



LOCAL PROVISION SCHEDULE REQUEST

PDPSAMEND-2025/054641

PROPOSAL: Rezoning from General Residential Zone to Local Business Zone

LOCATION: 113, 115, 117, and 119 East Derwent Highway, Lindisfarne

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 26 November 2025

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 26 November 2025. In addition, plans and documents can also be viewed and downloaded at www.ccc.tas.gov.au until 26 November 2025.

Any person may make representations about the application to the Chief Executive Officer, by writing to PO Box 96, Rosny Park, 7018 or by electronic mail to clarence@ccc.tas.gov.au. Representations must be received by Council on or before 26 November 2025.

To enable Council to contact you if necessary, would you please also include a day time contact number in any correspondence you may forward.

Any personal information submitted is covered by Council's privacy policy, available at www.ccc.tas.gov.au or at the Council offices.

PDPSAMEND-2025/054641

113, 115, 117, and 119 East Derwent Highway, Lindisfarne

Rezoning from General Residential Zone to Local Business Zone

Documents being advertised in accordance with sections 40H of the *Land Use Planning and Approvals Act 1993*.

- Copy of the draft certified amendment
- Copy of the planning application form
- Copy of the supporting documentation to the planning application.



Tasmanian Planning Scheme - Clarence Draft Amendment



AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING PDPSPAMEND-2025/054641

To amend the Tasmanian Planning Scheme - Clarence Local Provision Map by rezoning 113 - 119 East Derwent Highway, Lindisfarne from General Residential Zone to Local Business Zone.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HEREUNTO AFFIXED, THIS **22nd** DAY OF **October** 2025, PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE 20th DAY OF OCTOBER 2025, IN THE PRESENCE OF



HEAD OF GOVERNANCE

Scale 1:1,000 (at A4)

Clarence City Council

APPLICATION FOR PLANNING SCHEME AMENDMENT



Clarence... a brighter place

*The personal information on this form is required by Council for the amendment of a planning scheme under the Land Use Planning and Approvals Act 1993. We will only use your personal information for this and other related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time. How we use this information is explained in our **Privacy Policy**, which is available at www.ccc.tas.gov.au or at Council offices.*

Amendment
Details:

Type of Amendment:

Change to Maps

☒

Change to Ordinance

☐

Description of Amendment:

Rezone to Local Business

Personal Information Removed

Applicant:

Declaration:

Applicant's
Signature:

PLEASE SEE CHECKLIST OVER PAGE /...

Clarence City Council

PLANNING SCHEME AMENDMENT CHECKLIST



To ensure that we can process your application as quickly as possible, please read the following checklist carefully and ensure that you have provided all the necessary information. If you are unclear on any aspect of your application, please contact our Development Appraisal Officers on 62179550 to discuss or arrange an appointment concerning your proposal.

All requests for Amendments require the following to be provided at the time of submitting the application. However, upon assessment, it may be necessary for additional information to be further requested.

- ☒ A completed Application for Planning Scheme Amendment form. Please ensure that this form is completely filled out with the applicant's correct address and contact details, is signed and dated.
- ☒ 2 copies of a written submission supporting the amendment including:
 - Detailed description of the requested amendment identifying the extent of its application.
 - Consideration of the Objectives of the Land Use Planning and Approvals Act 1993.
 - Consideration of the relevant provisions of the Planning Scheme such as the Intents, Development Principles, Objectives and detailed provisions of the zone.
 - Strategic impact of the proposal such as alternative uses, flow on development and cumulative impacts.
- ☒ A current copy of the Certificate of Title of all properties involved (if applicable) containing the:
 - Search Pages.
 - Plans, Sealed Plans or Diagrams.
 - Any Schedules of Easements, Covenants, Council Notifications, and Conditions of Transfer.
- ☒ Application fees. (please phone 62179550 to determine what fees apply)



Planning Report

113-119 East Derwent Highway, Lindisfarne

Section 37 Application to Rezone to Local Business



5 August 2025

Version Control			
Version	Author	Date	Changes
	Frazer Read	5/8/2025	

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1. Executive Summary

The proposal is for a planning scheme amendment pursuant to Section 37 of the *Land Use Planning and Approvals Act 1993* (the Act). The amendment affects four separate titles at 113, 115, 117 and 119 East Derwent Highway, Lindisfarne and seeks to amend the Clarence Local Provisions Schedule of the Tasmanian Planning Scheme (Planning Scheme).

The amendment proposes to rezone the land from General Residential to Local Business to reflect its strategic location between existing Local Business zoned land to the north and south. The rezoning is supported by a proof-of-concept design for a three-storey mixed-use development comprising ground floor food and retail tenancies with upper-level residential apartments. The concept incorporates 70 on-site car parking spaces and proposes upgraded access arrangements to both East Derwent Highway and Ballawinnie Road

This proof-of-concept does not form part of a combined application under Section 40T of the Act but is intended to demonstrate the site's suitability for a typical form of development permissible under the proposed Local Business Zone.

The proposal is supported by a Traffic Impact Assessment and concept architectural plans and responds to the site's immediate commercial and community context, excellent public transport accessibility, and proximity to established centres.

2. Introduction

All Urban Planning Pty Ltd has been engaged by Livadi Investments Pty Ltd to prepare this planning report in support of a proposed amendment to the Clarence Local Provisions Schedule of the Tasmanian Planning Scheme, pursuant to Section 37 of the *Land Use Planning and Approvals Act 1993* (the Act).

The amendment seeks to rezone four contiguous titles at 113–119 East Derwent Highway, Lindisfarne (CTs 75763/1, 75763/2, 75763/3 & 75763/4), from General Residential to Local Business. The land is strategically located between two existing Local Business zoned nodes and presents a logical and serviceable location for expansion of the local activity centre.

To demonstrate the suitability of the land for the intended zoning and the type of development it could accommodate, the application is accompanied by a proof-of-concept design prepared by JAWS Architects. The concept includes a three-storey mixed-use development with ground-floor retail and food services tenancies, upper-level residential apartments, and 70 on-site car parking spaces with upgraded vehicle access to East Derwent Highway and Ballawinnie Road.

This concept does not form part of a combined application under Section 40T of the Act. Rather, it is provided to support the strategic merit of the rezoning by illustrating the scale, form, and intensity of development permissible under the Local Business Zone.

The Council may initiate and certify the proposed amendment to the Scheme if it is satisfied that it is consistent with the LPS criteria set out under Section 34(2) of the Act.

Accordingly, to support this Amendment, this assessment has been prepared to:

- Provide the rationale for the proposed amendment
- Detail the site and the surrounding uses
- Provide a full description of the proposed planning scheme amendment
- Demonstrate that the application will further the objectives set out in Schedule 1 of the Act
- Demonstrate that the proposal is in accordance with the State Policies
- Demonstrate that the proposal is as far as practical consistent with the Southern Tasmania Regional Land Use Strategy (STRLUS)
- Consider the Council's strategic plan prepared under section 66 of the Local Government Act
- Demonstrate that the proposal will not impact on the safety requirements of the Gas Safety Act 2019

There are no relevant Tasmanian Planning Policies at the time of this application.

2.1 Title Information & Owners Consent

The proposed planning scheme amendment relates to the following land:

Address	Certificate of Title	Area	Owner
113 East Derwent Highway	75763/4	756 m ²	Livadi Investments Pty Ltd
115 East Derwent Highway	75763/3	756 m ²	Livadi Investments Pty Ltd

117 East Derwent Highway	75763/2	756 m ²	Livadi Investments Pty Ltd
119 East Derwent Highway	75763/1	680 m ²	Livadi Investments Pty Ltd

The application is accompanied by owner's consent in Appendix A.



Figure 1– Site Plan (source annotated from theList)

2.2 Site & Surrounds

The proposal relates to four contiguous titles at 113–119 East Derwent Highway, Lindisfarne (CT 75763/4, 75763/3, 75763/2 & 75763/1), with a combined area of 2948m². Each title is occupied by a single dwelling. Constructed in the 1950s and 1960s, the existing dwellings are dated and provide a poor standard of accommodation. The property owner advises that the properties have major hydraulic issues, do not meet acceptable thermal and sound proofing standards, do not warrant further capital expenditure and are deemed to be at the end of their economic life. The houses are each positioned centrally on each of their titles and therefore fail to optimise the development potential of the land for both the existing and proposed zoning.

The site offers prominent frontage to the East Derwent Highway, a major arterial road providing direct access to Rosny Park, Lindisfarne, and Hobart's broader metropolitan area.

The site's immediate and broader context is characterised by a mix of residential, commercial, educational, and recreational uses, reinforcing its strategic potential for future mixed-use development.

Immediate Context

- South: Directly adjoining the site is a service station at 109 East Derwent Highway, zoned Local Business.
- North: Across Ballawinnie Road, a small shopping centre is located at 121–125 East Derwent Highway, also zoned Local Business.
- Northwest: The site shares a boundary with the Freemasons aged care facility and independent living units, situated within the General Residential Zone.
- East (across East Derwent Highway): The recreational grounds of Lindisfarne Primary School, adding to the site's strong community setting.
- West: Beyond adjacent residential properties lies Lindisfarne Bay, with extensive public open space and recreational amenities located approximately 250 metres away.

Broader Context and Key Destinations

Recreation and Open Space:

- The Esplanade shared pedestrian and cycleway provides high-quality active transport links along the foreshore.
- Matthew Simmons Park is located approximately 120 metres to the north.
- The Lindisfarne Sailing Club, Rowing Club, and the Motor Yacht Club of Tasmania are located along the shores of Lindisfarne Bay.
- Lindisfarne Memorial Park and Lindisfarne Oval offer major recreational facilities to the west at Lindisfarne Point.

Commercial and Service Centres:

- The Lindisfarne Shopping Village (General Business Zone) is located approximately 1km northwest, across Lindisfarne Bay.
- An additional Local Business zoned node exists at the intersection of East Derwent Highway and Gordons Hill Road.
- The Rosny Park CBD is approximately 2.5km to the south.

Regional Context:

- The Hobart CBD is approximately 4.5 kilometres southwest, across the River Derwent, providing access to the broader range of regional services and employment.

Public Transport and Connectivity

The site is highly accessible by public transport, being located directly on a major transit corridor. Bus Stops 2316 and 2349 are both located within 100 metres of the site along the East Derwent Highway, offering frequent services to Rosny Park, Hobart CBD, and surrounding suburbs. This connectivity further supports the site's suitability for increased commercial and mixed-use development by promoting sustainable transport options for future residents, workers, and visitors.

Strategic Advantages

The site benefits from:

- Immediate adjacency to existing Local Business zoning;
- Close proximity to key recreational amenities, schools, and residential catchments;
- Excellent road and public transport access;
- Strong connectivity to district-level and regional centres.

Collectively, these factors reinforce the strategic justification for rezoning the site to support a mixed-use development outcome.

3. Demographic and Retail Activity Lindisfarne

3.1 Overview

Retail and commercial activity along the East Derwent Highway and within the surrounding catchment has not kept pace with the substantial growth in residential development over the past 25 years.

Roadside commercial development along this corridor has remained largely unchanged, with the total gross building area remaining at approximately 5,257m². Lindisfarne Village, the nearest established activity centre, is fully occupied and offers no meaningful opportunity for expansion beyond one small vacant tenancy (see Table 1 below).

Over the same period, the combined population of Lindisfarne, Rose Bay, Geilston Bay and Risdon Vale has increased by approximately 40%, and traffic volumes on the East Derwent Highway have increased by around 25% over the past 17 years (see Tables 2 and 3).

To respond to this growth in population and movement, the proposal seeks to rezone approximately 2,948m² of land (comprising four titles) from General Residential to Local Business. The site offers a prominent 70-metre frontage to the East Derwent Highway and represents a logical expansion of existing commercial activity in the area.

The site is poorly suited to residential use, being located immediately adjacent to a service station and subject to elevated road exposure. These characteristics significantly reduce its amenity for ongoing or future residential occupation.

3.2 Catchment

The catchment for commercial services along this stretch of the East Derwent Highway, from the Tasman Bridge and Rose Bay through to Risdon Vale, is currently under-served. Despite being a major arterial route, this area provides only limited local business and retail offerings.

The primary suburbs expected to benefit directly from the proposed rezoning include Rose Bay, Lindisfarne, Geilston Bay and Risdon Vale. In addition, the proposal will generate flow-on benefits for the broader northern catchment served by the East Derwent Highway, including Otago, Old Beach and the Grasstree Hill area, particularly for northbound traffic movements.

