevant strategic outcomes of state and local government. |
| *(b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land;* | The proposal seeks to amend the planning scheme standards and has been prepared with respect to the provisions of the scheme and demonstrates consistency with the relevant objectives and policies of the Act. |
| *(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;* | Not directly applicable to the proposed amendment. |
| *(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;* | This is achieved through the existing planning mechanisms and amendment process. |
| *(e) to provide for the consolidation of approvals for land use and development and related matters,* | Not directly applicable to the proposed amendment. |

| | |
|---|---|
| *and to co-ordinate planning approvals with related approvals;* | |
| *(f) to secure a pleasant, efficient and safe working environment for all Tasmanians and visitors to Tasmania;* | Not directly applicable to the proposed amendment. This is achieved through state and local government initiatives. |
| *(g) to conserve those buildings and areas or other places which are of scientific , aesthetic, architectural or historical interest, or otherwise of special cultural value;* | Not directly applicable. |
| *(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and* | The proposed amendment will not impact on any existing public infrastructure. |
| *(i) to provide a planning framework which fully considers land capability.* | This is achieved through the planning controls and consideration of state policies as part of the amendment process. |

## 6.4 STATE POLICIES

The following are the state policies and have been considered as part of this application.

### 6.4.1 The State Coastal Policy 1996

The purpose of the policy is to ensure that;

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

As the site is not within 1km of the high-water mark, consideration of the policy for the purposes of this amendment is not necessary.

### 6.4.2 The State Policy on Water Quality Management 1997

The purpose of this Policy is:

> *To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.*

The amendment does not alter any provision which relates to the sustainable management of surface water or groundwater resources.

The associated development includes a detailed stormwater system (accounting for overland flow) that includes on-site detention and WSUD principals in accordance with stormwater quality and quantity targets set out in the associated State Stormwater Strategy.

### 6.4.3 The State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is:

> *To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.*

The Objectives of the Policy are:

> *To enable the sustainable development of agriculture by minimising:*
>
> *(a) conflict with or interference from other land uses; and*
>
> *(b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.*

The land is not categorised for its agricultural potential.

### 6.4.4 National Environment Protection Measures (NEPMs)

NEPMs are taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation and given effect in Tasmania through the State Policies and Projects Act.

The current NEPMs are:

- Air Toxics
- Ambient Air Quality
- Assessment of Site Contamination
- Diesel Vehicle Emissions
- Movement of Controlled Waster
- National Pollutant Inventory
- Used Packaging

The Codes within the Scheme deal in detail with the relevant matters (noise and air quality) and the assessment of the submitted application can be undertaken against the appropriate Use and Development Standards.

# Part B

## 7. PERMIT APPLICATION

The following is an assessment of the proposed development against the applicable statutory controls under the proposed *Particular Purpose Zone – Clarence Lifestyle Village*, forming part of the *Tasmanian Planning Scheme - Clarence*.

The assessment is undertaken on the basis that the requested amendment has been approved.

As stated in section 3.2, the proposal is for the construction of 54 new dwellings and associated infrastructure works, which will form part of the existing Clarence Lifestyle Village.

The design of each dwelling is based on six different types, identified as Types A, B, C, D, E & F. The layout and design of each type is consistent with the existing dwellings within the village, providing flexibility for prospective residents to meet their needs whilst also ensuring every dwelling site can support each desired type.

The associated infrastructure works include the following:

- Extension to the existing private internal driveway/access/circulation network;
- New connections and internal pipework for reticulated sewer/water services;
- Upgrades and provision of new stormwater infrastructure; and
- Connection of the existing dwelling located at 657 East Derwent Highway, Risdon to the reticulated sewerage infrastructure and removal of the drainage absorption easement off the adjoining property within the Lifestyle Village expansion site.

A pedestrian footpath was suggested by Council as part of its assessment of the original submission, to provide access between the site, bus stop and tavern at 691 East Derwent Highway. Following discussions with adjoining landowners, a decision was made to investigate the footpath link via a separate application at a later date.

Further discussions with State Growth and Council have confirmed the footpath link should be explored through a separate application, and that a condition will be imposed requiring the proponent to provide a financial contribution toward the development of the footpath.

## 7.1 PARTICULAR PURPOSE ZONE – CLARENCE LIFESTYLE VILLAGE

The following addresses the relevant provisions of the Particular Purpose Zone, in relation to the proposed development.

### 7.1.1 Zone Purpose Statements

The purpose of the Particular Purpose Zone – Clarence Lifestyle Village is as follows:

***CLA- P4.1.1***

*To provide for the Clarence Lifestyle Village located at 2 Piper Road and the limited expansion to 647 East Derwent Highway.*

***CLA P4.1.2***

*To provide and maintain communal facilities that encourage social and recreational opportunities for residents.*

***CLA P4.1.3***

*To promote consistency in the siting and design of dwellings throughout the Lifestyle Village.*

***CLA P4.1.4***

*To provide and maintain an appropriate level of residential amenity through:*

*(a) Appropriate noise attenuation measures to the Tasman Highway; and*

*(b) Provision of reasonable private and communal open space.*

The existing development, including the proposed development/expansion is consistent with the purpose of the Particular Purpose Zone.

### 7.1.2 Use

The proposed use is for residential use, specifically the expansion of the existing retirement village.

Residential use is defined as follows:

*use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.*

Residential use is a permitted use within the zone, provided it is:

*If for a home-based business, residential aged care facility or retirement village.*

Retirement village is further defined as:

*means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.*

The proposal is consistent with these definitions and satisfies the use qualification.

### 7.1.3 Development Standards

***P4.7.1 – Building height***

***Objective:*** *That building height is consistent with the height and character of existing development within the Clarence Lifestyle Village.*

**SCHEME REQUIREMENTS**

***A1.1 -*** *For dwellings and communal buildings, there is no acceptable solution.*

***A1.2 -*** *For outbuildings (unless otherwise exempt), building height must be not more than 2.4m.*

***A1.3 -*** *For alterations and extensions to an existing building, building height must be not more than the height of the existing building.*

***P1*** *- Building height must be not more than:*

*(a) 5m, for all dwelling types; and*

*(b) 6.5m, for communal buildings.*

**RESPONSE**

**Complies with P1**

All dwelling types are single-storey, with the following standard vertical dimensions:

- Minimum FFLs of 0.35 to 0.5m
- 2.4m standard floor-to-ceiling height; and
- Up to 1m maximum roof cavity space.

This equates to a standard height of 3.8m to 4m above NGL.

When installed on-site, dwellings within the identified overland flow path will have FFLs up to 0.5m to accommodate building and flood hazard management requirements. Dwellings outside the flow path will have minimum FFLs between 0.2 and 0.3m.

To account for slope/gradient variations across the site, most dwelling sites will require a degree of grading and levelling, along with cuts of up to 1m in depth to provide level parking, access and private open space areas. Accounting for these factors, the variable FFL of each dwelling will increase along the north/north-eastern elevations. Whilst the permitted height of 5m allows a maximum FFL of up to 1.5m, the client has confirmed that most existing and proposed dwellings will have FFLs that range between 1m – 1.2m above NGL at the highest point.

The typical section and elevation diagram for dwelling sites 11 to 19 demonstrate the above.

As there is no performance criteria, the analysis above and submitted documentation confirms that all dwelling type/site arrangements will comply.

***P4.7.2 – Siting and setbacks***

***Objective:*** *To provide consistency in the siting and setbacks of development within the Clarence Lifestyle Village and ensure the efficient use of the site for:*

*(a) retirement living through a consistent dwelling site layout; and*

*(b) communal buildings through compatible scale.*

**SCHEME REQUIREMENTS**

***A1*** *– The siting and layout of buildings and internal access roads must be in accordance with the layout shown in Figure P4.9.*

...

**RESPONSE**

**Complies with A1**

The existing development and proposed dwellings have been sited and designed in accordance with Figure 2 P4.9.

***A2*** *– Dwellings and communal buildings must be setback no less than 5m from the side and rear boundaries of the site.*

...

**RESPONSE**

**Complies with A1**

The site plan demonstrates that all dwellings within proximity to the site boundaries will achieve setbacks at, or greater than 5m.

A continuation of the bushfire hazard management fence is to be constructed along the rear western boundary. The fence is located 13 metres from the rear boundary of the site and will be clear of the northern side boundary by a minimum of 5 metres.

Internal fencing will also be clear of the 5-metre setback.

***A3*** *– Dwellings must have a setback from dwelling site boundaries of not less than:*

*(a) 2 metres from a frontage to the internal access road.*

*(b) 0 metres from a side boundary to a carport, or 1m otherwise; and*

*(c) 2m from a rear boundary.*

***A3.1*** *– For dwelling sites 11 to 19, dwellings must have a setback from a rear dwelling site boundary of not less than 4m.*

***P3*** *- The setback and siting of dwellings must be compatible with the character of established dwellings within the lifestyle village, having regard to:*

*(a) the setback of existing dwellings to dwelling site boundaries*

*(b) provision of gardens and landscaping; and*

*(c) the appearance when viewed from the internal access roads.*

***P3.1*** *– For dwelling sites 11 to 19, there is no performance criteria for rear setback.*

**RESPONSE**

**Compliance with A3**

The majority of the proposed dwelling sites and types comply with A3, achieving setbacks in accordance with (a), (b) and (c) – as shown below.




**Figure 13: Indicative dwelling arrangement for sites 27, 28, 30, 31 and 32 (Type A and Type B), with relevant setbacks shown in red - illustrating compliance with A2(a), (b) & (c).**

The only exceptions are the dwellings on sites 1, 22, 44 and 45 – which have dual frontage to the internal road and cannot meet A3(a), and the dwellings on sites 12 to 19.

Dwelling site 54 also cannot comply with A3(a).