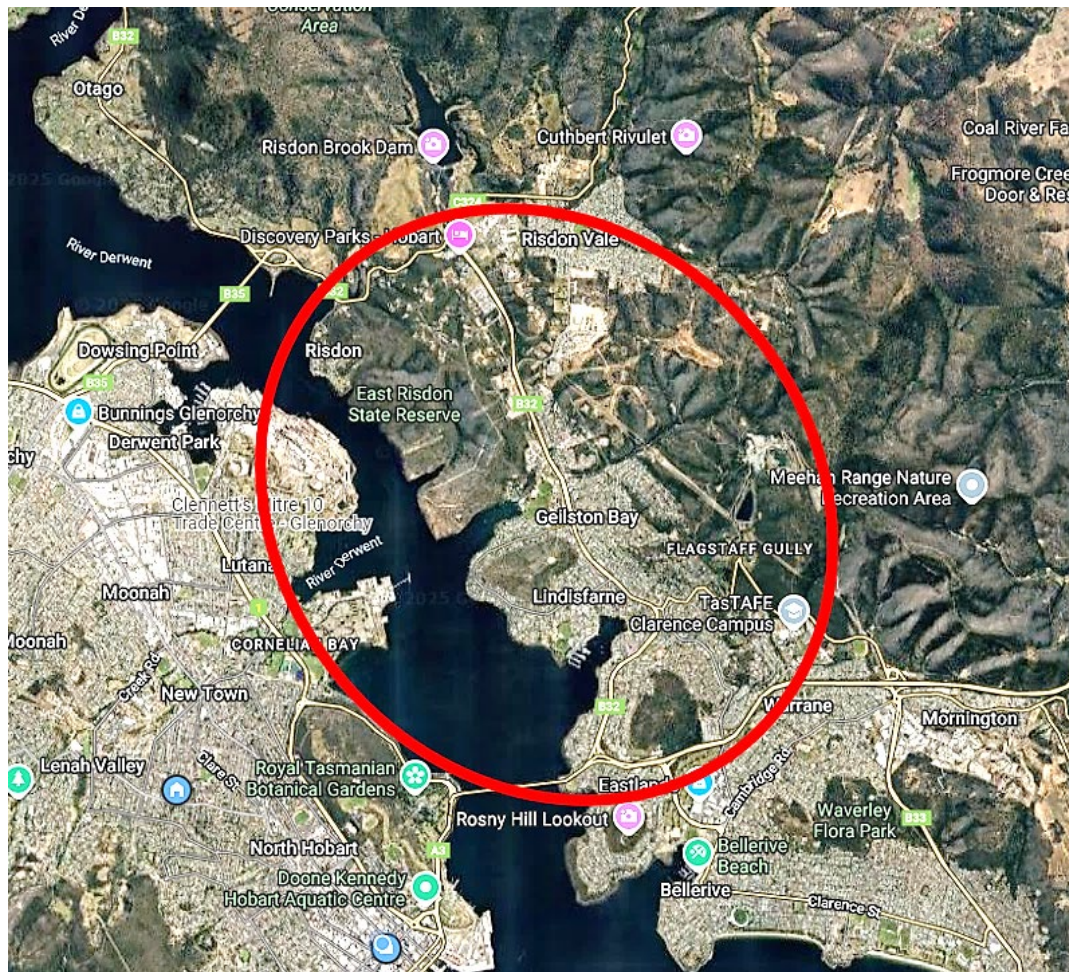


Figure 2 - Approximate market catchment Source: annotated map from [google.com/maps/](https://www.google.com/maps/)

3.3 Commercial development East Derwent Highway and Lindisfarne village

The Lindisfarne Village Neighbourhood Activity Centre has experienced negligible growth in commercial floor area over the past 25 years. The centre is effectively operating at capacity, with only one identified vacant tenancy (the former Baker's Delight premises) and no properties currently advertised for lease.

Opportunities for meaningful expansion of the centre have been limited, with no suitably zoned land available. Previous attempts at incremental expansion have occurred in a fragmented and ad hoc manner, often resulting in minor encroachment into adjacent residentially zoned areas, rather than delivering coordinated or strategic growth.

This lack of commercial land supply is increasingly out of step with the area's growing population base and the rising demand for local services and employment opportunities.

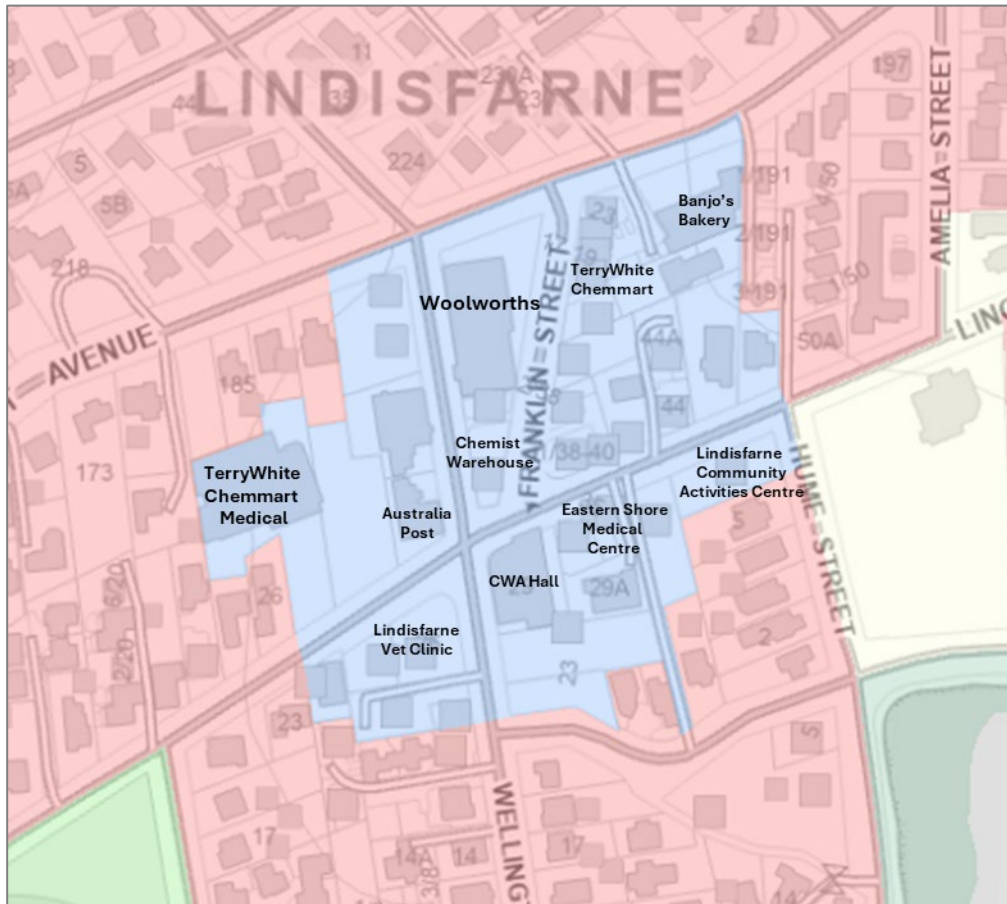


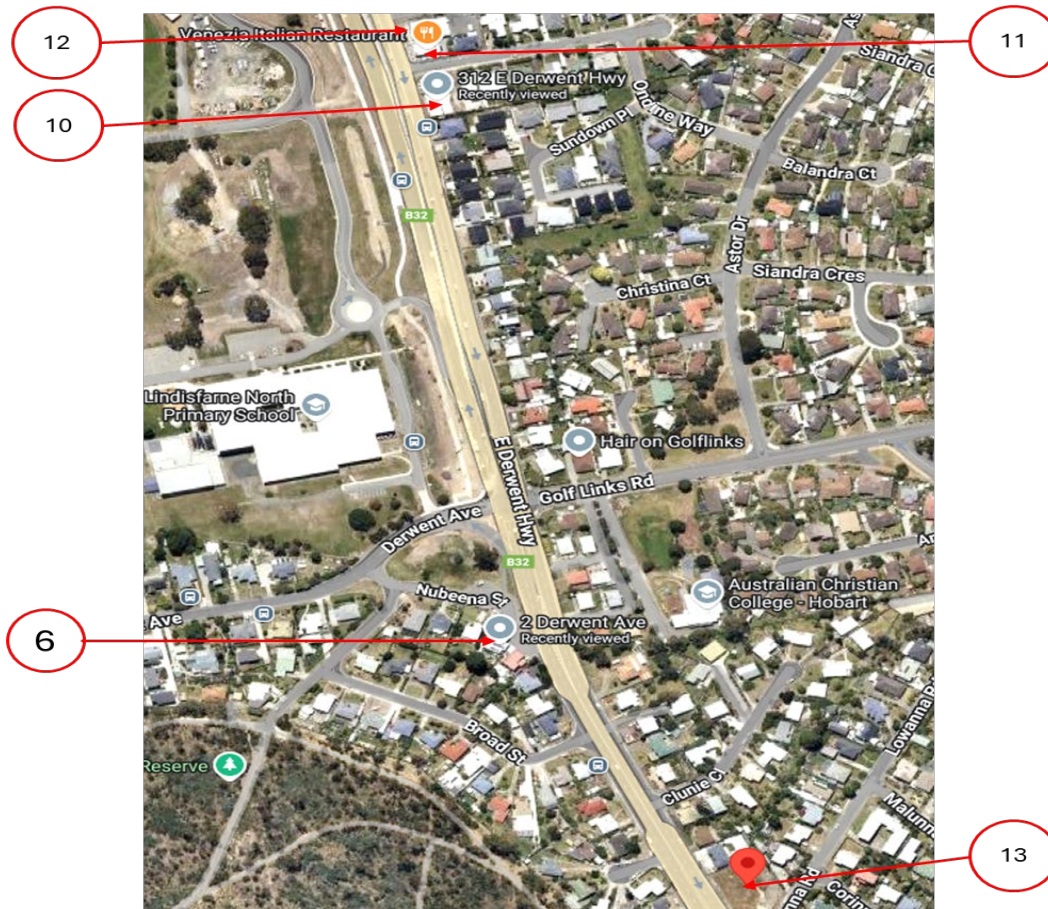
Figure 3 – Lindisfarne Village Uses (Source: <https://portal.planbuild.tas.gov.au/external/enquiry>)

Commercial floor area along the East Derwent Highway has similarly remained largely unchanged over the past 25 years, with a total gross floor area of approximately 5,257m². Notably, over 55% of this total is occupied by the Beltana Hotel (1,510m²) and two service stations, highlighting the limited extent of general retail or commercial tenancies. The commercial floorspace along this corridor is currently comprised of the following:

Map	Address	Title Reference	Zoning	Land Area (sqm)	Building Area (sqm) approx	Year of Construction
Western Side – East Derwent Highway						
1	Ampol Service Station 109 East Derwent Highway	248985/1	Local Business	1518	235	NA
2	IGA Supermarket 121 – 125 East Derwent Highway	197988/1	Local Business	2013	710	NA
3	Spencer's Hobart Cafe 1/145 East Derwent Highway	175901/1	Local Business	325	325	1954
4	Enhanced Hair & Beauty Salon 2/145 East Derwent Highway	175901/2	Local Business	344	344	1954

5	Lindisfarne Service Centre 149 - 153 East Derwent Highway	77546/4, 77546/3	Local Business	1517	255	1955
6	Geilston Bay Shops 2 Derwent Ave, Geilston Bay	75906/2	Local Business	607	76	1955
Eastern Side – East Derwent Highway						
7	Pep Pizza 136 East Derwent Highway	59677/2	Local Business	483	168	1949
8	Beltana Hotel 158-160 East Derwent Highway	6142/5	Local Business	4037	1510	1952
9	BP Service Station 166 East Derwent Highway	5149/1	Local Business	2184	774	NA
10	Eastern Shore Radiator 312 East Derwent Highway	63450/2	General Residential	559	172	1963
11	Venezia Pizza 314 – 316 East Derwent Highway	63450/3	Local Business	1057	310	1950
12	Paradizo Hair Salon 318 – 320 East Derwent Highway	229416/1	Local Business	557	258	1955
13	DA Approved – Caltex Service Station 238 East Derwent Highway	74293/11, 203368/1	Local Business	1622	120	-
Total					5257	

Table 1 Commercial Floor Spaces East Derwent Highway (Source: <https://portal.planbuild.tas.gov.au/external/enquiry>)



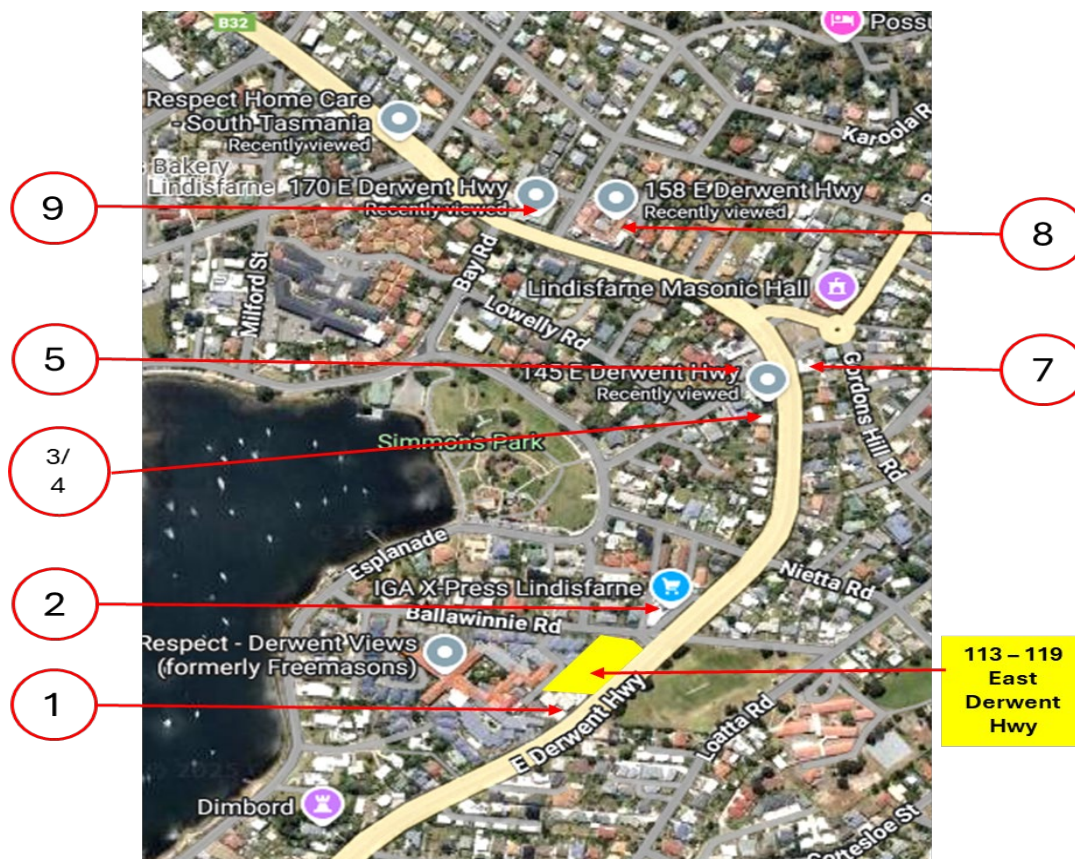


Figure 4 Existing Uses along East Derwent Highway (Source: <https://www.google.com/maps/>)

3.4 Population trends

Clarence has recorded the strongest population growth of any local government area within Greater Hobart over the past two decades. According to the Australian Bureau of Statistics, the population of Clarence was 61,531 in 2021 and is estimated to have reached approximately 63,973 in 2024. Projections indicate continued growth, with the population expected to reach 75,881 by 2055.

The Tasmanian Department of Treasury and Finance notes: “Clarence is projected to experience the largest increase in absolute numbers of persons, with a projected population increase of 12,218 persons over the period to 2053. This projection result is driven by the high level of internal in-migration.”

The suburbs within the immediate catchment of the subject site—including Lindisfarne, Rose Bay, Geilston Bay and Risdon Vale—are estimated to account for approximately 20% of Clarence’s total population. These areas have experienced steady population growth over the past 25 years, reflecting ongoing housing development and internal migration patterns.

Suburb	2025*	2021	2016	2011	2006	2001
Risdon Vale	3775	3,501	3,095	2,906	2,868	2,671
Geilston Bay	3626	3452	3221	3183	2974	2832
Lindisfarne - Rose Bay	7867	7830	7283	6715	5679	5570

	15,268	14,783	13,599	12,804	11,521	11,073
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Table 2 - *Estimated Population Growth 2001-2025- Source: <https://www.abs.gov.au/census/find-census-data/search-by-area>

The area is now underserved by convenience retail, offices, community, entertainment and other uses to compliment the expansion of the residential catchment.

Traffic Count

Traffic flows along the East Derwent Highway at the subject property have been also growing:

Annual Average Day Traffic	2024	2022	2018	2015	2009	2007
Traffic Count	19901	18800	19165	17068	16672	16.4k

Table 3 Traffic Counts East Derwent Highway - Source: https://tasmaniatrafficdata.drakewell.com/sitedashboard.asp?node=TAS_SHORT&cosit=0000A0029120

	Area	Approximate number of new residences & villa units	Vacant Available Building Blocks
1	Dumbarton Drive, Andreas Place	58	10
2	Annabella Court, Napier Street, Ellen Place	24	16
3	Clinton Road, Oscars Pl, Florelyn Terrace, Bellemont Court	268	5
4	Elaia Drive, Athena Drive, Peppercross Lane, Petra Drive, Elpida Street, Eonia Avenue, Meraki Way	192	90
5	Pipit Drive, Dealbeta Street, Bottlebrush Way, Triandra Avenue	25	93
	TOTAL	567	214

Table 4 - New Residential Development – 2000-2025 Source: <https://maps.thelist.tas.gov.au/listmap>

4. Existing Planning Controls

4.1 Zoning

The subject site currently comprises four titles zoned General Residential under the planning scheme (see Figure 5 below). The zoning in the immediate vicinity includes:

North - Local Business Zone

Across Ballawinnie Road is a small shopping centre (121–125 East Derwent Highway), zoned Local Business.

This establishes a northern commercial anchor to the rezoning proposal.

South - Local Business Zone

Immediately adjacent to the south at 109 East Derwent Highway is a service station, also zoned Local Business.

This creates a southern commercial anchor, framing the subject land between existing business zones.

West - General Residential Zone

The site shares a boundary to the northwest with the Freemasons aged care facility and independent living units, within the General Residential Zone.

Further west is Lindisfarne Bay and significant public open space and recreational amenities.

East (across the highway) - Community Zones / Open Space Use

Directly opposite the site is Lindisfarne Primary School, whose recreational grounds face the subject land. This land would likely fall under Community Purpose Zone or similar.

Broader Area

Lindisfarne Shopping Village (approx. 1 km northwest): Zoned General Business Zone.

Rosny Park CBD (approx. 2.5 km south): Zoned Principal Activity Centre Zone, a major regional centre.

Additional Local Business zoning exists to the south near the intersection of East Derwent Highway and Gordons Hill Road.

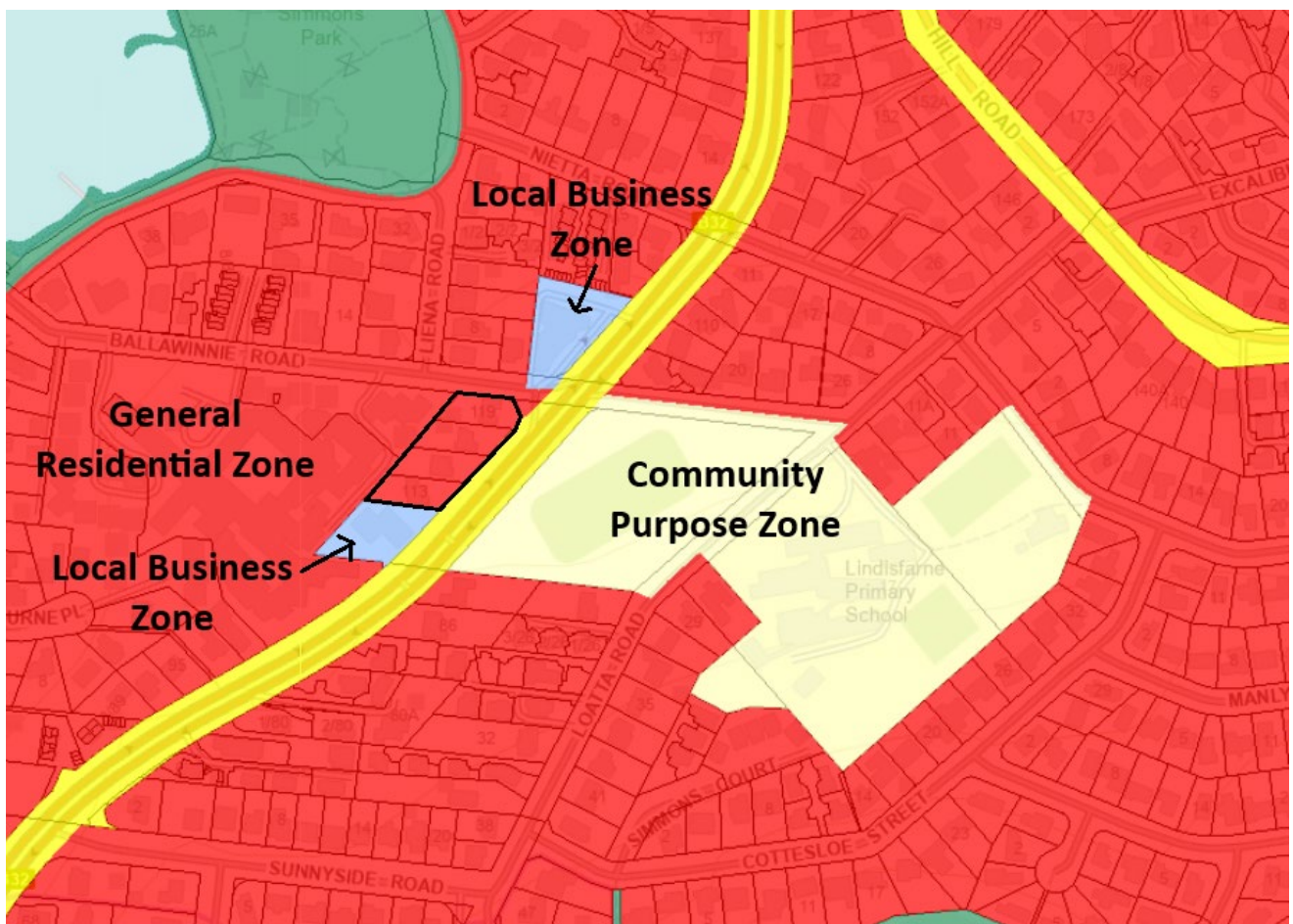


Figure 5 - Existing Planning Scheme Zoning (Source: annotated zoning plan from theLlist)

Limitations of the existing General Residential Zoning

The current General Residential Zone is primarily intended for low to medium density housing. While appropriate in residential neighbourhoods, it presents a number of limitations for the subject site in this context:

Incompatible with Surrounding Development Pattern

While the East Derwent Highway is generally aligned by detached residential development, these dwellings are all subject to diminished residential amenity due to high traffic volumes, vehicle noise, and proximity to a major arterial road.

However, the subject site is unique in that it is fully enclosed by non-residential uses:

- To the north: Local Business zoned land with a shopping centre;
- To the south: A service station (Local Business Zone);
- To the west: Aged care and retirement living;
- To the east: A school and arterial road corridor.

In this context, the residential amenity typically expected under the General Residential Zone cannot reasonably be achieved. The site is more appropriately considered part of a transitional commercial interface, rather than a conventional residential street environment.

Restricted Land Use Flexibility

The General Residential Zone limits commercial uses and does not support a mix of uses or higher-density residential forms that respond to the site's arterial road location and commercial surrounds. Uses such as food and drink premises, consulting rooms, or retail shops are either prohibited or tightly constrained—limiting the site's contribution to neighbourhood services and employment.

Undervalues Strategic Transport and Service Access

The site is directly serviced by frequent public transport, a signalised pedestrian crossing, and has dual street frontages to both East Derwent Highway and Ballawinnie Road. The General Residential Zone does not encourage intensification in such well-connected locations, representing a missed opportunity to optimise urban infrastructure and support sustainable transport outcomes.

Interface and Design Inefficiencies

Under the General Residential Zone, development would be required to buffer itself from surrounding commercial uses, rather than integrate with them. This creates challenges in delivering privacy, acoustic amenity, and a cohesive neighbourhood character. In contrast, the Local Business Zone would allow a purpose-designed outcome that manages these interfaces more effectively.

Strategic Context Summary

In summary, the existing General Residential zoning is considered suboptimal and unduly restrictive given the site's characteristics and strategic context. The land:

- Is entirely surrounded by non-residential uses;
- Is subject to arterial road conditions that significantly reduce residential amenity;
- Occupies a strategic location between established Local Business zoned precincts; and
- Is well-connected to public transport and supported by nearby community infrastructure.

Rezoning the land to Local Business would provide a more appropriate planning response by enabling a purpose-designed mixed-use development that reinforces the surrounding urban structure, supports local service provision, and avoids land use conflict with sensitive residential interfaces.

4.2 Codes

The site is within the following mapped code overlays:

- East Derwent Highway attenuation area under the Road and Railway Assets Code
- Airport obstacle limitation area (not relevant to this proposal)
- Flood Prone Areas (blue hatched areas)



Figure 6- Planning Scheme Code Overlays (Source: theList)

4.3 Transport and Access

The transport and access considerations of the land are set out in the accompanying Traffic Impact Assessment prepared by Midson Traffic and are summarised as follows:

Existing Access Arrangements

The site currently comprises four residential titles, each with individual driveway access to East Derwent Highway. There are a total of five separate vehicle crossings, including two at 119 East Derwent Highway and one each at the remaining properties. All driveways operate as two-way access points, with no dedicated turning areas. As a result, vehicles must reverse either onto or off the highway, creating safety and operational concerns, particularly in the context of high traffic volumes and limited sight distances.

Road Network and Traffic Context

East Derwent Highway

The East Derwent Highway is a key arterial route in Greater Hobart's transport network and is classified as a Category 3 road under the Department of State Growth's road hierarchy. The highway comprises a four-lane divided carriageway in the vicinity of the site, with two northbound lanes running immediately adjacent to the site. The posted speed limit is 60 km/h, having recently been reduced from 70 km/h in this section to enhance safety and urban integration.

Traffic volumes along East Derwent Highway are substantial, with the section near the site carrying approximately 19,900 vehicles per day. The northbound carriageways, which front the site, accommodate around 10,000 vehicles per day, with peak hourly flows of up to 2,000 vehicles per hour. These volumes confirm the highway's role as a significant commuter and freight route connecting Lindisfarne, Rosny Park, and the broader eastern shore to the Hobart CBD.

A signalised pedestrian crossing is located immediately adjacent to the site, supporting safe pedestrian movement across the highway and improving access to nearby bus stops and community facilities. While this enhances walkability, it also underscores the need for well-planned vehicle access that avoids conflict with active transport users.

Ballawinnie Road

Ballawinnie Road is a local access street that intersects the East Derwent Highway at the site's northern boundary. It provides access to the adjacent shopping centre, the Freemasons aged care facility, and surrounding residential properties. The road has a sealed width of approximately 8.5 metres, includes footpaths on both sides, and is subject to the default urban speed limit of 50 km/h.

It carries a traffic volume in the order of approximately 1,000 vehicles per day, with higher traffic activity near the access to the shopping centre adjacent to East Derwent Highway. Its geometry and volume profile make it a logical complement to a restructured access strategy that separates entry and exit movements across the two road frontages.

4.4 Flora and Fauna

The land exists as four private suburban gardens and does not contain significant flora or fauna values.

4.5 Sewer, Water and Stormwater

The land connects to existing reticulated public water, sewer and stormwater infrastructure.

5. Proof of Concept

5.1 Development Concept Summary

The proposed rezoning is supported by a mixed-use development concept across the consolidated site, as illustrated in Appendix B. This concept serves as a proof-of-concept for the proposed Local Business Zone and is intended to demonstrate the site's capacity to accommodate a typical mixed-use outcome consistent with the zone purpose. It is not submitted as part of a combined application under Section 40T of the Act. A detailed development proposal, accompanied by specialist technical reporting, would be lodged separately following the rezoning process.

The indicative design incorporates a mix of retail, commercial, and residential uses within a multi-storey built form that responds to the site's prominent highway frontage and its broader urban context.

Key Components

Ground Floor:

- Retail Tenancy 5: Approximately 200m² food services tenancy (e.g. café) fronting East Derwent Highway.
- Lift and stair access.
- 32 on-site car parking spaces.