A response to the performance criteria is provided below.

**Compliance with A3.1**

The indicative dwellings on sites 11 to 19 include a minimum 4m setback from their respective rear dwelling site boundary in accordance with the requirements set out in the accompanying bushfire hazard management plan. This setback is shown on the accompanying site layout drawings, ensuring compliance.

The dwelling designs and dwelling site areas are consistent with those already provided within the lifestyle village, providing consistent setbacks to site boundaries and adjoining dwellings – maintaining the character of the village.

**P3**

Dwelling sites 1, 22, 44 and 45 have dual frontage to the internal road which constrains the building area. As a result, dwellings on these sites will have minimum frontage setbacks of approximately 0.6m.

Dwelling site 54 will support a Type E dwelling, as shown on the indicative dwelling layout plan. The frontage setback is limited to approximately 1.4m. However, this is due to the dimensions and orientation of site 54, necessitating a Type E dwelling.

There are several dwelling sites within the established village that are similarly constrained and possess reduced setbacks, including but not limited to sites 63, 74, 85, 100, 101, 114 and 113 – as shown below.




**Figure 14: Established dwellings with dual frontage and reduced front/rear boundary setbacks (source: www.thelist.tas.gov.au © State of Tasmania)**

Notwithstanding, each site retains ample private open space, gardens and landscaping. For example, dwelling sites 1, 22, 44 and 45 will have private open space exceeding 50m2, with at least 24m2 provided behind the building line (as per acoustic report recommendations).

These sites and dwelling arrangements are consistent with the setback and visual character of established dwellings in the village.

Dwelling site 54 will also be provided with at least 27m2 of POS, located behind the dwelling at the highway.

Dwelling types located on sites 12 to 19 will also require reduced frontage setbacks of approximately 1.3m, with priority given to the required rear setback in accordance with the BHMP. Notwithstanding, these dwelling sites and indicative dwelling types will maintain a consistent setback pattern that is compatible with the character of the village.

The proposal complies with P3.

***P4.7.3 – Design***

***Objective:*** *That buildings are sited and designed to ensure the efficient use of the site and maintain the existing character of the village, facilitating:*

*(a) retirement living, through consistent dwelling density; and*

*(b) communal buildings of a scale compatible with the existing character of the village.*

**SCHEME REQUIREMENTS**

***A1*** *– Each dwelling site must have a dwelling site area of:*

*(a) not less than 220m$^2$; and*

*(b) not more than 275m$^2$.*

***P1 –*** *For dwelling site areas less than 220m2, there is no performance criteria.*

***P1.1*** *– Dwellings with a site area greater than 275m$^2$ must be compatible with the layout and character of the Clarence Lifestyle Village, having regard to:*

*(a) the average size of existing sites within the village; and*

*(b) any changes to the layout and route of the internal access road.*

**RESPONSE**

The bulk of the proposed dwelling sites range between 220m$^2$ and 275m$^2$.

<u>Dwelling Sites 4, 14, 19, 24, 29, 37, 38, 39, 40 & 54 (220m2 – 228m2)</u>

These sites have areas ranging between 220m2, 225m2 and 228m2 and have the following dimensions:

- 20m long x 11-11.5m wide.

Due to the orientation and layout, dwelling site 4 has a variable width of 14.2m at the frontage and narrowing to 8.6m at the rear.

These sites will generally accommodate the 1 x bedroom (Type F) dwellings, which have a width of 8.6m (including carport) and a length of 12m. This allows sufficient space for a 2m frontage setback and 18m to accommodate the 12m length of the dwelling type with a 6m rear setback, accommodating sufficient private open space. All carports adjoin the dwelling to which they relate and abut the dwelling site boundary, in accordance with A3(b).

As illustrated on the dwelling layout plan, Type F dwellings will be sited in accordance with A3.

Dwelling Sites 1 - 5, 8 – 10, 12 - 18, 32, 35, 44 & 53 (231 - 234m2)

These sites have areas ranging between 231m2 up to 234m2, with the following dimensions:

- 20m long x 11-11.5m wide.

These sites can accommodate dwelling types A, B, D and F, which have widths ranging between 7.2m and 10.8m (including carports) and lengths between 12m and 14m.

This allows for minimum 2m frontage setbacks and sufficient private open space to the rear, at or exceeding 24m2.

Dwelling Sites 2, 3, 4, 21 - 22, 24, 25 - 28, 30 - 31, 33 - 34, 35, 36, 42 - 43, 45 - 47, 49 – 53 (240 - 248m2)

These sites range between 240m2 up to 248m2, and are generally 20m long x 11.9 - 12m wide, with the additional width able to accommodate dwelling types A, B, C, D and F. These types have widths ranging between 7.2m and 10.8m (including carports) and lengths between 12m and 14m.

Again, this allows for minimum 2m frontage setbacks and ample private open space exceeding 24m2.

Dwelling Sites 11 and 54 (254 - 409m2)

These sites range in size from 254m2 to a maximum of 409m2.

The Type E dwellings have a length of 17.8m (including carport) and a width of 8.2m. This is due to their design and orientation and will be accommodated on sites 11 and 54, which provide the required orientation and length and have sufficient overall size to also accommodate ample private open space and separation from adjoining dwellings. Notwithstanding the above, there are several proposed dwelling sites that exceed 275m$^2$, with the largest being site 11 with an area of 409m2.

A response to P1.1 is required.

**Complies with P1.1**

The existing character of the village is defined by small, close-knit dwelling sites which promote a sense of community, safety and neighbour interactions which are elements desired by existing and prospective residents.

Of the 54 dwelling sites proposed, only four (4) have areas exceeding 275m2. This is a due to variations in the layout to accommodate the southern regional pipeline easement which runs through the site, along with the internal access road layout and setback requirements for each site. Dwelling site 11 is a primary example, requiring a small access strip and 4m rear boundary setback to accommodate recommendations in the accompanying Bushfire Hazard Management Plan.

Given the number of dwelling sites exceeding 275m2 is limited to just four, the average size of dwelling sites remains broadly consistent and compatible with the character of the village and no adjustments to the layout or route of the internal access road is required.

***A2** – The gross floor area of dwellings and communal buildings must be not more than:*

*(a) 150m2 per dwelling; and*

*(b) 300m2 per communal building.*

***P2** - The gross floor area of dwellings and communal buildings must be compatible with the character and scale of established dwellings and communal buildings within the Clarence Lifestyle Village, having regard to:*

*(a) the layout of the site;*

*(b) the size of established dwellings and communal buildings;*

*(c) the provision of appropriate private open space and communal space; and*

*(d) any constraints on the site.*

**RESPONSE**

**Complies with A2**

Each of the six dwelling types proposed have gross floor areas ranging from 60m$^2$ (1 x bedroom Type F) up to 115m$^2$ (3 x bedroom Type E) and therefore comply with A2.

At this stage no new communal buildings are proposed. The proposal complies with A2.

### *P4.7.4 – Privacy and Private Open Space*

***Objective:** That dwellings within the Clarence Lifestyle Village are provided with reasonable levels of amenity and safety, including:*

*(a) private open space that is conveniently located and has access to sunlight*

*(b) opportunities for the planting of gardens and landscaping; and*

*(b) reasonable opportunity for privacy.*

**SCHEME REQUIREMENTS**

***A1** – Each dwelling must have an area of private open space that:*

*(a) is not less than 24m$^2$; and*

*(b) has a gradient not steeper than 1 in 10.*

***P1*** *– Each dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:*

*(a) conveniently located in relation to a living area*

*(b) orientated to take advantage of sunlight; and*

*(c) provides sufficient space for landscaping.*

**RESPONSE**

**Complies with A1**

Existing and proposed dwelling site areas vary, ranging from a minimum of 220m$^2$ to a maximum of 409m$^2$. The proposed floor areas for each dwelling type (ranging from 60m$^2$ to a maximum of 115m$^2$). As shown on the indicative dwelling layout plan, each dwelling will have private open space that exceeds that required by the acceptable solution.

This includes minimum areas at or over 24m2 that also comply with the acoustic report recommendations.

To account for the gradient variations across the site, dwelling sites along the north-eastern side of the site will require up to 1m of cut to provide level parking and entry and appropriate private open space.

***A2*** *– A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):*

*(a) The window or glazed door:*

*(i) is to have a setback of not less than 4m from a window or glazed door, to a habitable room, of an adjoining dwelling (excluding carports);*

*(b) The window or glazed door:*

*(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;*

*(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or*

*(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.*

***P2*** *- A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:*

*(a) window or glazed door, to a habitable room of another dwelling; and*

*(b) the private open space of another dwelling.*

**RESPONSE**

**Complies with A2(a)**

Due to a consistent rise in grade from east to west across the site, the terracing effect evident across the established portion of the village will also be apparent across the proposed expansion.

Whilst the following diagrams are indicative and do not directly represent FFL variations, they do assist in providing a visual representation of the general terracing effect, which is a key characteristic across the village.