Level 1:

- Four commercial tenancies ranging in size from approximately 92m² to 185m².
- Tenancies designed with active frontages to both East Derwent Highway and a central forecourt.
- 39 on-site car parking spaces.

Level 2:

- Eight residential apartments, including:
 - 7 × 2-bedroom apartments (approx. 98m² each).
 - 1 × 3-bedroom apartment (approx. 110m²).
- All apartments feature open-plan living areas, private balconies, and lift access.

Design Intent

- **Built Form:** A contemporary, low-to-mid-rise design that steps up from street level and is sensitively scaled to respect the site's interface with adjoining residential development.
- **Sustainability:** Opportunities are identified for the integration of sustainable design measures including bike storage, efficient building systems, and passive solar design principles.

5.2 Alignment with Rezoning and Development Objectives

The mixed-use proof-of-concept supports the strategic intent and purpose statements of the Local Business Zone by:

- Promoting active street frontages to East Derwent Highway through ground-level retail and food services tenancies;
- Expanding the local retail and service offering to meet growing demand within the catchment;
- Providing a diversity of housing options in a well-located, transit-accessible urban setting;
- Delivering appropriate levels of on-site car parking, supplemented by high-frequency public transport access;
- Strengthening the site's integration within the wider network of commercial, community, and recreational facilities.

6. The Local Business Zone

The proposed rezoning to the Local Business Zone will provide a robust and flexible framework to guide future development on the site in a manner that is strategically aligned, appropriately scaled, and sensitive to surrounding uses. The following assessment of the proof-of-concept mixed-use development demonstrates that the planning scheme includes sufficient controls to ensure that future use and development will contribute positively to the local context and broader activity centre network.

6.1 Zoning Purpose and Intended Outcomes

The Local Business Zone purpose statements (Clause 14.1) aim to:

- Support business, retail, community and professional services that meet local needs;
- Maintain the integrity of the activity centre hierarchy;
- Encourage active street-level engagement; and
- Support upper-level residential and visitor accommodation, provided street-level vitality is preserved.

The proposed rezoning meets these objectives by enabling a form of development that:

- Provides ground-level retail and food services that activate the streetscape;
- Introduces residential apartments above, consistent with the zone's mixed-use intent;
- Reflects the site's strategic location between existing Local Business zoned land; and
- Promotes compact, walkable urban form along a key public transport corridor.

6.2 Use Class Assessment and Suitability

All proposed land uses shown in the proof-of-concept, food services, general retail and hire, business and professional services, and residential, are permitted or no permit required uses under the Local Business Zone, subject to compliance with applicable standards.

The planning scheme's Use Table and Use Standards provide clear guidance to manage operational hours, external lighting, and commercial vehicle movements, ensuring that future uses do not cause unreasonable amenity impacts. These standards are especially effective given that the subject site is surrounded by non-residential uses, meaning the potential for land use conflict is already low.

6.3 Development Standards for Buildings and Works

The proof-of-concept demonstrates that future development can meet key performance benchmarks relating to:

- Building height (maximum 9m permitted) and massing, responding to adjacent residential and commercial forms;
- Setbacks and interface design, including rear separation to the residential aged care facility;
- Design quality, including pedestrian entries, window coverage, and avoidance of blank walls;
- Privacy and amenity, through upper-level residential balconies and secure storage areas.

The Design Standards (Clause 14.4.3) will ensure a high-quality streetscape and passive surveillance, while fencing, lighting and plant equipment must be designed to protect visual and acoustic amenity.

6.4 Integration of Residential Uses

The planning scheme supports upper-floor dwellings in business zones to improve housing diversity in well-serviced locations. The proof-of-concept shows compliance with private open space and storage standards, and future development will need to demonstrate suitable acoustic and amenity protection—particularly given proximity to arterial road traffic.

6.5 Subdivision and Servicing

While no subdivision is proposed at this stage, future title consolidation or subdivision will be guided by clear standards under Clause 14.5. These ensure that any future lot:

- Has appropriate dimensions and area for development;
- Provides for safe vehicle access, consistent with the proposed redesign of access via East Derwent Highway and Ballawinnie Road; and
- Can be connected to reticulated water, sewer, and stormwater systems (as confirmed by existing service availability).

7. Planning Scheme Codes

The site is subject to a number of mapped overlays (Figure 3 above) and planning scheme codes. These codes operate alongside the provisions of the Local Business Zone and will ensure that future development is appropriately managed in relation to access, parking, infrastructure, amenity, environmental risks, and land use compatibility.

The codes provide a complementary layer of assessment that reinforces and strengthens the zone's performance-based framework. They ensure that the future mixed-use development can occur in a safe, efficient and contextually appropriate manner, in line with community expectations and planning objectives.

7.1 Signs Code

Any future signage will be subject to assessment under the Signs Code (C1.0). This will ensure that signage:

- Is appropriately scaled and located to maintain streetscape quality;
- Supports commercial activity while avoiding visual clutter;

- Avoids inappropriate lighting impacts to nearby residential use; and
- Aligns with the pedestrian-focused design principles encouraged in the Local Business Zone.

7.2 Parking and Sustainable Transport Code

The Parking and Sustainable Transport Code (C2.0) applies to all development and will guide the design of vehicle access, parking, and active transport facilities.

This code supports the Local Business Zone's intent to encourage pedestrian activity and flexible commercial tenancy arrangements, while ensuring appropriate levels of car, bicycle, and motorcycle parking are provided on-site.

Proof of concept compliance Overview:

The accompanying Traffic Impact Assessment confirms that the proposed parking and access arrangement of the proof of concept

- Commercial parking demand (36.5 spaces) is met with 44 spaces provided;
- Residential parking demand (18 spaces) is met with 27 spaces, including 3 visitor bays;
- Bicycle parking will be provided consistent with use class thresholds;
- Motorcycle parking (minimum 2 spaces) is included.

Future development will be guided by design standards that ensure:

- Safe and legible parking layout (per AS2890.1/2);
- Appropriate vehicle access locations to both East Derwent Highway and Ballawinnie Road;
- High-quality pedestrian connectivity and safety consistent with zone objectives.

The code will ensure that transport infrastructure supports the functional integration of commercial and residential uses, without compromising safety or efficiency.

7.3 Road and Railway Assets Code

The Road and Railway Assets Code (C3.0) will apply to future use and development due to the site's frontage to a major arterial road and the proposed introduction of new access points.

This code works in tandem with the Local Business Zone by ensuring that access and traffic impacts are appropriately managed for more intensive land uses, such as retail and food services.

Key Requirements and Responses:

- The preliminary Traffic Impact Assessment confirms that access design can be safe, functional, and consistent with road hierarchy roles;
- Access consolidation (reduction from 5 to 2 points) improves safety and efficiency;
- Future residential use within the mapped road attenuation area will be supported by an acoustic assessment to manage amenity.

Overall, the code supports the zoning objectives by allowing more intensive mixed-use activity while maintaining safe and efficient road function and residential amenity.

7.4 Flood-Prone Areas Hazard Code

The Flood-Prone Areas Hazard Code (C12.0) applies to the subject land as part of the site is identified within a mapped flood-prone hazard area. The extent of this overlay is illustrated in Figure 3 above and Council's 1% AEP flood mapping is shown in Figure 4 below.



Figure 4 – Clarence City Council 1% AEP Flood Mapping (Source: ccc.tas.gov.au)

Site-Specific Context

- The flood-prone area appears to relate to overland surface runoff from East Derwent Highway, particularly during significant rainfall events;
- There is no creek, formal drainage line or flood channel on the site;
- Flood behaviour is expected to involve minor sheet flow or localised ponding, rather than structured floodwater movement;
- The flood risk is therefore considered low to moderate and capable of being mitigated through appropriate site design.

Application of the Code

The Code requires assessment of new habitable or vulnerable uses, including the proposed residential apartments. To demonstrate compliance with the performance criteria under Clauses C12.5.1 and C12.6.1, the following measures will need to be considered as part of any future proposal for the land:

- Minimum finished floor levels for new buildings will be set at least 300mm above the expected flood level;
- Stormwater infrastructure will be designed to intercept and manage surface runoff;
- Driveways, car parks and landscaping will be designed to allow free flow of overland water and avoid redirection or ponding;
- Access and egress routes will be maintained during high rainfall events to ensure safe movement through and around the site.

Future development may be supported by a Flood Hazard Report, prepared by a qualified engineer, to confirm that the site can achieve a tolerable risk from a 1% AEP flood event, without reliance on off-site protection measures.

Comment

The Flood-Prone Areas Hazard Code provides a suitable mechanism to ensure that future use and development on the site is appropriately designed in response to localised flooding risk. The anticipated low-scale nature of the flood impact, indicates that compliance with the Code is likely to be readily achieved through design and stormwater management at the development application stage.

7.5 Potentially Contaminated Land Code

Given proximity to the adjacent service station, the Potentially Contaminated Land Code (C14.0) will apply to any proposal for sensitive use or excavation on the adjoining title at 113 East Derwent Highway that forms part of the site.

An Environmental Site Assessment will be required to:

- Demonstrate the land at 113 East Derwent Highway is suitable for any sensitive use; or
- Identify necessary remediation or management measures.

Subject to these controls the code will provide assurance that any land contamination risks will be properly identified and addressed in the redevelopment of the site.

7.6 Safeguarding of Airports Code

While the site is within an airport overlay, building heights allowable under the Local Business Zone will be well below the Obstacle Limitation Surface (OLS). As such, future development of the land is likely to be exempt from assessment under this code (Clause C16.4.1).

7.7 Summary of the Impact of Planning Scheme Code Standards

The planning scheme codes provide complementary provisions that will ensure that future development:

- Is appropriately serviced and accessed;
- Achieves a high level of safety and amenity;
- Responds to environmental and infrastructure constraints; and
- Is designed and operated in a manner that supports the Local Business Zone's core objectives of pedestrian activity, local service provision, and integrated residential uses.

The codes allow for flexibility and innovation in development outcomes while applying necessary safeguards and design guidance to maintain urban quality, public safety, and neighbourhood compatibility.

8. Amendment to Clarence Local Provisions Schedule

8.1 Proposed planning scheme amendment

The proposed planning scheme amendment is to apply the Local Business Zone to four contiguous titles at 113, 115, 117 and 119 East Derwent Highway, Lindisfarne as shown in Figure 4 below.



Figure 7 - Proposed rezoning to Local Business

9. Strategy

9.1 Southern Tasmanian Regional Land Use Strategy

The proposal is considered against what are considered the most relevant Regional Policies of the Southern Tasmania Regional Land Use Strategy (STRLUS) as follows:

Activity Centres (AC)

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

Assessment:

The proposed rezoning supports the development of a vibrant mixed-use node on an existing public transport corridor within a walkable, serviced residential neighbourhood. The concept design provides food services, retail, and professional tenancies alongside upper-level residential apartments, reinforcing social interaction and convenience-based services within a consolidated, well-located activity centre environment.

AC 1.1 – *Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.*

Assessment:

The proposal supports the Activity Centre Network by extending and consolidating the Local Business zone already present on both sides of the site (at 109 and 121–125 East Derwent Highway). It facilitates the delivery of ground-level retail, business and food services within walking distance of local residents and aged care facilities, and directly opposite a signalised pedestrian crossing. Passenger transport is already established via high-frequency Metro routes.

It is considered that the proposed Local Business Zone complies and reinforces the intended network hierarchy.

AC1.2- *Utilise the Central Business, General Business, Local Business Zones to deliver the activity centre network through planning schemes, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.*

Assessment:

The application of the Local Business Zone is entirely appropriate for the Lindisfarne node. This level of the hierarchy supports neighbourhood-scale retail, food services, and community uses without compromising the function of higher-order centres such as Rosny Park (General Business) or the Hobart CBD (Central Business). The proposed uses, food and beverage, general retail, and business/professional services, align with those intended in Local Business Zones and the activity centre network.

Complies and is strategically consistent with zone-based delivery of the hierarchy.

AC 1.3 – *Discourage out-of-centre development by only providing for in-centre development within planning schemes.*

Assessment:

This proposal is not an “out-of-centre” development. Rather, it enhances and extends an established cluster of Local Business-zoned land. The site is directly adjacent to the existing service station at 109 East Derwent Hwy and opposite a small commercial centre at 121–125 East Derwent Hwy. The rezoning facilitates consolidation rather than fragmentation, consistent with the in-centre policy direction.

Complies and avoids creating new or unplanned activity nodes.

AC 1.4 – *AC 1.4 Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.*

Assessment:

The concept promotes community interaction through a combination of ground floor active uses (e.g. cafés, shopfronts) and pedestrian-friendly design elements including forecourts and direct links to bus stops and pedestrian crossings. The mix of retail and residential uses strengthens local patronage and surveillance, increasing community engagement and public safety.

Promotes neighbourhood identity, walkability, and vitality.

AC 1.10 - *Activity centres should encourage local employment, although in most cases this will consist of small scale businesses servicing the local or district areas.*

Assessment:

The development will support a range of small-scale commercial tenancies suited to local and district demand, including food and beverage, general retail and professional services. These provide opportunities for local ownership, entrepreneurship, and employment, consistent with the Local Business zone's purpose.

The proposed Local Business Zone will support sustainable employment close to where people live and is considered consistent with this Regional Policy.

AC 1.11 - *Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within planning schemes.*

Assessment:

The consolidation of four residential titles into a larger Local Business-zoned precinct introduces significant new capacity for commercial and mixed-use development in the Lindisfarne area. With 516 m² of commercial floorspace and 12 new residential apartments proposed in concept, the rezoning provides flexibility and room for future demand growth, particularly given ageing population trends and increasing interest in transit-accessible, walkable centres.

Enables longer-term incremental growth within a designated activity centre.

Assessment:

The proposed rezoning to Local Business Zone and the accompanying mixed-use concept are demonstrably consistent with all relevant Activity Centres policies of the Southern Tasmania Regional Land Use Strategy. The proposal strengthens the regional Activity Centre Network, promotes local jobs and services, avoids ad hoc expansion, and enhances the role of this neighbourhood activity centre.

Settlement and Residential Development (SRD)

Provide a sustainable and compact network of settlements with Greater Hobart at its core, that is capable of meeting projected demand.

Assessment:

The proposed Local Business Zone aligns with this overarching objective by:

- Providing for a compact and integrated form of residential and commercial development;
- Utilising fully serviced land within an established urban area of Greater Hobart;
- Reducing pressure on undeveloped or peripheral greenfield land; and
- Reinforcing a walkable, transit-accessible neighbourhood activity centre node.

The rezoning promotes efficient urban consolidation and sustainable growth patterns within Hobart's urban footprint.

SRD 2.1 – *Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.*

Assessment:

The inclusion of 12 upper-level residential apartments within the mixed-use concept constitutes *infill development* within an existing serviced residential and commercial area. The site is surrounded by established residential uses, schools, community infrastructure, and commercial services.

This development will contribute to the target of 50% infill housing within the Greater Hobart region, in line with the STRLUS growth strategy.

The proposed zoning supports the achievement of infill targets and compact settlement structure consistent with this Regional Policy.

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.*

Assessment:

The proposed proof of concept development includes:

- 10 × 2-bedroom apartments (approx. 98 m²), and
- 2 × 3-bedroom apartments (approx. 110–120 m²), designed with lift access and private balconies.

This sort of development represents a diversification of housing stock in an area largely characterised by detached single dwellings. The inclusion of accessible, medium-density apartments above commercial tenancies supports housing choices suited to:

- Downsizers and older residents;
- Small households; and
- People seeking housing close to shops, transport, and health services.

It is considered that the proposed Local Business Zone will promote housing diversity and support demographic transition.

SRD 2.10 *Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.*

Assessment:

This policy is not directly applicable to the subject site, which is not in a rural residential area. However, the rezoning proposal indirectly supports the intent of this policy by:

- Delivering higher-density residential development within the existing urban area;
- Demonstrating a viable model for consolidation and urban renewal in ageing or underutilised residential pockets near activity centres;
- Reducing pressure to redevelop rural residential areas by meeting some of the region's demand for medium-density housing through strategically located urban infill.

The proposed Local Business Zone indirectly supports broader consolidation goals and reduces pressure on peripheral land consistent with this Regional Policy.

Assessment:

The proposed rezoning and concept development are considered to strongly align with the Settlement and Residential Development policies of the STRLUS. The proposal contributes to infill growth, promotes a diversity

of dwelling types to respond to demographic trends, and exemplifies compact, mixed-use development that supports the regional settlement strategy for Greater Hobart.

Land Use and Transport Integration

LUTI 1 *Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.*

Assessment:

The site is located on a key transit corridor, serviced by high-frequency Metro Tasmania routes, and directly opposite a signalised pedestrian crossing. The integration of residential dwellings above commercial premises:

- Encourages non-car-based transport;
- Supports compact urban form;
- Provides transport options for both residents and workers consistent with STRLUS transport objectives.

Conclusion

The proposed rezoning is considered to strongly align with the relevant Regional Policies of the STRLUS, particularly those relating to activity centres, infill development, local employment, efficient infrastructure use, and integrated transport and land use planning. The site is strategically positioned to support the continued evolution of Lindisfarne as a local node, and the rezoning would facilitate a logical, sustainable, and regionally consistent land use outcome.

9.2 Clarence City Council Strategic Plan 2021-2031

The proposed Local Business Zone is considered to support and advance several key objectives of the Clarence City Council Strategic Plan 2021–2031, particularly across the following strategic goal areas:

A people friendly city

The proposal supports Objective 1.1, which seeks to “enhance the liveability of activity centres, community hubs and villages through urban design projects” by introducing an active mixed-use development with ground-floor commercial spaces and upper-level apartments in a walkable, serviced location.

A well-planned liveable city:

The proposed Local Business Zone supports Objective 2.13, which commits Council to “enhancing natural and built amenities to create vibrant, accessible activity centres and community hubs through quality urban design.” It also supports Objective 2.14 by “planning for a diverse range of housing to meet the needs of a wide demographic”, which is demonstrated through the integration of residential apartments into the concept design.

A prosperous and creative city:

The proposed Local Business Zone will provide for the introduction of new commercial tenancies that can contribute to the Goal to encourage creativity, innovation and enterprise.

Overall, the rezoning and concept proposal demonstrate a strong alignment with Council’s strategic aspirations for Clarence to become a more connected, inclusive, vibrant, and sustainable city.

9.3 State Planning Provisions

For the reasons set out above the proposal is considered consistent with the following Zone Application Guidelines for the Local Business Zone for the Local Provisions Schedules under the Tasmanian Planning Scheme.

Local Business Zone Purpose and Strategic Role

Clause 14.1 of the State Planning Provisions identifies the Local Business Zone as intended:

- To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area;
- To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy;
- To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers; and
- To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

The proposed rezoning responds directly to these purpose statements. It supports a mixed-use development comprising retail, commercial, and residential uses at a scale suited to the local catchment, promotes active frontages to East Derwent Highway, and maintains upper-level residential apartments to enhance the viability and activity of the centre.

Consistency with Section 8A Zone Application Guidelines

The application satisfies each of the specific zone application guidelines for the Local Business Zone as follows:

LBZ 1: *The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:*

(a) local shopping strips; or

(b) town centres for some smaller settlements.

Assessment

The site is located within an urban settlement and is directly adjacent to and opposite existing Local Business Zoned land (at 109 and 121–125 East Derwent Highway respectively). These existing zones function as a local business node, and the subject land represents a logical extension of this node as a local shopping strip. The proposed rezoning consolidates an identifiable local shopping and services cluster and avoids the creation of isolated commercial activity.

LBZ 2 *The Local Business Zone may be applied to:*

(a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;

(b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and

(c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.

Assessment

LBZ 2(a): The site sits within the broader Lindisfarne area, identified in the STRLUS as part of the Greater Hobart Activity Centre Network. It lies between the higher-order General Business Zone at Lindisfarne Village (to the northwest) and Local Business zoned sites to the north and south, and therefore reinforces the hierarchical role of this node as a local centre serving a surrounding residential catchment.

LBZ 3 *The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.*

Assessment

The proposal comprises four contiguous titles and forms a consolidated land parcel that is physically and functionally capable of supporting a local cluster of businesses and residential apartments. This avoids the risk of fragmented or isolated zoning patterns and demonstrates a strategic intent to support ongoing local service delivery.

LBZ 4 *The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:*

(a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or

(b) there is a strategic intention to expand the existing retail or business area in this locality consistent 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.

Assessment

The rezoning is not for a single isolated shop or business but rather for a defined and contiguous area supported by a proof-of-concept mixed-use development. The strategic merit and commercial potential of the site have been demonstrated through the accompanying architectural concept and Traffic Impact Assessment, reinforcing the justification for expansion of the Local Business Zone at this location

Summary

The application to apply the Local Business Zone to 113–119 East Derwent Highway is entirely consistent with the Section 8A Guidelines. The zone purpose statements will be achieved through the proposed land uses and built form outcomes. The site's location between existing Local Business Zones, supported by excellent transport access and proximity to residential catchments, further supports its strategic suitability for rezoning.

10. Land Use Planning and Approvals Act 1993

Before making a decision whether to initiate and/or certify a draft amendment, the planning authority must consider whether the application is consistent with Section 38 of the Act which requires the Planning Authority to be satisfied that the proposal meets the following LPS criteria under Section 34(2) of the Act:

- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
- (b) is in accordance with section 32 ; and*
- (c) furthers the objectives set out in Schedule 1 ; and*
- (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*

The proposal is considered consistent with these requirements below.

10.1 Land Use Conflicts

The proposed Local Business Zone will avoid land use conflict by applying commercial provisions to a site that is already enclosed by non-residential uses and lacks a direct interface with sensitive residential dwellings. Any future use or development will be subject to the relevant Use and Development Standards of the Local Business Zone and applicable codes, which will ensure that matters such as setbacks, building orientation, and internal layout are appropriately addressed to minimise potential impacts including noise, light spill, and traffic. By focusing commercial activity along the East Derwent Highway frontage and locating residential uses on upper levels, future development will maintain a functional separation of uses while enabling a compatible and integrated mixed-use outcome in accordance with the purpose of the Local Business Zone.

10.2 Impact of the Amendment on the Region as an Entity

The proposed amendment is consistent with the relevant regional and local land use strategies in that it promotes consolidation of urban development within the existing serviced footprint of Greater Hobart. The site's strategic location on the East Derwent Highway, immediately adjacent to existing Local Business zoned land and within close proximity to key community services and public transport infrastructure, ensures that the proposal avoids urban sprawl and makes efficient and sustainable use of existing infrastructure.

The rezoning will support the delivery of a compact, mixed-use development outcome that addresses an identified demand for diverse housing and local commercial services within an established suburb. The proposal avoids environmentally sensitive land, requires no significant vegetation removal, and supports infill development principles encouraged by the STRLUS.

In environmental, social, and economic terms, the amendment represents a highly appropriate and sustainable response to the site's location and context. It will facilitate improved local service provision and residential opportunities with convenient access to the services, employment, recreation and transport options of the Lindisfarne and Rosny Park centres, while complementing the broader settlement and activity centre network of the Clarence and Greater Hobart region.

10.3 State Policies

The following State Policies are made under the State Policies and Projects Act 1993:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The National Environmental Protection Measures are automatically adopted as State Policies under the State Policies and Projects Act 1993.

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997;
- Tasmanian State Coastal Policy 1996; and
- The National Environmental Protection Measures (NEPMS).

The following section examines the State Policies as they apply to this amendment.

10.3.1 State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 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”.

Comment

The subject land does not relate to agricultural land and the proposal does not conflict with this Policy.

10.3.2 State Coastal Policy 1996

The State Coastal Policy 1996 is created under the State Policies and Projects Act 1993.

Comment

The State Coastal Policy applies as the site is located within 1km from the coast. The proposal however relates to existing urban land within an established settlement and does not conflict with this Policy.

10.3.3 State Policy on Water Quality Management 1997

The State Policy on Water Quality Management is concerned with achieving ‘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’.

Comment:

The proposed zoning will avoid riparian areas and allow for suitable stormwater treatment to be incorporated in future development as required by the planning scheme. Such measures will ensure the long term quality of stormwater runoff is efficiently managed to protect water quality.

The proposal does not conflict with this Policy.

10.4 National Environment Protection Measures

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

It is considered that the proposal will not conflict with any of the NEPMs including those for water quality, air quality and noise. Matters of traffic noise and potentially contaminated land from the adjoining service station will be duly assessed under the Road and Railway Assets Code and Potentially Contaminated Land Code.

10.5 Southern Tasmania Regional Land Use Strategy

As set out through the strategic considerations above in Section 9, the proposal is considered, as far as practical, consistent with the STRLUS in that it represents infill development of existing urban land.

The proposal supports the STRLUS settlement strategy by promoting consolidated urban growth within the Clarence municipality’s existing urban footprint. The rezoning facilitates more efficient use of underutilised land in a well-serviced, strategically located area with excellent access to public transport, existing road infrastructure, and surrounding commercial and community services. This aligns with the Regional Policy RUS1.1, which seeks to encourage infill and redevelopment within the Greater Hobart Area to reduce pressure on greenfield land supply and promote sustainable settlement patterns.

Furthermore, the proposed rezoning supports the Activity Centres Network principles under the STRLUS by enabling a mix of uses that will enhance local service provision and reduce the need for cross-city travel. The concept reinforces the role of this shopping strip as a neighbourhood centre and supports surrounding lower-order centres by improving access to everyday services within a growing residential catchment. The proposal is consistent with policies such as AC1.1 and AC1.4, which encourage intensification of activity within existing centres and prioritise walkable, transit-oriented development outcomes.

10.6 Gas Pipelines Act 2000

Pursuant to Section 34(2)(h) of the Act Council is to have regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

There is no gas infrastructure in the vicinity of this site and the proposal therefore does not conflict with any requirement.

10.7 Schedule 1 of the Land Use Planning & Approvals Act 1993

Section 34(2)(c) of the Act requires that the Council to be satisfied that the proposed amendment seeks to further the objectives set out in Schedule 1. The objectives in Schedule 1 and their relevance to this amendment are addressed below.

10.7.1 Schedule 1 Part 1

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;

Comment

The proposed Local Business Zone promotes the sustainable development of land by enabling more efficient use of underutilised urban land within an established, serviced area. The site's location between existing commercial zones supports a logical extension of business activity, reducing the need for new commercial land in greenfield or environmentally sensitive areas.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water;

Comment

The rezoning facilitates the orderly and sustainable intensification of land in an area with established infrastructure, public transport, and access to services. The site is not affected by significant environmental constraints or natural hazards and does not adjoin any sensitive residential interfaces. Its future development can be managed under the Local Business Zone standards to ensure appropriate design and use outcomes.

(c) To encourage public involvement in resource management and planning;

Comment

The planning scheme amendment process includes formal public exhibition, which will provide an opportunity for community input. This revised rezoning proposal has also been informed by prior public representations and consultation with affected neighbouring commercial operators along East Derwent Highway.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above.

Comment

The proposed zoning will facilitate local economic development by enabling new commercial and mixed-use activity in a strategically located urban corridor. It supports additional employment opportunities, improves access to local goods and services, and enhances land productivity in a growing catchment.

(e) To promote sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Comment

The proposal will not affect the attainment of this objective.