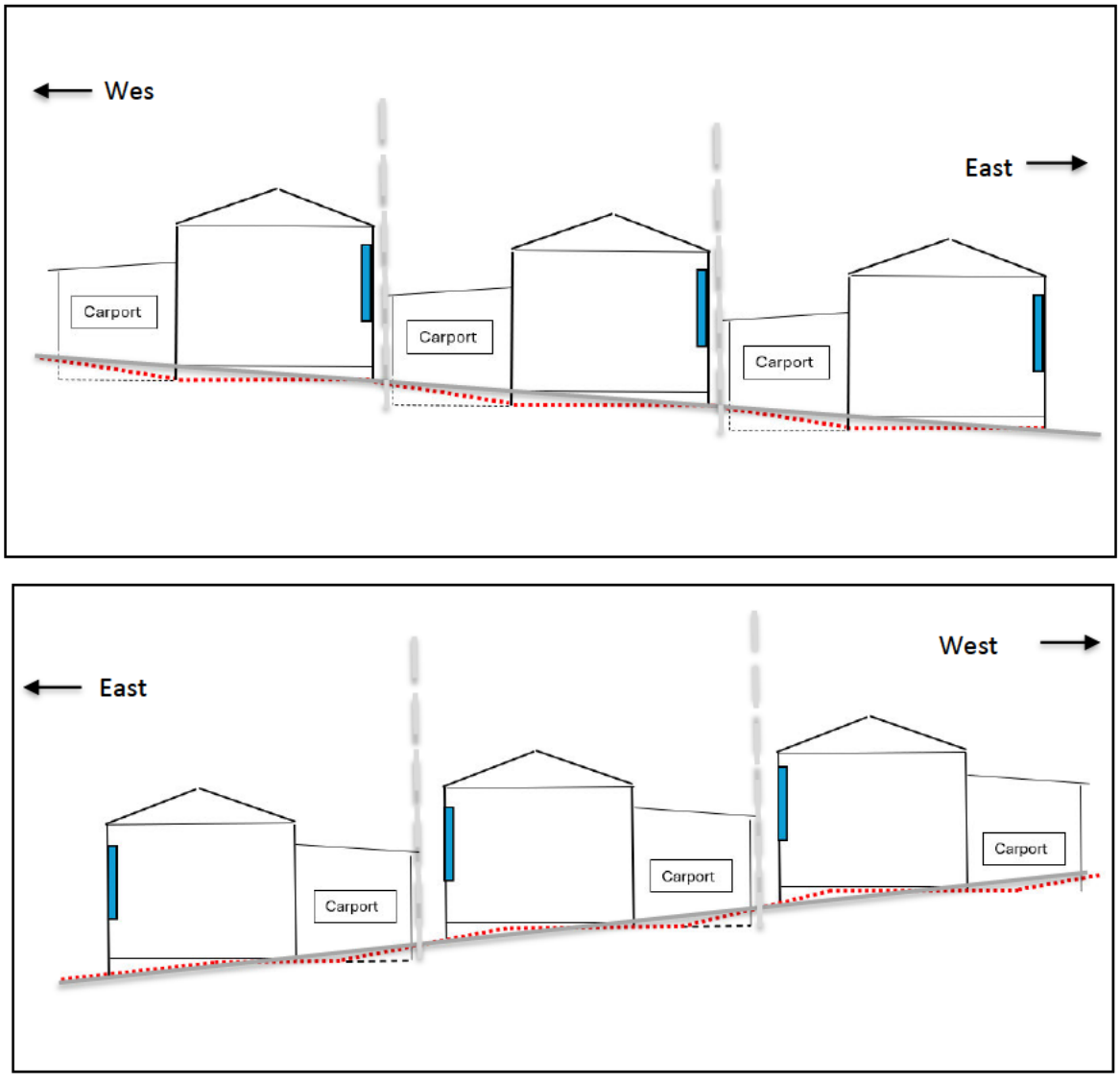



**Figure 15: Indicative illustration showing the typical arrangement of existing and proposed dwellings, associated carports and separation from windows/doors along the higher east/north-eastern elevations**

Whilst the gradient variations appear notably softer, the north/north-eastern elevation of each dwelling type will be elevated, with FFLs ranging between 0.5m – up to 1.2m above natural ground level.

**A2(a)**

Each dwelling includes a 3.6m wide carport, situated along the western elevation. The carport enforces a minimum 3.6m setback between the dwelling and its respective western site boundary. This setback is maintained along the entire length of the boundary for each dwelling site/type arrangement.

Adjoining dwellings on the higher side incorporate minimum 1m setbacks from their respective eastern side boundary. This ensures all dwelling site/type arrangements are able to achieve minimum separation distances of at least 4.6m, as illustrated in the indicative dwelling layout plan and reproduced below.




**Figure 16: Indicative dwelling arrangement, setbacks and separation for sites 27, 28, 31 and 32 (Type A and Type B) - illustrating compliance with A2(a), (b) & (c).**

The only exception to this is dwelling sites 6, 8 and 10, where Type B or Type D dwellings are provided. In this instance, the Type B and D dwellings have a setback to their respective eastern boundaries of less than 1m. To compensate for this and ensure compliance with A2(a)(i), the dwelling sites which adjoin these to the east will support Type F dwellings, which ensure over 4.5m separation.

This can be achieved due to the standard pre-fab design of each dwelling type, which has informed the design and layout of the dwelling sites to ensure the minimum separation distance required under A2(a) (i) will be achieved for all dwelling type/site arrangements.

***P4.7.5 - Landscaping***

***Objective:*** *To ensure landscaping is provided to:*

*(a) maintain and enhance the visual qualities of the site*

*(b) provide screening from the East Derwent Highway; and*

*(c) provide amenity for residents.*

**SCHEME REQUIREMENTS**

***A1** – Along the frontage to the East Derwent Highway, landscaping must be provided and have:*

*(a) a depth of no less than 10m; and*

*(b) include a variety of plant types and sizes.*

***P1** – Landscaping must be provided along the frontage to the East Derwent Highway, having regard to:*

*(a) the effectiveness of the landscaping treatment to:*

*(i) enhance the visual qualities of the site; and*

*(ii) provide reasonable screening from the East Derwent Highway.*

*(b) any advice from a suitably qualified person; and*

*(c) have a depth of no less than 5m.*

**RESPONSE**

**Complies with A1**

A large section of the frontage to the East Derwent Highway is already screened with vegetation, which also includes recreation areas and BBQ/picnic sites for residents and guests. These areas provide screening from the highway and are in excess of 10m.

It is intended that similar landscaping will be extended along the additional 137m of frontage created by the expansion, achieving variable depths over 10m. A concept landscape plan has been prepared, demonstrating where landscaping treatments will be provided and the depths able to be achieved.

Whilst a detailed landscaping plan (prepared by a suitably qualified person) will be required as a condition of any subsequent approval, the concept plan demonstrates landscaping can be achieved in accordance with A1.

***P4.7.6 – Waste storage***

***Objective:** To provide for the storage of waste and recycling bins for all dwellings.*

**SCHEME REQUIREMENTS**

***A1** – Each dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m2 per dwelling and is within one of the following locations:*

*(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or*

*(b) a common storage area with an impervious surface that:*

*(i) has a setback of not less than 4.5m from a frontage*

*(ii) is not less than 5.5m from any dwelling; and*

*(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.*

***P1** – Each dwelling must have storage for waste and recycling bins that is:*

*(a) capable of storing the number of bins required*

*(b) screened from the frontage and any dwellings; and*

*(c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.*

**RESPONSE**

**Complies with A1**

Each dwelling will be provided with a dedicated area for waste and recycling bins, consistent with that provided for existing dwellings in the village, in compliance with A1(a).

***P4.7.7 – Noise***

***Objective:** To minimise the effects of noise on sensitive uses within the site from existing and future major roads.*

**SCHEME REQUIREMENTS**

***A1** – All new habitable buildings for a sensitive use and not otherwise located within a road or railway attenuation area shown on an overlay map in the relevant Local Provisions Schedule, must:*

*(a) be located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the Noise Measurement Procedures Manual, 2nd edition, July 2008.*

***P1** – Habitable buildings for a sensitive use must be sited, designed or screened to minimise adverse effects of noise from a major road, in accordance with a report prepared by a suitably qualified person, having regard to:*

*(a) the topography of the site;*

*(b) the proposed setback;*

*(c) any buffers created by natural features;*

| | |
|---|---|
| *(d)* | *the location of any private open space;* |
| *(e)* | *the speed limit and traffic volume of the road;* |
| *(f)* | *any traffic impact assessment; and* |
| *(g)* | *any mitigation measures proposed* |

**RESPONSE**

The acceptable solution requires habitable buildings located beyond the road attenuation area to demonstrate external noise levels can be achieved, in accordance with Table C3.2. The accompanying noise assessment indicates compliance with A1 cannot be achieved.

Therefore, a response to the performance criteria is provided.

**Complies with P1**

(a) The site has a gradual and consistent topographic rise to the west, away from the East Derwent Highway and as a result, most of the existing and proposed dwellings sit at or above the highway.

The elevated position of the site means existing and proposed dwellings are more susceptible to noise impacts, with the accompanying noise assessment noting the following:

> *Given the site slopes down toward the highway and the elevated location of the road surface (see Figure 5.1, below), mitigating vehicle noise emissions via a barrier on the boundary adjacent the highway would be impractical, as it would require an extremely tall barrier to block line of sight.*

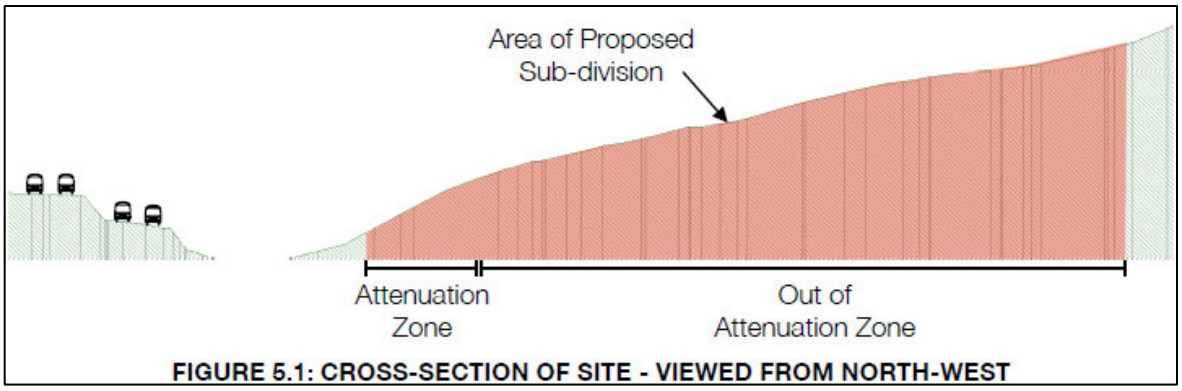



**FIGURE 5.1: CROSS-SECTION OF SITE - VIEWED FROM NORTH-WEST**

(b) The proposed dwelling sites and associated dwellings are setback a minimum of 30m+ from the highway reservation. This is considerably greater than the setback of the established dwellings in the village, where the minimum setback is just 7m. The proposed setback provides sufficient land to accommodate an additional landscaping buffer, along with water sensitive urban design measures and on-site detention ponds – designed in accordance with the accompanying stormwater and flood hazard documentation.