10.7.2 Schedule1 Part 2

(a) To require sound strategic planning and co-ordinated action by state and local Government;

Comment

The proposal is consistent with the strategic directions of the STRLUS and Clarence City Council's Strategic Plan. It reflects sound strategic planning by promoting consolidation of commercial activity in an existing urban corridor that is well serviced, accessible, and appropriately separated from sensitive residential land.

(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

Comment

The Local Business Zone is the appropriate planning instrument to guide the use and development of this land in a way that supports strategic land use objectives, manages potential amenity impacts, and allows for a coordinated approach to future development.

(c) To ensure 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;

Comment

The site is modified urban land and not affected by environmental values. The proposed rezoning supports improved social and economic outcomes through greater access to services, additional commercial floorspace, and potential housing opportunities in a well-located, connected setting.

(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;

Comment

The proposal aligns with the broader planning policy framework at all levels of government. It supports regional settlement and activity centre policies under the STRLUS and Clarence's strategy for accommodating urban growth and improving service provision.

(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

Comment

While this proposal is limited to a planning scheme amendment, future development under the Local Business Zone will be subject to normal approval pathways, including coordination with relevant infrastructure and service authorities.

(f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;

Comment

The proposed zoning supports a high-quality built form outcome that integrates commercial and residential uses in a managed manner. Future development will incorporate appropriate setbacks, access, and amenity protections to deliver a safe and functional environment.

(g) To conserve those buildings, areas or other places which are of scientific, aesthetics, architectural or historical interest, or otherwise of special cultural value;

Comment

There are no identified heritage places or cultural values on the site. The proposal does not affect any listed or significant features.

(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;

Comment

The site is fully serviced by existing infrastructure networks, including water, sewer, power, and transport. The rezoning will support the more efficient use of these networks, without requiring significant upgrades.

(i) To provide a planning framework which fully considers land capability;

Comment

The accompanying proof of concept confirms that the site is capable of supporting the form and intensity of development anticipated under the Local Business Zone. It is assessed as an appropriate location for commercial and mixed-use development in terms of land capability and accessibility.

11. Conclusion

The proposed amendment to the Clarence Local Provisions Schedule seeks to rezone four titles at 113–119 East Derwent Highway, Lindisfarne from General Residential to Local Business. The amendment is strategically justified, well-supported by detailed analysis and concept design, and responds to identified shortfalls in local commercial land supply and service provision. The proposal demonstrates a clear alignment with the Southern Tasmania Regional Land Use Strategy, the Clarence City Council Strategic Plan, and the zone application guidelines of the Tasmanian Planning Scheme.

The Local Business Zone will enable a contextually responsive mixed-use development that leverages the site's proximity to transport, existing commercial uses, and growing residential catchments. It avoids land use conflict, maximises infrastructure efficiency, and promotes sustainable economic and residential outcomes. The amendment represents sound, forward-looking land use planning and should be supported.

Frazer Read

Principal

All Urban Planning

Appendix A
Certificates of Title and Owners consent

Form No. 1

Owners' consent

Requests for amendments of a planning scheme or Local Provisions Schedule and applications for combined permits require owners' consent. This form must be completed if the person making the request is not the owner, or the sole owner.

The person making the request must clearly demonstrate that all owners have consented.

Please read the notes below to assist with filling in this form.

1. Request made by:

Name(s):

Personal Information Removed

Email address

Personal Information Removed

Contact number:

2. Site address:

Address:

113 EAST DERWENT HIGHWAY, LINDISFARNE
115 EAST DERWENT HIGHWAY, LINDISFARNE
117 EAST DERWENT HIGHWAY, LINDISFARNE
119 EAST DERWENT HIGHWAY, LINDISFARNE

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

PID 5115747 VOLUME 75763 FOLIO 4
PID 5115755 VOLUME 75763 FOLIO 3
PID 5115763 VOLUME 75763 FOLIO 2
PID 5115771 VOLUME 75763 FOLIO 1

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner :

Personal Information Removed

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

5115747, 5115755, 5115763, 5115771

Position
(if applicable):

Personal Information Removed

Signature:

Registered owner
(please print):

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

5115747, 5115755, 5115763, 5115771

Position
(if applicable):

Personal Information Removed

Signature:

Registered owner
(please print):

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

NOTES:

a. When is owners' consent required?

Owners' consent is required for:

- amendments to an interim planning scheme or to a Local Provisions Schedule¹; or
- combined permits and amendments².

Owners' consent must be provided before the planning authority determines to initiate, certify or prepare the amendment.

b. Who can sign as owner?

Where an owner is a natural person they must generally sign the owner's consent form personally.

Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, for example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

c. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the *Strata Titles Act 1998*. For common property, permission can be provided in one of the following ways:

- a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
- the consent of each owner of each lot on the strata plan.

d. Companies

If the land is owned by a company the form is to be signed by a person with authority in accordance with the *Corporations Act 2001* (Cwth).

e. Associations

If the land is owned by an incorporated association the form is to be signed by a person with authority in accordance with the rules of the association.

f. Council or the Crown

If the land is owned by a council or the Crown then form is to be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate.

The name and positions of those signing must be provided.

Effective Date: September 2021

¹ under section 33(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* or section 37 of the current provisions.

² under section 43A of the former provisions or section 40T of the current provisions of the Act

SEARCH OF TORRENS TITLE

VOLUME 75763	FOLIO 1
EDITION 6	DATE OF ISSUE 11-Dec-2021

SEARCH DATE : 05-Aug-2025

SEARCH TIME : 10.05 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 1 on Diagram 75763 (formerly being 236-33D)

Derivation : Part of 970 Acres Gtd. to E.P. Wilson & Ors.

Prior CT 3186/44

SCHEDULE 1

M894520 TRANSFER to LIVADI INVESTMENTS PTY LTD Registered
06-Jul-2021 at noon

SCHEDULE 2

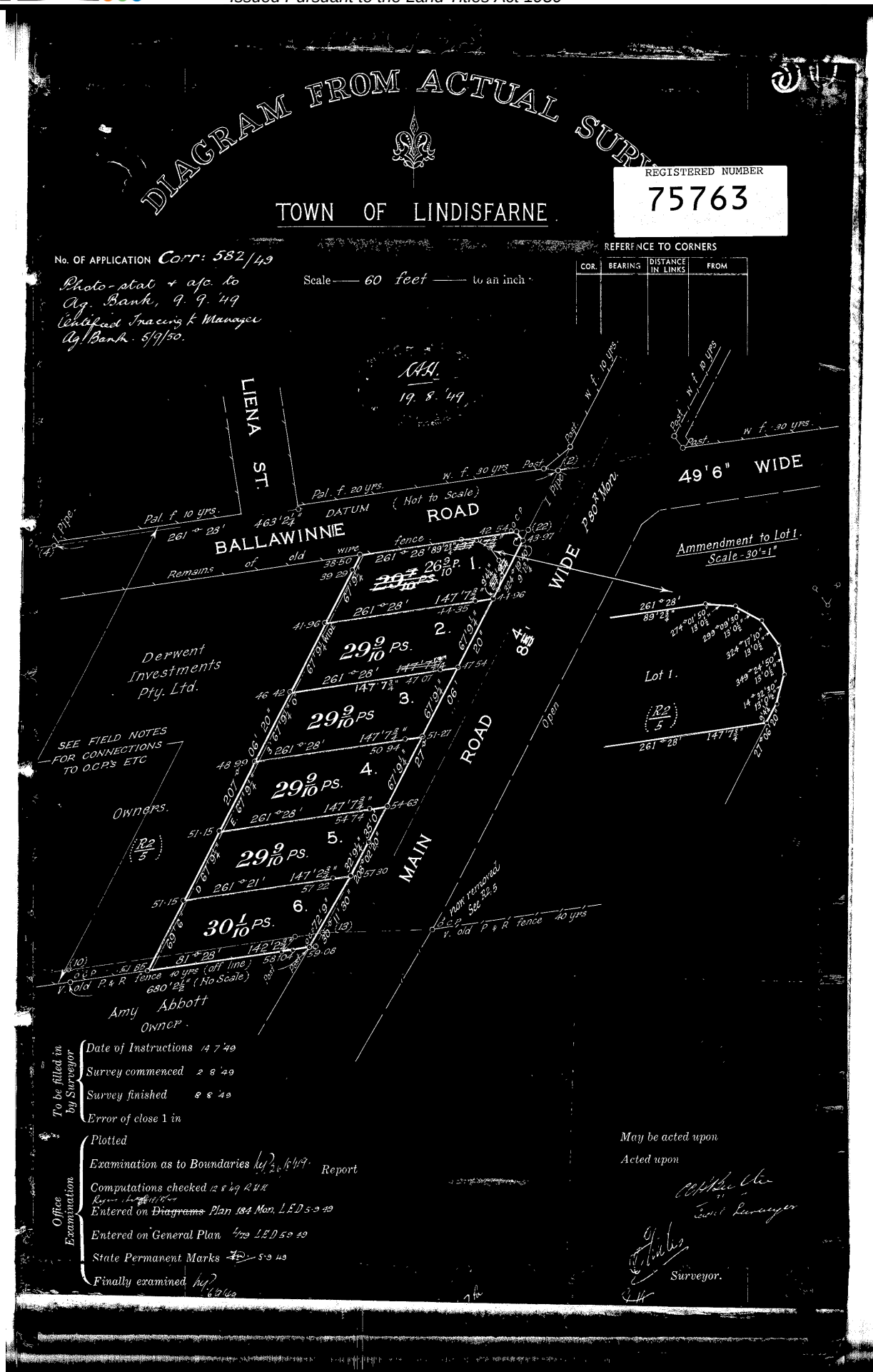
Reservations and conditions in the Crown Grant if any
BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 2
to 6 on Diagram No. 75763) over the Drainage Easement
passing through the said land within described.

A6396 FENCING CONDITION in Transfer

E279998 MORTGAGE to Commonwealth Bank of Australia
Registered 11-Dec-2021 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SEARCH OF TORRENS TITLE

VOLUME 75763	FOLIO 2
EDITION 7	DATE OF ISSUE 11-Dec-2021

SEARCH DATE : 05-Aug-2025

SEARCH TIME : 10.04 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 2 on Diagram 75763 (formerly being 236-33D)

Derivation : Part of 970 Acres Gtd. to E.P. Wilson & Ors.

Prior CT 3186/76

SCHEDULE 1

M894520 TRANSFER to LIVADI INVESTMENTS PTY LTD Registered
06-Jul-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: a right of drainage over the strip of land
passing through Lot 1 on Diagram No. 75763

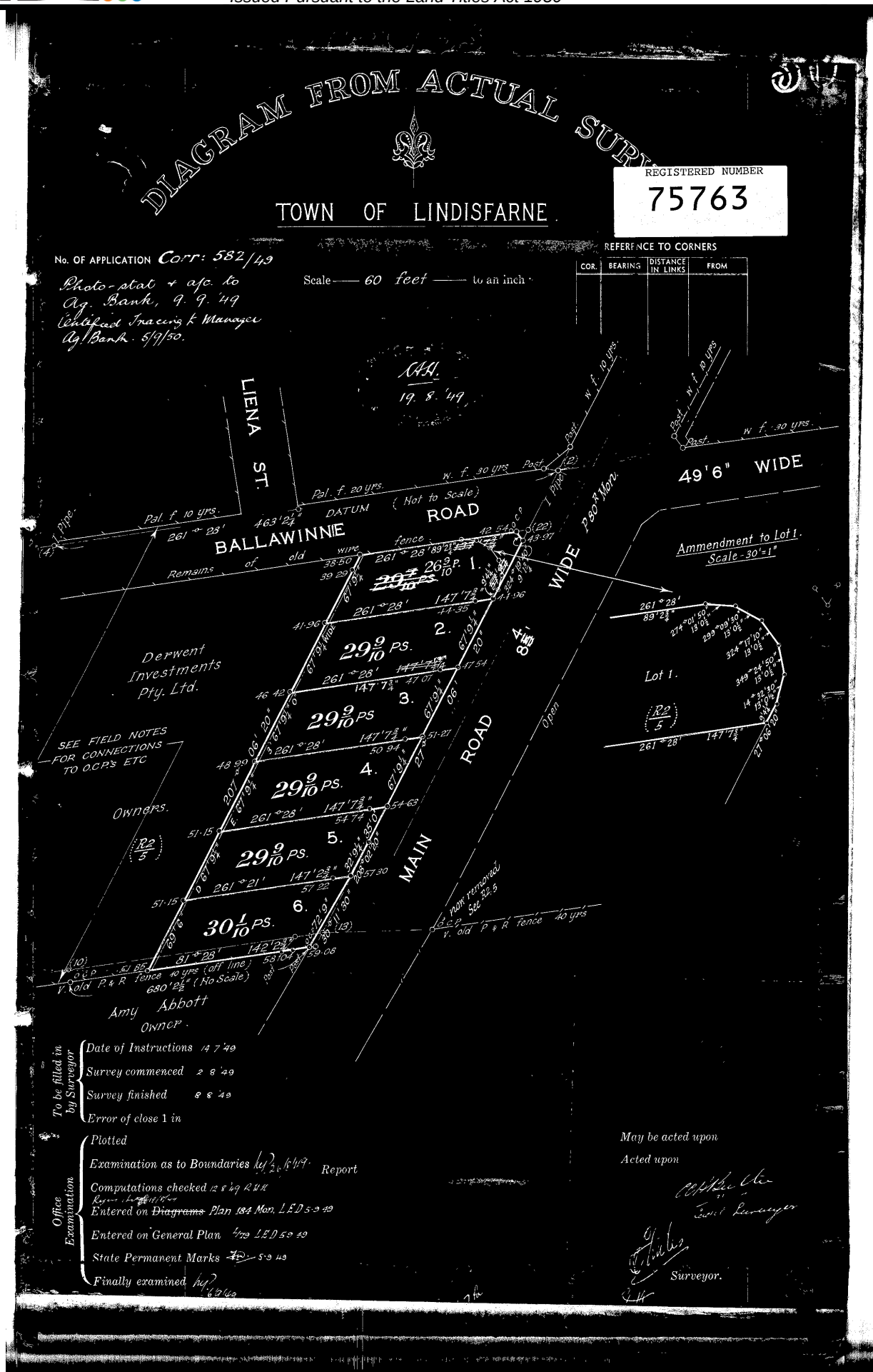
BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 3, 4,
5 and 6 on Diagram No. 75763) over the strip of land
passing through the said land within described.

A213 FENCING CONDITION in Transfer

E280005 MORTGAGE to Commonwealth Bank of Australia
Registered 11-Dec-2021 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SEARCH OF TORRENS TITLE

VOLUME 75763	FOLIO 3
EDITION 5	DATE OF ISSUE 11-Dec-2021

SEARCH DATE : 05-Aug-2025

SEARCH TIME : 10.03 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 3 on Diagram 75763 (formerly being 236-33D)

Derivation : Part of 970 Acres Gtd. to E.P. Wilson & Ors.

Prior CT 3186/77

SCHEDULE 1

M894520 TRANSFER to LIVADI INVESTMENTS PTY LTD Registered
06-Jul-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: a right of drainage over the strip of
land passing through Lots 1 & 2 on Diagram No. 75763

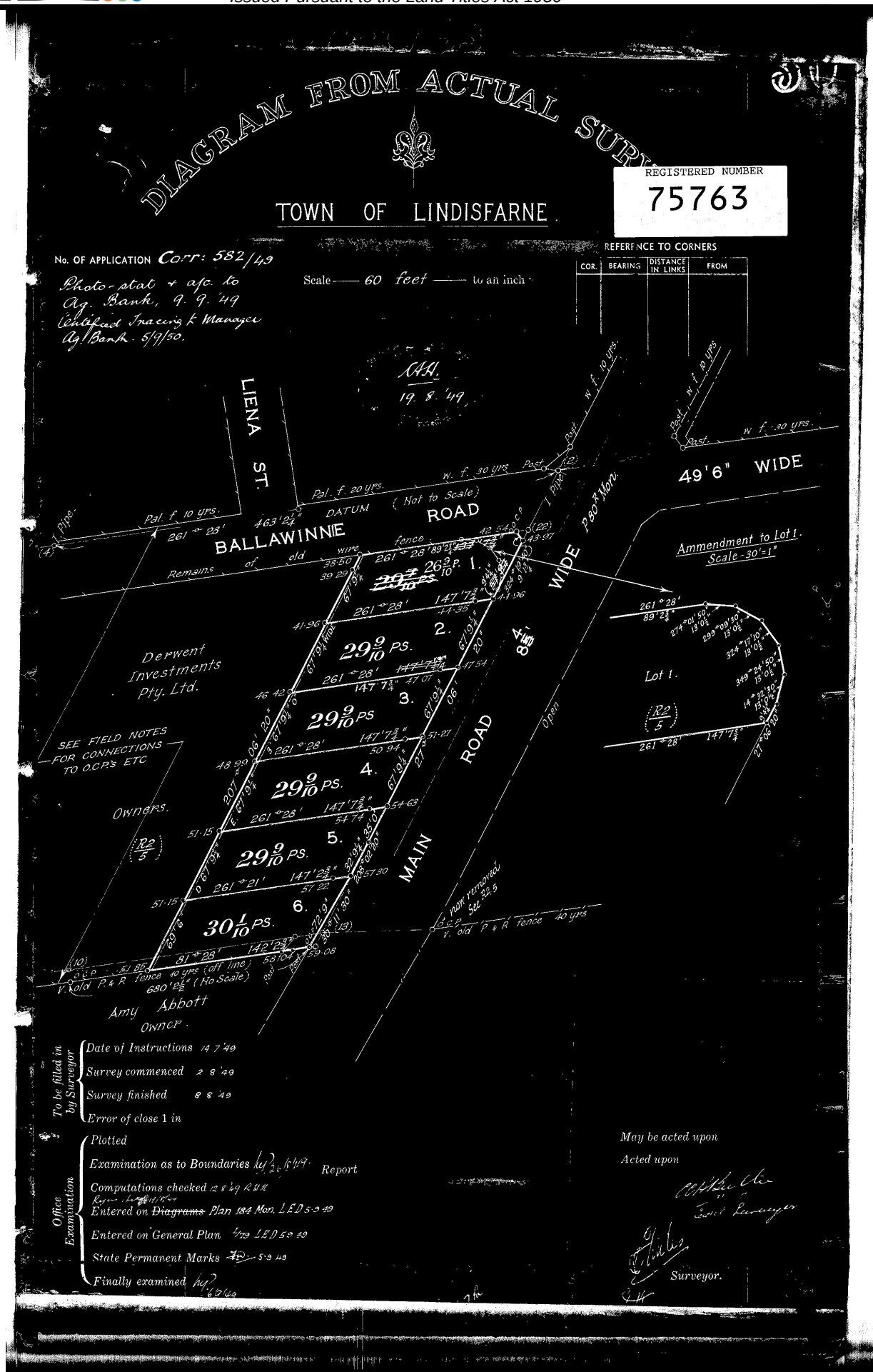
BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 4 ,
5 and 6 on Diagram No. 75763) over the strip of land
passing through the said land within described.

A214 FENCING CONDITION in Transfer

E280019 MORTGAGE to Commonwealth Bank of Australia
Registered 11-Dec-2021 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SEARCH OF TORRENS TITLE

VOLUME 75763	FOLIO 4
EDITION 5	DATE OF ISSUE 11-Dec-2021

SEARCH DATE : 05-Aug-2025

SEARCH TIME : 09.57 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 4 on Diagram 75763 (formerly being 236-33D)

Derivation : Part of 970 Acres Gtd.to E.P. Wilson

Prior CT 2353/70

SCHEDULE 1

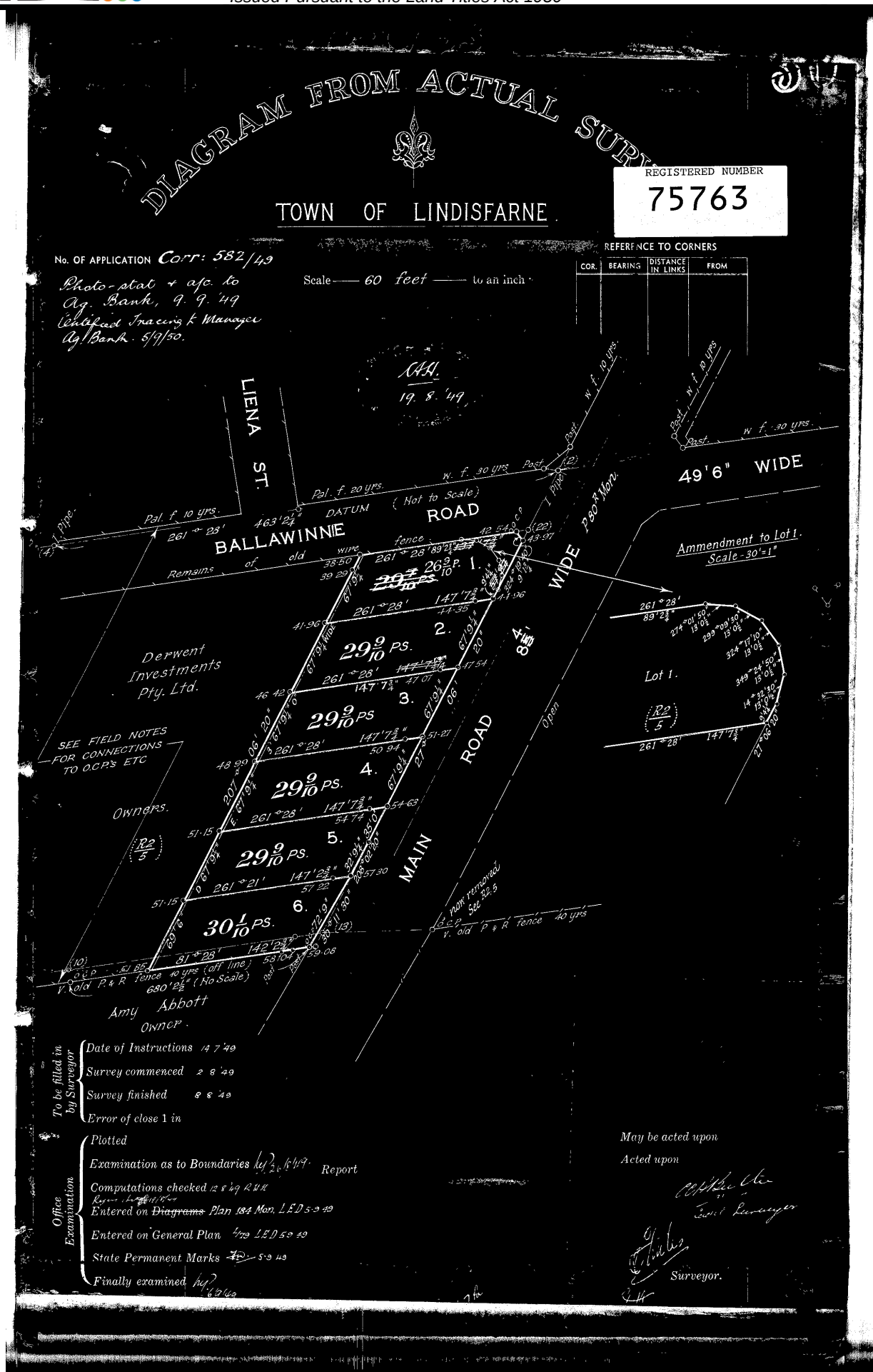
M897171 TRANSFER to LIVADI INVESTMENTS PTY LTD Registered
06-Jul-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: Right of Drainage over the drainage
easement passing through Lots 1 to 3 on D. 75763
BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 5
and 6 on Diagram NO. 75763) over the Drainage
Easement passing through the said land within
described
A1621 FENCING CONDITION in Transfer
E280002 MORTGAGE to Commonwealth Bank of Australia
Registered 11-Dec-2021 at noon

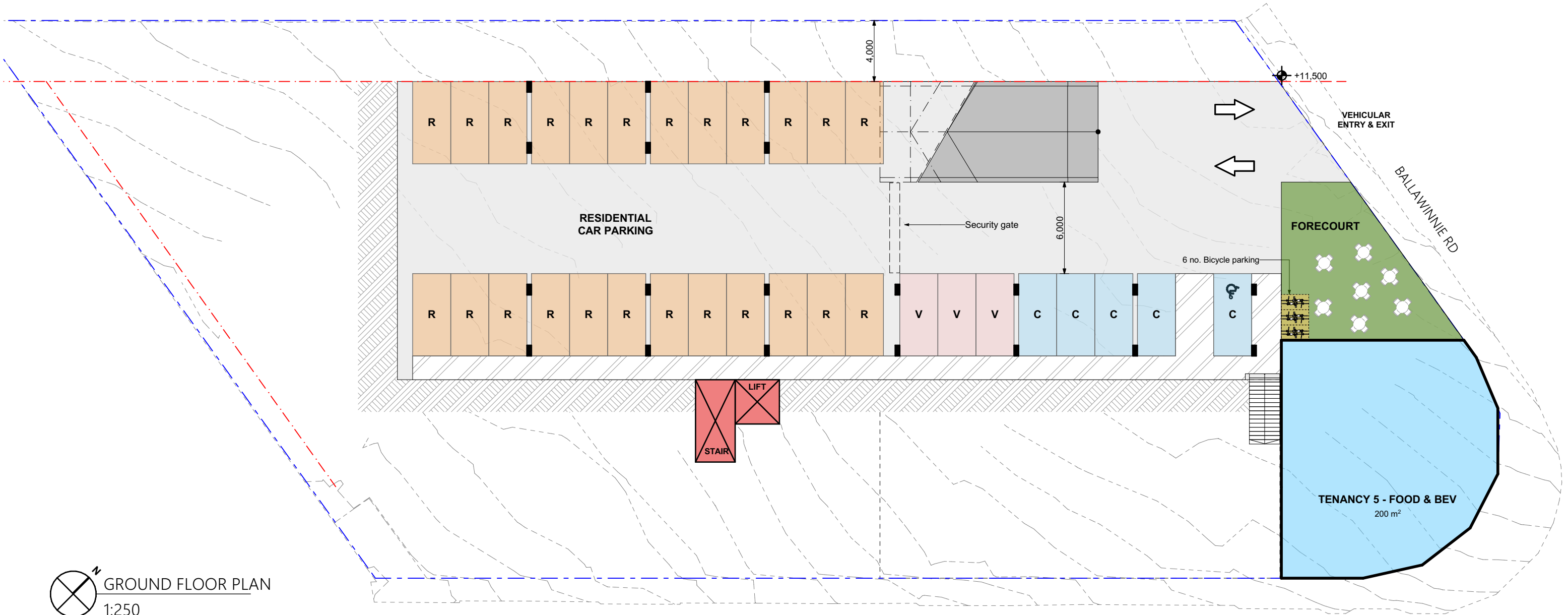
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



Appendix B

Proof of Concept – JAWS Architects Design



GROUND FLOOR PLAN
1:250

SCHEDULE OF AREAS - RESIDENTIAL			
LEVEL 2			
		2BR +	7
		3BR	1
LEVEL 3			
		2BR +	3
		3BR	1
		12	

SCHEDULE OF AREAS - CAR PARKING SPACES		
GROUND FLOOR		
	C	5
	R	24
	V	3
LEVEL 1		
	C	39
		71

JAWSARCHITECTS

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TASMANIA
AUSTRALIA 7004

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PROJECT

East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

STATUS CONCEPTUAL

REVISION	DESCRIPTION	DATE
07	Mixed Use Feasibility Sutdy	15/06/2025
06	Updated Concept Plan	11/05/2025
05	Mixed Use Concept	2/05/2025
04	Additional Apartments	25/07/2024