The physical setback and positioning of the dwellings and outdoor spaces will assist in mitigating noise, in conjunction with other measures discussed in this report and the accompanying noise assessment.

(c) Due to the topography of the site, there are no existing topographical features which assist. However, the existing landscaping buffer between the established dwellings and the highway is to

be extended along the full width of the frontage. This buffer is expected to increase noise attenuation and improve visual amenity for residents.

(d) the noise assessment recommends that dwellings be positioned so that areas of outdoor space are located behind the building line, where possible. These measures will be accompanied by boundary fencing, provided in accordance with the noise report recommendations along with the primary façade design requirements.

(e) The East Derwent Highway accommodates speed limits ranging from 70-100km/hr. Whilst noise levels are naturally higher during the day, the acoustic data presented in the noise report indicates ambient noise levels during the night are significantly quieter, due to reduced traffic volumes as indicated in the traffic impact assessment.

(f) The application is accompanied by a traffic impact assessment.

(g) The following mitigation measures are to be implemented, as recommended in the accompanying noise assessment:

- A 30m minimum setback from the highway reservation.
- Extension to the existing landscape buffer from the highway reservation. The buffer is to have a depth ranging between 5m and 10m.
- Where possible, areas of private open space are to be situated behind building lines and all north/north-east facing boundary fences are to be designed in accordance with the recommendations in the accompanying noise assessment; and
- All north/north-west facing dwelling façades are to be designed and constructed in accordance with the recommendations in the noise assessment.

The adoption of the recommended façade design and fencing measures are considered sufficient to achieve acceptable internal noise levels, as stated in the noise assessment.

The additional measures outlined above will also assist in reducing noise levels, to ensure an appropriate level of amenity. It is expected that a condition will be imposed on any subsequent permit, requiring submission of detailed design demonstrating the siting and façade treatment of each dwelling complies with the recommendations in the report, prior to any approval(s) under the Building Act.

### 7.1.4 Development Standards for Subdivision

| ***P4.8.1 – Lot Design*** |
|---|
| ***Objective:*** *To provide for subdivision that is compatible with the zone purpose and does not have an unreasonable impact on the layout of the site.* |
| **SCHEME REQUIREMENTS** |
| ***A1*** *– Each lot, or a lot in a plan of subdivision, must:*<br>*(a) be for the consolidation of a lot with another lot, provided each lot is within the same zone* |

*(b) be required for public use by the Crown, a Council or State authority; or*

*(c) be required for the provision of Utilities*

...

**RESPONSE**

**Complies with A1**

The two lots forming part of the lifestyle village (2 Piper Road and 647 East Derwent Highway) will be consolidated in accordance with A1.

***A2** – 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.*

...

**RESPONSE**

**Complies with A1**

The right-of-way benefitting 647 East Derwent Highway, over the access strip forming part of 657 East Derwent Highway, will be expunged as part of the title consolidation – as required by the Department of State Growth.

The proposed dwellings within the expansion area (formerly 647 East Derwent Highway) will have access to Piper Road, via the existing and proposed internal access ways.

***P4.8.2 – Services***

***Objective:** That the subdivision of land provides services for the future use and development of the land.*

**SCHEME REQUIREMENTS**

***A1 –** Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.*

...

**RESPONSE**

**Complies with A1.**

The proposed consolidated lot will maintain a connection to reticulated water infrastructure in accordance with A1.

***A2** – Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.*

...

**RESPONSE**

**Complies with A2**

The consolidated lot will be provided with a connection to the existing reticulated sewer system.

***A3*** *– Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.*

***P3*** *– Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:*

*(a) the size of the lot;*

*(b) topography of the site;*

*(c) soil conditions;*

*(d) any existing buildings on the site;*

*(e) any area of the site covered by impervious surfaces; and*

*(f) any watercourse on the land.*

**RESPONSE**

**Complies with A3**

Stormwater The proposed stormwater system will collect and drain surface water to the on-site detention basins located along the north-eastern boundary. Flows will then be directed to existing stormwater infrastructure within the State road reservation (i.e. swales and drainage channels).

If this infrastructure is not taken to be 'public stormwater infrastructure', the on-site stormwater system, including swales and detention basins is able to comply with P3. It has been designed to accommodate stormwater generated by the proposed development whilst also catering for overland flow and climate change loading.

## 7.2 PARKING AND SUSTAINABLE TRANSPORT CODE

### 7.2.1 Use Standards

***C2.5.1 – Car Parking Numbers***

***Objective:*** *That an appropriate level of car parking spaces are provided to meet the needs of the use.*

**SCHEME REQUIREMENTS**

***A1*** *- The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:*

***P1.1 -*** *The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:*

*(a) the nature and intensity of the use and car parking required;*

*(b) the size of the dwelling and the number of bedrooms; and*

*(c) the pattern of parking in the surrounding area.*

**RESPONSE**

**Complies with A1**

Table C2.1 specifies the following requirement for residential use in any zone, other than the general residential zone:

*1 x car parking space per bedroom, plus 1 visitor space for every 5 multiple dwellings*

The proposed expansion seeks approval for 54 additional dwellings, comprising a mix of 1, 2 and 3 bedroom configurations, depending on the dwelling type:

Type A & E - three-bedroom configurations;

Type B, C & D - two-bedroom configurations; and

Type F - one-bedroom configuration.

The exact mix of one, two or three-bedroom dwelling types has not been confirmed at this stage. However, given the nature of the use and the fact that all existing / prospective residents consist of couples and/or individuals, the vast majority of dwellings to be constructed will be one and two-bedroom configurations (Type B, C, D & F). In many cases, second and third bedrooms (where provided) are often utilised as extensions to living spaces, for storage or as studies/libraries/reading rooms. The proponent and operator of the village have confirmed that none of the existing, nor any prospective residents have dependents and very rarely accommodate other family members that might otherwise result in the need for more than one-bedroom.

Given the nature of use and the details above, a rate of 2 x spaces per dwelling is far more logical and reflects the standard rate applied in residential zones.

On this basis, **the TIA has identified a requirement for 108 residential spaces and 11 x visitor spaces, for a total of 119 spaces.**

Each dwelling type is provided with a 6m x long carport, positioned alongside the dwelling but setback from the front building line. As shown in the Indicative Dwelling Layout, the combined length of each carport and driveway provides sufficient space to accommodate the required 2 x spaces per dwelling.

This is similarly the case for the three-bedroom configurations (Type A and Type E).

Whilst the number of 3-bedroom configurations to be constructed will be very low, the purpose of including these examples on the Indicative Dwelling Layout is to demonstrate that all types can be accommodated in accordance with the proposed PPZ provisions.

To accommodate the smaller dwelling sites, 9 x one-bedroom (Type F) configurations have been shown on the Indicative Dwelling Layout. Although only requiring 1 x car parking space, each will have sufficient carport and driveway lengths to accommodate 2 x vehicles (if / where required), or in the event a two-bedroom configuration were provided.

Whilst the TIA indicates the actual car parking demand will be significantly less than 2 x spaces per dwelling, the Indicative Dwelling Layout plan demonstrates the required 108 x residential spaces (2 x spaces per dwelling) and 12 x visitor spaces can be accommodated on the site, in accordance with A1.

***C2.5.3 – Motorcycle parking numbers***

***Objective:*** *That the appropriate level of motorcycle parking is provided to meet the needs of the use.*

**SCHEME REQUIREMENTS**

***A1*** *– The number of on-site motorcycle parking spaces for all uses must:*

*(a) be no less than the number specified in Table C2.4; and*

*(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.*

***P1*** *- Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:*

*(a) the nature of the proposed use and development;*

*(b) the topography of the site;*

*(c) the location of existing buildings on the site;*

*(d) any constraints imposed by existing development; and*

*(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.*

**RESPONSE**

**Complies with P1**

The proposed expansion generates a requirement for approximately 117 car parking spaces, based on an average of 2 x spaces per dwelling - which would require provision of 6 motorcycle spaces.

In response to P1, the existing Lifestyle Village and proposed expansion cater for a specific demographic. Whilst the proposal does not provide any designated motorcycle parking, there is sufficient space to accommodate motorcycles within the existing car parking provision – given the nature of the development.

Given the above, the demand for motorcycle parking on the site is anticipated to be very low.

For these reasons, the proposal seeks discretion for the 6 motorcycle spaces.

### 7.2.2 Development Standards

***C2.6.1 – Construction of Parking Areas***

***Objective:*** *That parking areas are constructed to an appropriate standard.*

**SCHEME REQUIREMENTS**

***A1*** *- All parking, access ways, manoeuvring and circulation spaces must:*

*(a) be constructed with a durable all weather pavement;*

*(b) be drained to the public stormwater system, or contain stormwater on the site; and*

*(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.*

**RESPONSE**

**Complies with A1**

The car parking spaces, internal access ways, manoeuvring and circulation spaces are to be constructed with a durable, all-weather pavement. Stormwater will be drained to an existing and expanded on-site detention system, before draining to existing swales and culverts.

Please refer to the accompanying traffic impact assessment and civil documentation.

***C2.6.2 – Design and layout of parking areas***

***Objective:*** *That parking areas are designed and laid out to provide convenient, safe and efficient parking.*

**SCHEME REQUIREMENTS**

***A1.1*** *- Parking, access ways, manoeuvring and circulation spaces must either:*

*(a) comply with the following:*

*(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;*

*(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;*

*(iii) have an access width not less than the requirements in Table C2.2;*

*(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;*

*(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;*

*(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and*

*(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or*

*(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.*

**RESPONSE**

**Complies with A1.1(b)**

The proposed car parking layout complies with AS 2890. Further detail is provided in the accompanying TIA and civil documentation.

***C2.6.3 – Number of accesses for vehicles***

***Objective:*** *That:*

*(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;*

*(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and*

*(c) the number of accesses minimise impacts on the streetscape.*

**SCHEME REQUIREMENTS**

***A1*** *- The number of accesses provided for each frontage must:*

*(a) be no more than 1; or*

*(b) no more than the existing number of accesses, whichever is the greater.*

**RESPONSE**

**Complies with A1**

The existing access to the site via Piper's Road will remain unchanged, in accordance with A1.

***C2.6.5 – Pedestrian access***

***Objective:*** *That pedestrian access within parking areas is provided in a safe and convenient manner.*

**SCHEME REQUIREMENTS**

***A1*** *- Uses that require 10 or more car parking spaces must:*

*(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:*

*(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or*

*(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and*

*(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.*

***P1*** *- Safe and convenient pedestrian access must be provided within parking areas, having regard to:*

*(a) the characteristics of the site;*

*(b) the nature of the use;*

*(c) the number of parking spaces;*

*(d) the frequency of vehicle movements;*

*(e) the needs of persons with a disability;*

*(f) the location and number of footpath crossings;*

*(g) vehicle and pedestrian traffic safety;*

*(h) the location of any access ways or parking aisles; and*

*(i) any protective devices proposed for pedestrian safety.*

**RESPONSE**

Footpaths are provided along each side of the internal roads, consistent with the existing provision within the village.

However, the footpaths abut the road and a response to P1 is required.

**P1**

(a) The existing and proposed use of the site is for a residential retirement village. Due to the nature of the use, traffic volumes within the site are very low, with vehicle speeds at or below 10km/h.

The site provides sufficient car parking for residents and guests, however the primary mode of transport for many residents is walking, given that the nature of traffic movement within the site is entirely residential and the frequency of movements is relatively low.

(e), (f) (g) The relatively low frequency of vehicles, combined with the preference for many residents to walk through the property is not dissimilar to other residential retirement villages, such as Springvale Lifestyle Village and Fairway Rise, where no internal pedestrian footpaths are provided.

Given the demographic of residents, the lack of footpaths actually provides greater safety and efficiency of movement, by reducing the extent of hard-edge gutters/kerbs to navigate whilst walking through the property.

Given the low-risk nature of the use and traffic/pedestrian environment, designated footpaths are not considered necessary to continue to ensure safe and convenient pedestrian access.

(h) & (i) The access ways and parking aisles have also been designed to cater for vehicles, whilst prioritising pedestrian movement. Given all of the above, the provision of protective devices has not been considered necessary to ensure the safety and efficiency of pedestrian movement within the site.

The proposal satisfies P1.

## 7.3 ROAD AND RAILWAY ASSETS CODE

### 7.3.1 Use Standards

***C3.5.1 – Traffic generation at a vehicle crossing, level crossing or new junction***

***Objective:*** *To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.*

**SCHEME REQUIREMENTS**

***A1.4*** *- Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:*

*(a) the amounts in Table C3.1; or*

*(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.*

***A1.5*** *- Vehicular traffic must be able to enter and leave a major road in a forward direction.*

***P1*** *- Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:*

*(a) any increase in traffic caused by the use;*

*(b) the nature of the traffic generated by the use;*

*(c) the nature of the road;*

*(d) the speed limit and traffic flow of the road;*

*(e) any alternative access to a road;*

*(f) the need for the use;*

*(g) any traffic impact assessment; and*

*(h) any advice received from the rail or road authority.*

**RESPONSE**

The existing access arrangements to the site comply with A1.5.

However, the TIA indicates the anticipated increase in traffic movements resulting from the proposed expansion will exceed the amounts specified under Table C3.1. Therefore, a response to P1 is required.

**P1**

As outlined in the accompanying TIA, the expansion is anticipated to generate an additional 113 vehicle movements per day. However, a morning and evening peak hour survey undertaken on the site indicates a marginal total of 33 vehicle movements.

This is supported by the nature/character of the development, with most current and future residents having already retired, which would suggest that vehicle movements to and from the site would be significantly lower than that specified in the RMS Guide, which was used to calculate anticipated vehicle movements.

Notwithstanding, the access to the site is from Pipers Road, which is a low volume road. In addition, recent roadworks have been undertaken to improve the junction between Pipers Road and the East Derwent Highway, ensuring that the access can cater for the anticipated increase in vehicle movements.

The proposal complies with P1.

### 7.3.2 Development Standards for Buildings or Works

***C3.6.1 – Habitable buildings for sensitive uses within a road or railway attenuation area***

***Objective:*** *To minimise the effects of noise, vibration, light and air emissions on sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.*

**SCHEME REQUIREMENTS**

***A1*** *- Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:*

*(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;*

*(b) an extension which extends no closer to the existing or future major road or rail network than:*

*(i) the existing habitable building; or*

*(ii) an adjoining habitable building for a sensitive use; or*

*(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the Noise Measurement Procedures Manual, 2nd edition, July 2008.*

***P1*** *- Habitable buildings for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:*

*(a) the topography of the site;*

*(b) the proposed setback;*

*(c) any buffers created by natural or other features;*

*(d) the location of existing or proposed buildings on the site;*

*(e) the frequency of use of the rail network;*

*(f) the speed limit and traffic volume of the road;*

*(g) any noise, vibration, light and air emissions from the rail network or road;*

*(h) the nature of the road;*

*(i) the nature of the development;*

*(j) the need for the development;*

*(k) any traffic impact assessment;*

*(l) any mitigating measures proposed;*

*(m) any recommendations from a suitably qualified person for mitigation of noise; and*

*(n) any advice received from the rail or road authority.*

**RESPONSE**

The acceptable solution requires habitable buildings to be within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building.

Within the existing lifestyle village, there are five (5) dwellings along the north-eastern boundary which constitute an existing row of habitable buildings. These dwellings have setbacks ranging from 17.5m to 28m from the boundary to the East Derwent Highway.

Within the proposed expansion, dwelling sites 1, 30, 33 and 45 represent an extension to the existing row of habitable buildings. Dwelling site 30 represents the closest of these to the highway, with a minimum setback of 28.9m from the highway – as illustrated below.

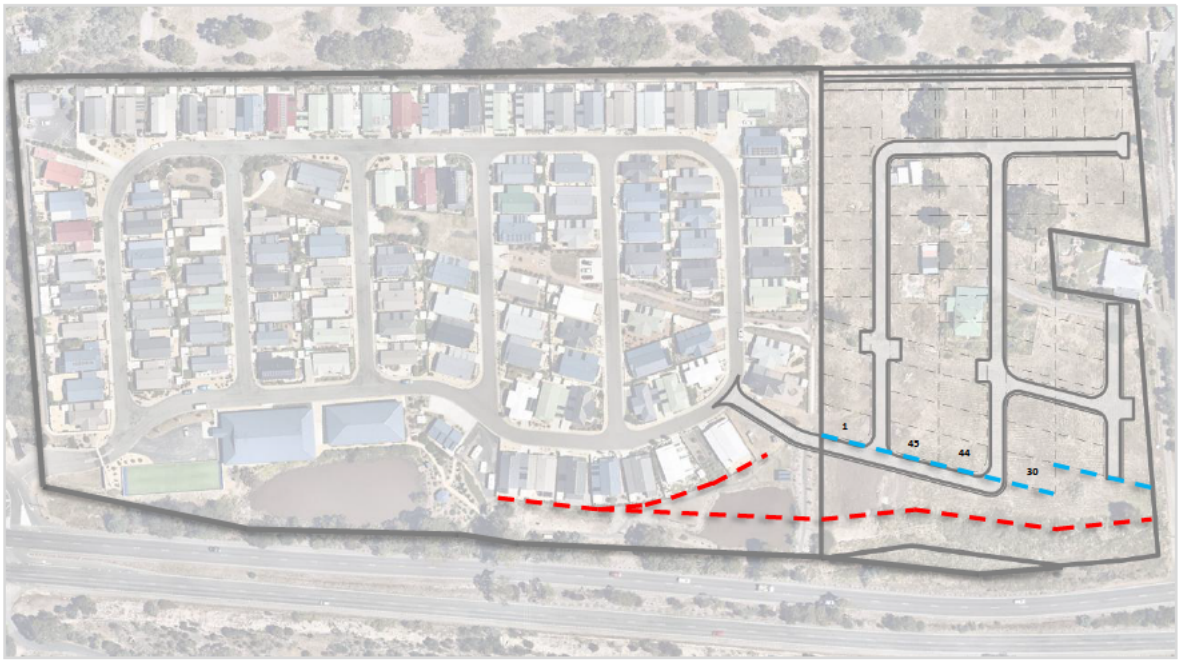



**Figure 17: Site context/layout plan. Red line depicts the minimum setback/siting established by the existing row of habitable buildings. The blue line depicts the siting/setback of the proposed dwellings (sites 1, 28, 30, 44 and 45).**

The above demonstrates that the proposed dwellings/sites constitute an extension to the existing row of habitable buildings, and do not extend closer to the highway than the existing row. Therefore, it is argued the proposal is in-fact compliant with A1(a).

If this interpretation is not accepted, a response to the performance criteria is provided below.

**P1**

The proposal is for an expansion of the existing Clarence Lifestyle Village, which was developed prior to the implementation of the road and railway attenuation overlay.

As a result, there are approximately 9 existing dwellings and communal buildings located within the overlay. Comparatively, seven (7) of the proposed dwelling sites (no. 27, 28, 30, 31, 44, 45 and 1) will fall within the extent of the overlay.

The extent of intrusion for dwelling sites 1 and 27 is minimal.

(a), (b) & (c) the site slopes gradually up from the East Derwent Highway, with the proposed dwellings setback a minimum of approximately 22m from the frontage to the highway. The setback has been provided for this reason and to provide an appropriate area to direct stormwater and overland flow. As a result, the area between the dwellings and the highway will be vegetated and utilised for recreational purposes.

Whilst the operator of the Lifestyle Village has not received any complaints from existing residents with regard to noise or other emissions, all dwellings will be constructed in accordance with the recommendations in the acoustic report and the relevant building regulations, specifying double glazing and wall insulation which will substantially reduce noise emissions.

We are not aware of any noise complaints received by the operator from residents.

(d) the orientation of the site ensures that light from passing vehicles will be perpendicular to the dwellings, thereby minimising direct light intrusion.

(e) n/a

(f) & (g) the East Derwent Highway supports vehicle speeds of up to 100km/hr, before speeds drop to 70km/hr toward the northern portion of the site.

The accompanying acoustic assessment provides modelling of traffic noise, which indicates most noise spikes are associated with heavy vehicles. However, the traffic impact assessment notes that larger vehicles only comprise approximately 4.5% of the total traffic volumes along the highway.

The operator is not aware of any noise complaints from residents.

Internally, the speed limits within the site are set at a maximum of 10km/hr and the existing communal/support buildings sit between the existing dwellings and the highway.

The minimum setback of the proposed dwelling sites to the highway is approximately 22m. This area will be used for stormwater drainage and retention and will also be landscaped to provide additional amenity for residents and provide screening from the highway.

All dwellings are to be constructed using double glazing (specifications are provided within the Acoustic Report) and sited to minimise noise intrusions to external areas of private open space.

Solid fencing to a height of 2.1m will be provided along the boundaries of the dwellings within the overlay, as recommended in the acoustic report.

(h) The Clarence Lifestyle Village has been established and operating without any known issues for well over a decade. The extension is not anticipated to result in any additional impacts as a result of the proximity to the highway and appropriate measures to mitigate noise intrusion are recommended in the accompanying acoustic report.

(i) The proposal is for an extension to the existing Clarence Lifestyle Village.

(j) As outlined in this report, there is an acute need and shortage of affordable aged care/retirement living options in Greater Hobart. Despite the development having not yet been approved, there is already high demand for the dwellings on the site. Future residents will add to the vibrancy of the existing community.

The development is not new, it is simply an extension to the existing Lifestyle Village.

(k) a traffic impact assessment has been provided.

(l) & (m) please refer to the accompanying Acoustic Assessment, which provides additional analysis of noise emissions and recommendations to mitigate noise intrusion.

(n) n/a.

The proposal complies with the performance criteria.

Please refer to the accompanying Acoustic Report prepared by NVC.

### 7.3.3 Development Standards for Subdivision

***C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area***

***Objective:*** *To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.*

**SCHEME REQUIREMENTS**

***A1*** *- A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.*

***P1*** *- A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:*

*(a) the topography of the site;*

*(b) any buffers created by natural or other features;*

*(c) the location of existing or proposed buildings on the site;*

*(d) the frequency of use of the rail network;*

*(e) the speed limit and traffic volume of the road;*

*(f) any noise, vibration, light and air emissions from the rail network or road;*

*(g) the nature of the road;*

*(h) the nature of the intended uses;*

*(i) the layout of the subdivision;*

*(j) the need for the subdivision;*

*(k) any traffic impact assessment;*

*(l) any mitigating measures proposed;*

*(m) any recommendations from a suitably qualified person for mitigation of noise; and*

*(n) any advice received from the rail or road authority.*

**RESPONSE**

**Complies with P1**

As outlined previously, the proposal is for an expansion of the existing Clarence Lifestyle Village, which was developed prior to the implementation of the road and railway attenuation overlay.

As a result, there are approximately 9 existing dwellings and communal buildings located within the overlay which extends 50m either side of the highway. Comparatively, seven (7) of the proposed dwelling sites (no. 27, 28, 30, 31, 44, 45 and 1) will fall within the extent of the overlay. P1 outlines similar criteria to those addressed under Clause C3.6.1, provided in section 5.3.1 of this report. That response, along with the accompanying acoustic report confirm the dwelling sites and dwelling types can be designed to appropriately minimise noise and other impacts from the highway.

The 'subdivision' component is limited to the consolidation of 2 Piper Road and 647 East Derwent Highway and does not alter the design, siting or layout of the development.

## 7.4 NATURAL ASSETS CODE

### 7.4.1 Development Standards for buildings and works

***C7.6.1 – Buildings and works within a waterway and coastal protection area or a future coastal refugia area***

***Objective:*** *That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.*

**SCHEME REQUIREMENTS**

***P1.1 -*** *Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:*

*(a) impacts caused by erosion, siltation, sedimentation and runoff;*

*(b) impacts on riparian or littoral vegetation;*

*(c) maintaining natural streambank and streambed condition, where it exists;*

*(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*

*(e) the need to avoid significantly impeding natural flow and drainage;*

*(f) the need to maintain fish passage, where known to exist;*

*(g) the need to avoid land filling of wetlands;*

*(h) the need to group new facilities with existing facilities, where reasonably practical;*

*(i) minimising cut and fill;*

*(j) building design that responds to the particular size, shape, contours or slope of the land;*

*(k) minimising impacts on coastal processes, including sand movement and wave action;*

*(l) minimising the need for future works for the protection of natural assets, infrastructure and property;*

*(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*

*(n) the guidelines in the Tasmanian Coastal Works Manual.*

**RESPONSE**

**Complies with P1.1**

The site does not contain any identified natural values (i.e. native vegetation/threatened species) and does not contain any named watercourses.

**P1.1**

**(a)** The areas of the site subject to the waterway overlay serve as natural drainage lines from both the East Derwent Highway and the properties across higher ground to the west.

These areas do not contain any designated waterways. The existing lifestyle village provides a substantial buffer between the dwellings and the highway, providing vegetation and two ponds which improve the biodiversity values of the site and improve the amenity for residents.

The proposed expansion also seeks to retain an approximate 22m buffer between the closest dwelling site along the north-eastern side of the expansion site and the boundary to the East Derwent Highway. This will allow an expansion of the existing landscape buffer and will also allow this space to be used for recreation and as a natural drainage area.

The proposed treatment train will ensure that runoff is managed appropriately, thereby minimising erosion and/or sedimentation.

**(b)** there is no identified riparian or littoral vegetation on the site.

**(c)** there is no natural streambank or streambed on the site, aside from natural drainage areas. It is anticipated that the proposed expansion will serve to improve biodiversity values on the site, through an expansion of the green landscaping buffer along the north-western boundary.

**(d)** n/a

**(e)** The proposed expansion has been designed to ensure runoff is directed to the existing drainage areas along the north-western side of the site, which will be further enhanced through vegetation and the proposed stormwater infrastructure.

**(f)** & **(g)** n/a

**(h)** The layout of the proposed expansion must be consistent with that provided within the existing village, to maintain the desirable characteristics of the village, as well as familiarity for existing residents and ensuring ease of access/movement through the site.

The layout is also required to respond to the existing TasWater water main and associated easement that runs through the site.

**(i)** the site has relatively gentle undulations, ensuring that cut and fill can be kept to a minimum.

**(j)** the proposed expansion has been designed to respond to the topography of the site and the variation of dwelling types also allows greater flexibility for new residents to ensure dwellings responds logically to the topography of the site.

**(k)** n/a

**(l)** JSA Engineers have advised that no future protection works are required.

**(m)** & **(n)** n/a

The proposal complies with P1.

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***P3 -*** *Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:*

*(a) the need to minimise impacts on water quality; and*

*(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.*

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**RESPONSE**

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**Complies with P3**

The proposed expansion seeks to extend the existing stormwater management system, which includes a combination of infiltration systems, swales and ponds which are to be provided along the north-eastern section of the site which abuts the East Derwent Highway.

As outlined in the stormwater report, the effectiveness of the stormwater treatment train has been modelled using MUSIC to provide an 86.4% reduction in total suspended solids, 45.5% reduction in total phosphorus, 66.5% reduction in total nitrogen and 90.8% reduction in gross pollutants.

Therefore, it is anticipated that the proposal will minimise impacts on water quality and is unlikely to result in any additional erosion, sedimentation or runoff – which cannot be contained within the system.

### 7.4.2 Development Standards for Subdivision

***C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area***

***Objective:*** *That:*

*(a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and*

*(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.*

**SCHEME REQUIREMENTS**

***A1 -*** *Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:*

*(a) be for the creation of separate lots for existing buildings;*

*(b) be required for public use by the Crown, a council, or a State authority;*

*(c) be required for the provision of Utilities;*

*(d) be for the consolidation of a lot; or*

*(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.*

...

**RESPONSE**

**Complies with A1**

The 'subdivision' seeks to consolidate 2 Piper Road and 647 East Derwent Highway into a single lot, in accordance A1(d).

***C7.7.2 Subdivision within a priority vegetation area***

***Objective:*** *That:*

*(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and*

*(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.*

**SCHEME REQUIREMENTS**

***A1 -*** *Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:*

*(a) be for the purposes of creating separate lots for existing buildings;*

*(b) be required for public use by the Crown, a council, or a State authority;*

*(c) be required for the provision of Utilities;*

*(d) be for the consolidation of a lot; or*

*(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.*

...

**RESPONSE**

**Complies with A1.**

A small section of the site, at the entrance to 2 Piper Road is mapped as a priority vegetation area. The area mapped comprises the entrance to the existing lifestyle village and is void of any vegetation.

Whilst the inclusion of the priority vegetation overlay appears to be a mapping anomaly, the 'subdivision' component is for the consolidation of two existing lots to form one, and complies with A1(d).

## 7.5 FLOOD PRONE AREAS HAZARD CODE

A portion of the site is subject to the flood prone areas hazard, as illustrated in Part A of this report - Figure 7.

Prior to the revised *Clarence City Council Flood Mapping (2021)*, all dwelling sites were located outside of the mapped overlay. As a result of the mapping revisions, a larger portion of the site is now subject to the Code.

### 7.5.1 Use Standards

***C12.5.2 – Critical use, hazardous use or vulnerable use***

***Objective:*** *That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.*

**SCHEME REQUIREMENTS**

***P1 -*** *A critical, hazardous, or vulnerable use within a flood-prone hazard area must achieve a tolerable level of risk from flood, having regard to:*

*(a) the type form and duration of the use; and*

*(b) a flood hazard report that demonstrates that:*

*(i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or*

*(ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

**RESPONSE**

**Complies with P1**

A preliminary flood assessment was prepared by JSA, prior to the mapping changes. Further analysis was then prepared in the accompanying Stormwater Design Proposal report.

The updated JSA documentation notes the following:

> *There are two sections of flood overlay relevant to the site. The north-eastern zone of the property is an existing drainage path, and is also subject to the waterway and coastal protection area. This drainage path is not a constructed swale or a permanent waterway, but is a natural low point where stormwater runoff accumulates in rainfall events, and forms part of the drainage system for the surrounding catchments and the East Derwent Highway. Council's flood model in this area indicates water depths in the 1% AEP storm event of up to 1.5m.*
>
> *The section of the site from the south-western property boundary to the north-western property boundary is subject to the flood hazard zone associated with a concentration of overland flow south-west of the development site. The development site itself is relatively flat by comparison, resulting in the accumulated water spreading wide and shallow across the property. Council's flood model in this area indicates water depths in the 1% AEP storm event are generally in the range of less than 0.02m, and 0.05m to 0.2m.*

The primary flood hazard area is located along the north-eastern side of the site. Within this area, no buildings are proposed. Works in this area are limited to the driveway, stormwater detention systems, and water and sewer infrastructure.

The overland flow approaching the site from the south-west will be cut off by and collected in a proposed swale drain along the south-western boundary. The water is then directed to a series of pipes which in turn directs the flow north-east to the on-site detention basins. In the event the pipes do not have sufficient capacity for the water (due to blockage or major storm event), the site design, road and lot layout, stormwater swales, and pipe arrangement have been designed to facilitate water entering the site from the south-western overland flow path and surface runoff generated on the developed site.

The network has been designed to accommodate a 1% AEP event with climate change loading applied to the inundation rate. This includes the on-site detention basins which have been upsized to accommodate additional runoff generated during such an event.

As outlined in the accompanying Flood Hazard Report prepared by RARE, the proposed development can maintain a tolerable risk from flood for the life of the development provided the recommendations in the report are implemented. In response to P1, the report notes:

> *...It is expected that the level of risk from flooding for the users of the site will decrease from current levels with the various measures of stormwater control implemented. The recommendation to position habitable floor levels 300mm above existing surface level will*

*also ensure that risk to users is minimised in the event that site controls fail or larger storm events than those assessed are encountered.*

*Existing likely flood risks for the south-western flows were assessed to be up to hazard classification H2 – 'unsafe for small vehicles'. Hazard classification H3 specifically describes the point at which flows become unsafe for the elderly which relates to the use of the site as a retirement village.*

*With existing flows not considered to pose a significant risk to the elderly (not exceeding H2), the likely further reduced risks due to the implementation of stormwater controls is considered to maintain a tolerable risk for vulnerable use.*

All proposed dwelling types require minimum finished floor levels between 0.3 - 0.4m above ground level, to meet building requirements for ground clearance. If the total clearance is increased by an additional 100-150mm, all floor levels will sit at least 0.3m above the max. defined flood height within the overland flow path – in accordance with the *Director's Determination - Riverine Inundation Hazard Areas 2021*.

The submitted documentation confirms that no designated flood protection measures are required within the primary flood area, along the north-eastern boundary. The risk within the overland flow path from the south-west is negligible, therefore no protection measures are required.

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***P4 -*** *In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:*

*(a) any protection measures, existing or proposed;*

*(b) the ability and capability of people in a flood event who may live, work or visit the site, to:*

*(i) protect themselves;*

*(ii) evacuate in an emergency; and*

*(iii) understand and respond to instructions in the event of an emergency;*

*(c) any emergency evacuation plan;*

*(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;*

*(e) the advice contained in a flood hazard report; and*

*(f) any advice from a State authority, regulated entity or a council.*

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**RESPONSE**

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**Complies with P4**

As outlined in the JSA report, the design of the proposed development has considered the flood prone area and overland flow paths.

The development has been designed to accommodate overland flow from the south-west via a swale, which is then directed via a pipe system and internal roadways to the on-site detention

basins which have been upsized to accommodate additional flows generated during a 1% AEP event. No buildings are located in the primary flood area along the north-eastern boundary.

In response to P4, the accompanying Flood Hazard Report prepared by Rare, provides the following assessment:

> *The proposed use of the site as an extension to the existing Clarence Lifestyle Village (retirement village) ensures that the use remains consistent for implementation of existing emergency procedures and training of staff to ensure the safety of residents in the event of flood. Existing procedures and evacuation plans are to be updated to include the additional site expansion.*
>
> *Should flooding be encountered, the site is situated such that safe uphill areas located clear of any mapped flooding can be reached from all parts of the site. Minimum floor levels in flood-prone mapped areas of 300mm above existing surface level will ensure residents who may not be able to self-evacuate can be protected from flooding until assisted. The proposed flood protection measures (e.g. cut-off drain) as discussed in this report will assist in reducing the risk of flooding and increasing the warning time for staff and residents to react to potential flooding and evacuate if required.*

An evacuation plan has been prepared as part of the Bushfire Hazard Management Plan and can be updated if necessary to provide details on flood emergency procedures and evacuation points.

### 7.5.2 Development Standards

***C12.6.1 – Buildings and works within a flood-prone hazard area***

***Objective:*** *That*

*(a) buildings and works within a flood-prone hazard area can achieve and maintain a tolerable level of risk from flood;*

*(b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.*

**SCHEME REQUIREMENTS**

***P1.1 -*** *Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:*

*(a) the type, form, scale and intended duration of the development;*

*(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;*

*(c) any advice from a State authority, regulated entity or a council; and*

*(d) the advice contained in a flood hazard report.*

***P1.2*** *- A flood hazard report also demonstrates that the building and works:*

*(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and*

*(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

**RESPONSE**

**Complies with P1.1 and P1.2**

The accompanying Flood Hazard Report by Rare provides the following response to P1.1.

> *In conjunction with the discussions within this report, the proposed development maintains a tolerable risk from flood. The form of development is an extension to the existing Clarence Lifestyle Village located on the neighbouring property and intends to maintain the same form of use with construction of 54 residential dwellings and associated internal road access infrastructure and services infrastructure.*
>
> *The site is potentially subject to two separate sources of flood waters, one within the north-eastern existing drainage channel and one from the south-west which sheet flows across the western portion of the site. The development intends to maintain the existing north-eastern drainage channel along with improvements in the form of two new stormwater detention basins which ensure stormwater runoff generated from the site is maintained at pre-development levels. The proposed building works are to be located clear of this portion of mapped flooding. A small portion of the entry access road is encroached by the outside extents of the flood mapping, however is indicated to be ≤0.05m in depth and is expected to maintain a low hazard classification of H1 – 'generally safe for people, vehicles and buildings,' which is considered a tolerable risk should no further risk reduction measures be undertaken here.*
>
> *A new stormwater cut-off drain is proposed along the south-western boundary of the site to intercept flood water from the south-west and is an improvement to the existing informal minor depression/swale drain that runs through the site. The addition of multiple new headwall discharges along the length of this drain as well as check dams at regular intervals will improve safe passage of these flow by slowing, capturing and discharging flood water underground to the north-eastern drainage channel. This will reduce the occurrence of overland flows through the site due to flood waters and reduce risk. Proposed dwellings are to be constructed with raised floor levels to reduce any residual risk of overland flows, with recommendations made in this report to provide an optimal minimum floor level of 300mm above existing surface levels.*
>
> *Should this recommendation be followed and as discussed previously in this report, the residual risk is expected to be reduced to H1 – 'generally safe for people, vehicles and buildings,' in this portion of the site, which is considered a tolerable risk.*

With regard to P1.2, the works in the north-eastern area are either below ground or designed to control and distribute the existing water flow.

As discussed further in the report prepared by Rare, the proposed development is expected to improve the risk of flooding on downstream properties in addition to providing a lower risk to the site itself. The report goes on to state that:

*Council's flood mapping indicates that flooding may occur in a 1% AEP event (climate change inclusive) across the site which also has impacts on downstream properties. Existing flows from the south-west are shown to impact the entire property of the neighbouring 657 East Derwent Highway residence as well as overflowing from the open drain located next to the northern driveways which spills into the holiday park.*

*By intercepting these flows in a more controlled manner with the new cut-off drain, check dams and multiple headwall inlets, the flows can be largely redirected towards the north-eastern drainage course in a safer manner. The major overland drainage routes (internal roads) proposed within the development site will direct any remaining overland flows east also and have been designed for the 1% AEP storm event as detailed in JSA's report. A reduction in the flows reaching the existing neighbouring residence and northern driveway swales is expected and is expected to reduce the risk or severity of inundation to neighbouring downstream properties.*

*The proposed stormwater detention basins will ensure that any increase in runoff generated by the proposed development's increase in impervious areas is controlled and discharged at pre-development levels as detailed in the associated JSA and Flussig reports and will not cause additional nuisance to neighbouring properties.*

*As discussed in the response to P1.1 above, the proposed mitigation measures for control of the south-western overland flows as well as remaining clear of the existing north-eastern drainage channel ensure that the proposed development maintains a tolerable risk from flood for a 1% AEP event (climate change inclusive).*

The overall stormwater infrastructure has been designed to accommodate the expected 1% AEP levels for overland flow, and the 5% AEP levels for the reticulated networks.

The NCC requires habitable buildings to achieve minimum finished floor levels of 300mm above the defined flood level for a 1% AEP event. Part 3.4.1 of the NCC also specifies minimum clearances between the underside of floor joists and natural ground level for ventilation.

This generally ranges between 300mm to 400mm of clearance between the ground and the bottom of the joists. The client has confirmed that in addition to the joist clearance, all dwelling types will have finished floor levels 150mm – 200mm above this, providing a total vertical clearance between 450mm to 500mm above natural ground level.

This complies with the required clearance above the defined (max.) flood level of 0.2m + 300mm freeboard across the overland flow path.

### 7.5.3 Subdivision Standards

As per Clause 12.4.1 (d), the consolidation of lots is exempt from the Code.

However, a response to Clause C12.7.1 has been provided in the accompanying Flood Hazard Report.

## 7.6 BUSHFIRE PRONE AREAS CODE

### 7.6.1 Use Standards

***C13.5.1 – Vulnerable uses***

***Objective:*** *That vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.*

**SCHEME REQUIREMENTS**

***P1 -*** *A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:*

*(a) the location, characteristics, nature and scale of the use;*

*(b) whether there is an overriding benefit to the community;*

*(c) whether there is no suitable alternative lower-risk site;*

*(d) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and*

*(e) other advice, if any, from the TFS.*

**RESPONSE**

**Complies with P1**

An emergency management strategy and bushfire hazard management plan has been prepared and accompanies the application. The BHMP demonstrates a tolerable level of risk can be achieved, with all buildings able to achieve BAL-19, as required under AS 3959.

With regard to P1(a) the proposal results in the expansion of the existing Clarence Lifestyle Village, which is already well established.

The location of the site adjacent to the East Derwent Highway and the relatively sparse development density to the south, west and north (aside from the Discovery Holiday Park) also serves to potentially reduce the risk of bushfire. Whilst the lots to the west are heavily vegetated, there are several access roads and trails which ensures a high level of access to these areas for firefighting purposes.

The risk associated with the existing village has previously been determined to be tolerable and better management of the site related to bushfire hazard management provides benefit to the Lifestyle Village, as well as the broader community.

With regard to P1 (b), the existing Lifestyle Village already provides a significant community benefit, by providing affordable retirement living options within Greater Hobart, for which there is high demand. The proposed expansion will value add to the existing community, whilst also providing additional units for prospective future residents.

**P1(c)** 647 East Derwent Highway provides the only logical and practical location for the proposed expansion – given that the site:

- directly adjoins the existing lifestyle village; and
- does not contain substantial existing vegetation (which would otherwise need to be cleared).

Based on the above, there is no alternative lower-risk site.

**P1(d)** please refer to the accompanying emergency management plan and bushfire hazard management plan.

**(e)** n/a.

The proposal complies with P1.

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***A2 –*** *An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.*

***A3 –*** *A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.*

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**RESPONSE**

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**Complies with A2**

A BHMP emergency management plan has been prepared and certified by the TFS. A copy is provided within the submitted BHMP, which has been prepared/certified by an accredited person.

### 7.6.2 Development Standards for Subdivision

***C13.6.1 - Provision of hazard management areas***

***Objective:*** *That subdivision provides for hazard management areas that:*

*(a) facilitate an integrated approach between subdivision and subsequent building on a lot;*

*(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and*

*(c) provide protection for lots at any stage of a staged subdivision.*

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**SCHEME REQUIREMENTS**

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***A1 –***

*(a) ...*

*(b) The proposed plan of subdivision:*

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*(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;*

*(ii) shows the building area for each lot;*

*(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas; and*

*(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and*

*(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.*

***P1 -** A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:*

*(a) the dimensions of hazard management areas;*

*(b) a bushfire risk assessment of each lot at any stage of staged subdivision;*

*(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;*

*(d) the topography, including site slope;*

*(e) any other potential forms of fuel and ignition sources;*

*(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;*

*(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and*

*(h) any advice from the TFS.*

**RESPONSE**

**Complies with A1**

**A1(b) (i)** The subdivision component of this application is limited to the consolidation of two existing titles. 2 Piper Road supports the established portion of the Lifestyle Village, whilst 647 East Derwent Highway supports the proposed expansion.

**A1(b)(i)** & **(ii)** The application is accompanied by a Bushfire Hazard Management Plan, which includes a site plan showing the layout of the expansion and extent of the existing village. The plan includes existing/proposed dwelling sites which effectively constitute 'building areas'.

The accompanying BHMP illustrates all parts of the site subject to bushfire, noting the established portion of the village is managed under a separate BHMP.

**(iii)** & **(iv)** The BHMP includes a BAL assessment and hazard management areas, confirming that all dwelling sites within the consolidated lot achieve the required rating of BAL-19.

The plan has been prepared by an accredited person, as defined under the *Fire Service Act 1979*.

**(c)** Hazard management is not required on any land external to the site.

***C13.6.2 Public and fire fighting access***

***Objective:*** *That access roads to, and the layout of roads, tracks and trails, in a subdivision:*

*(a) allow safe access and egress for residents, fire fighters and emergency service personnel;*

*(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;*

*(c) are designed and constructed to allow for fire appliances to be manoeuvred;*

*(d) provide access to water supplies for fire appliances; and*

*(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.*

**SCHEME REQUIREMENTS**

***A1 –***

*(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or*

*(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:*

*(i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and*

*(ii) is certified by the TFS or an accredited person.*

**...**

**RESPONSE**

**Complies with A1**

The internal vehicular access arrangements are for private vehicles and visitors only. As such, it does not meet the definition of a road(s), which comprises land over which the general public has permanent right of passage.

As outlined in the Bushfire Hazard Management Plan & Report, the primary access to the lot is via Piper Road which is a sealed public road. All accesses demonstrate likely compliance with Part 2.3.2 of the Director's Determination – Bushfire Hazard Areas and Table 2, B and D - Refer to the Certified Bushfire Hazard Management Plan Specification Notes and/or **Appendix A** – for details/specification.

Within the property boundaries, the access to the perimeter of the building is to be provided to facilitate fire-fighting to attempt to defend the building and to allow reasonable egress for residents.

***C13.6.3 Provision of water supply for fire fighting purposes***

***Objective:*** *That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.*

**SCHEME REQUIREMENTS**

***A1 –*** *In areas serviced with reticulated water by the water corporation:*

*(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;*

*(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or*

*(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.*

***P1 –*** *No performance criteria.*

**RESPONSE**

**Complies with A1**

As outlined in the Bushfire Hazard Management Plan, Fire fighting vehicles will be able to enter the property and utilise the proposed reticulated hydrant water supply system for fire-fighting purposes.

The system is to be in accordance with the Deemed to Satisfy requirements of part 2.3.3 of the Directors Determination – Bushfire Hazard Areas and Table 3A, all parts – Refer to the Certified

Bushfire Hazard Management Plan Specification Notes and/or **Appendix A** – for detailed requirements.

Compliance certification for the existing hydrant system meeting the Directors Determination – Bushfire Hazard Areas, Table 3A all parts is to be provided to the Building Surveyor prior to Building Occupancy.

# 8. SUMMARY

This application is for a combined permit and amendment and has been prepared under Section 40T of the *Land Use Planning and Approvals Act 1993*.

The application has been facilitated by the amendment to the Urban Growth Boundary, which now includes the site and recognises the existing urban development in this area.

The format of the amendment includes rezoning of the subject site (2 Piper Road & 647 East Derwent Highway) from Rural Living to Particular Purpose Zone – Clarence Lifestyle Village under the *Tasmanian Planning Scheme – Clarence*.

The proposed Particular Purpose Zone provides use/development standards which are specifically tailored to acknowledge the built form and character of the existing lifestyle village and applies those principals to the proposed expansion. The basis for developing a PPZ in-lieu of the General Residential Zone is outlined in section 1.5 of this report.

The proposal brings the existing and proposed development into greater conformity with the planning scheme and relevant considerations under LUPPA and the Regional Land Use Strategy, whilst avoiding conflicts that were present in the original application, which proposed a rezoning and Specific Area Plan.

The expansion of the Lifestyle Village will provide additional, much needed retirement living options for Tasmania's ageing population - catering for a specific demographic, without jeopardising existing and future supply of General and Inner Residential land – which is more suited to general residential use/development and a wider demographic. Each dwelling type reflects the existing floor area and design characteristics evident within the established village, retaining and enhancing the character of the village – whilst providing appropriate levels of amenity and support.

The amendment has been assessed against the relevant criteria under the following statutory/strategic documents:

- Southern Tasmania Regional Land Use Strategy
- City of Clarence Strategic Plan; and
- All relevant State Policies.

The proposal has also been assessed against the objectives and requirements of the *Land Use Planning and Approvals Act 1993*.