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DRAWING NAME

SCALE

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ACCREDITED DESIGNER
ACCREDITED NUMBER
CAD REF

GROUND FLOOR PLAN

1:250 @ A3

15/06/2025
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SCHEDULE OF AREAS - RESIDENTIAL

LEVEL 2

	2BR +	7
	3BR	1

LEVEL 3

	2BR +	3
	3BR	1
		12

SCHEDULE OF AREAS - CAR PARKING SPACES

GROUND FLOOR

C	5
R	24
V	3

LEVEL 1

C	39
	71

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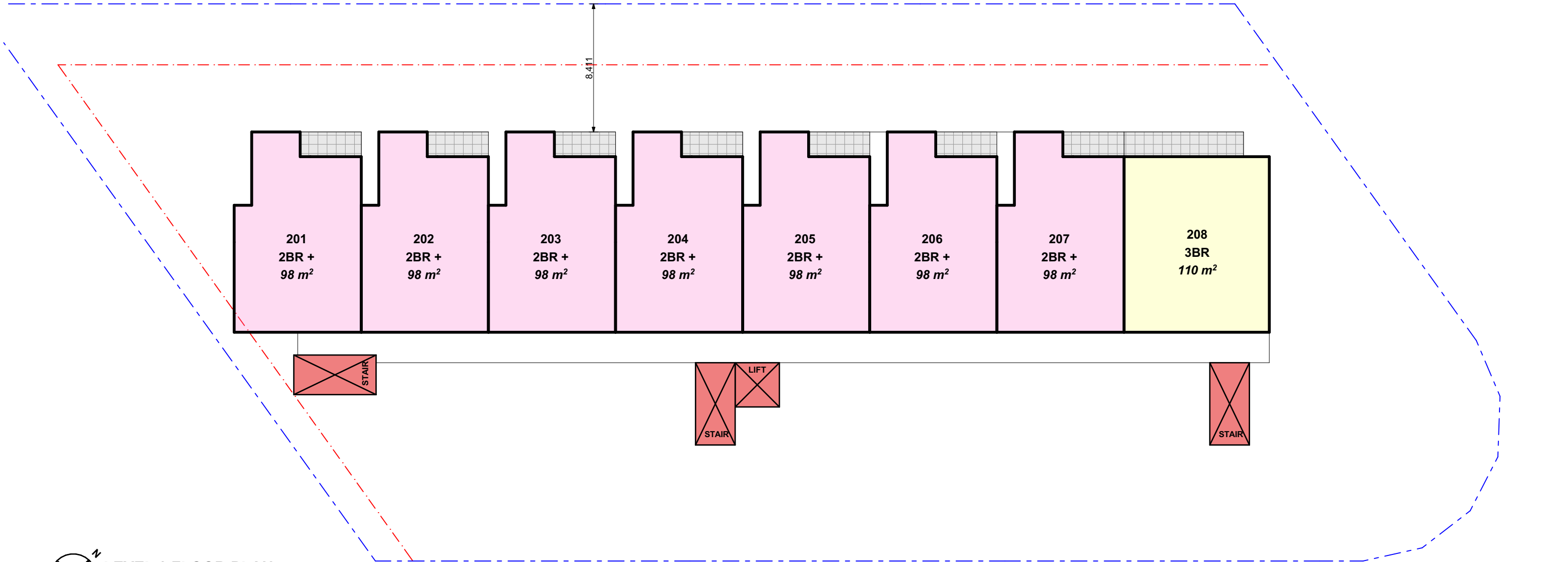
LEVEL 1 FLOOR PLAN

1:250 @ A3

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#Accredited Designer
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21043_SK02



 **LEVEL 2 FLOOR PLAN**
1:250

SCHEDULE OF AREAS - RESIDENTIAL			
LEVEL 2			
		2BR +	7
		3BR	1
LEVEL 3			
		2BR +	3
		3BR	1
			12

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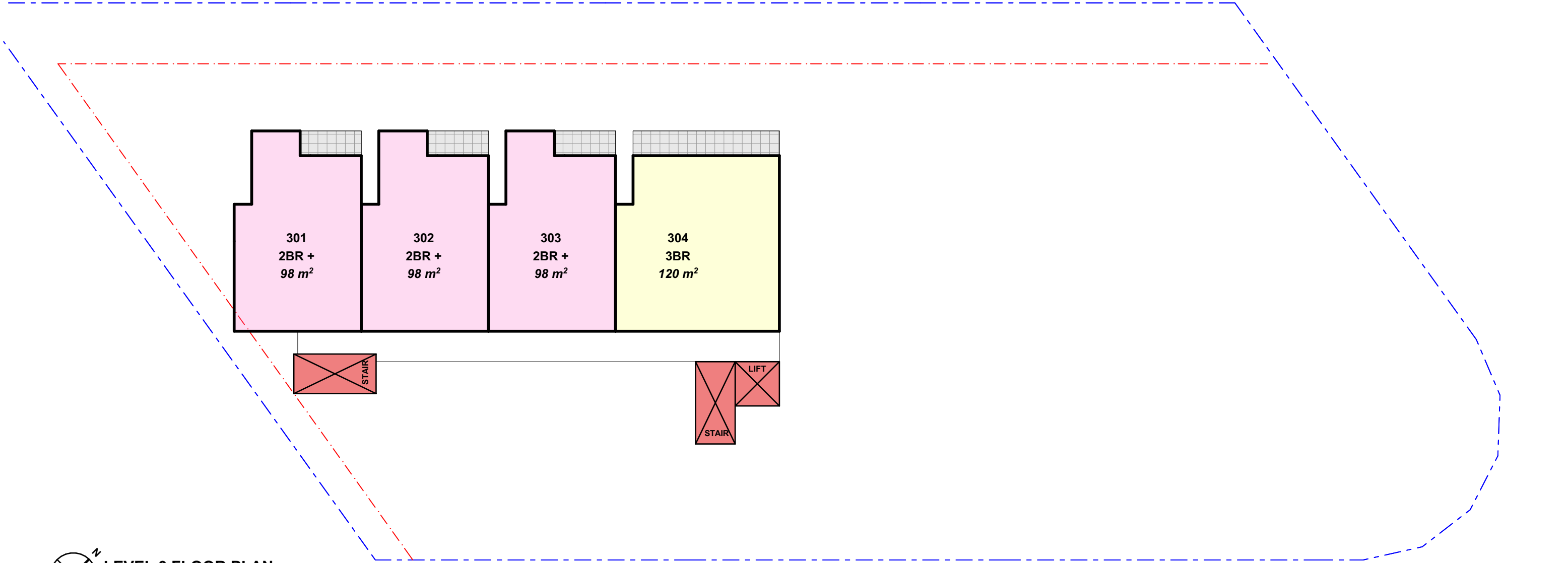
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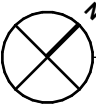
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 **LEVEL 3 FLOOR PLAN**
1:250

SCHEDULE OF AREAS - RESIDENTIAL			
LEVEL 2			
		2BR +	7
		3BR	1
LEVEL 3			
		2BR +	3
		3BR	1
			12

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LEVEL 3 FLOOR PLAN

SCALE

1:250 @ A3

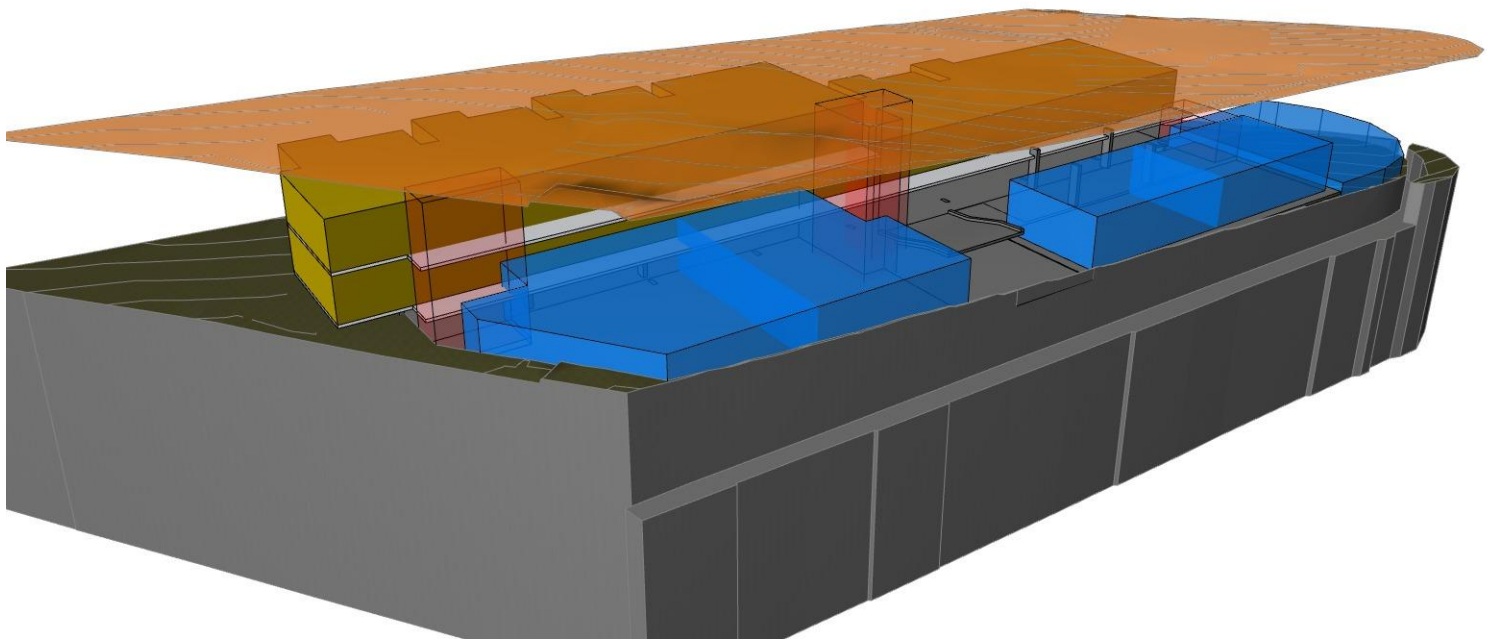
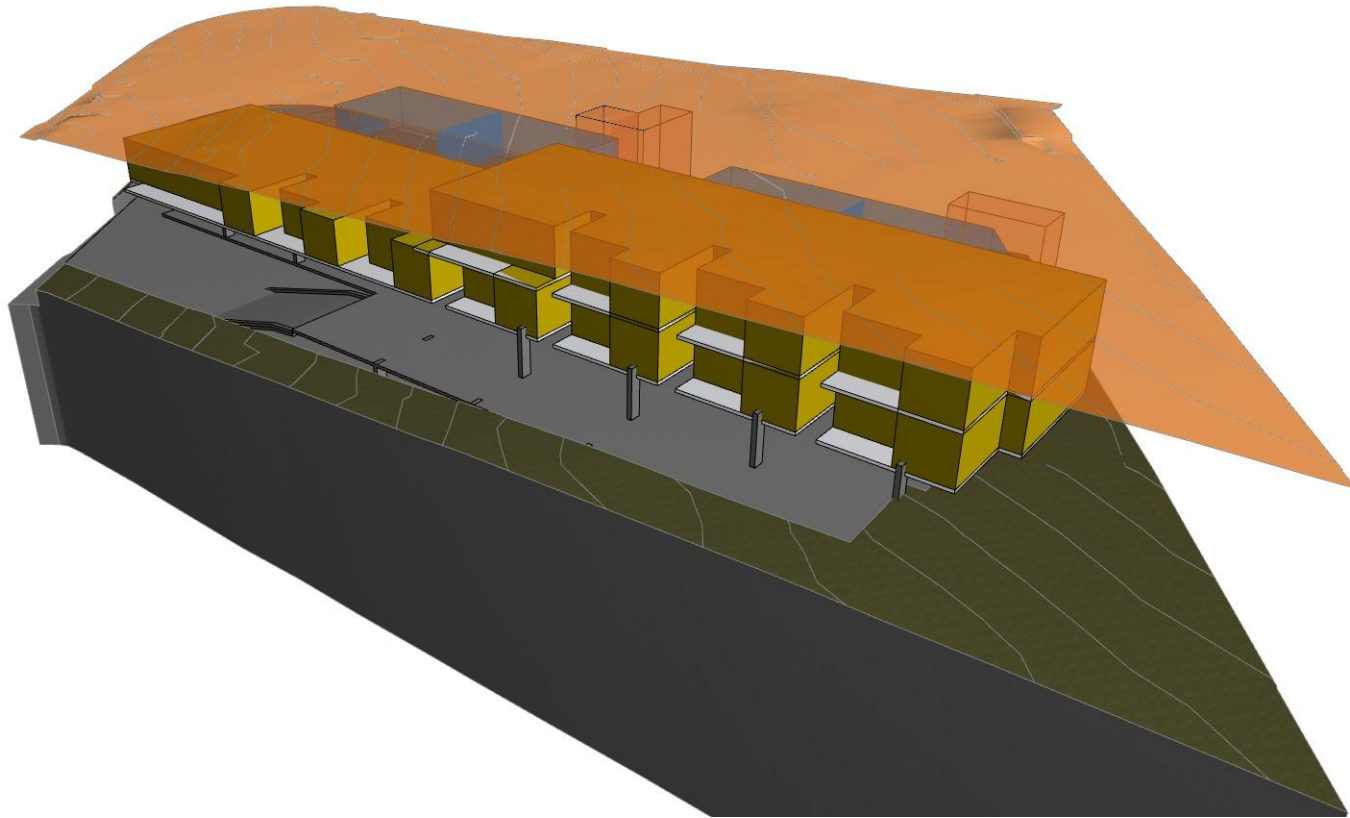
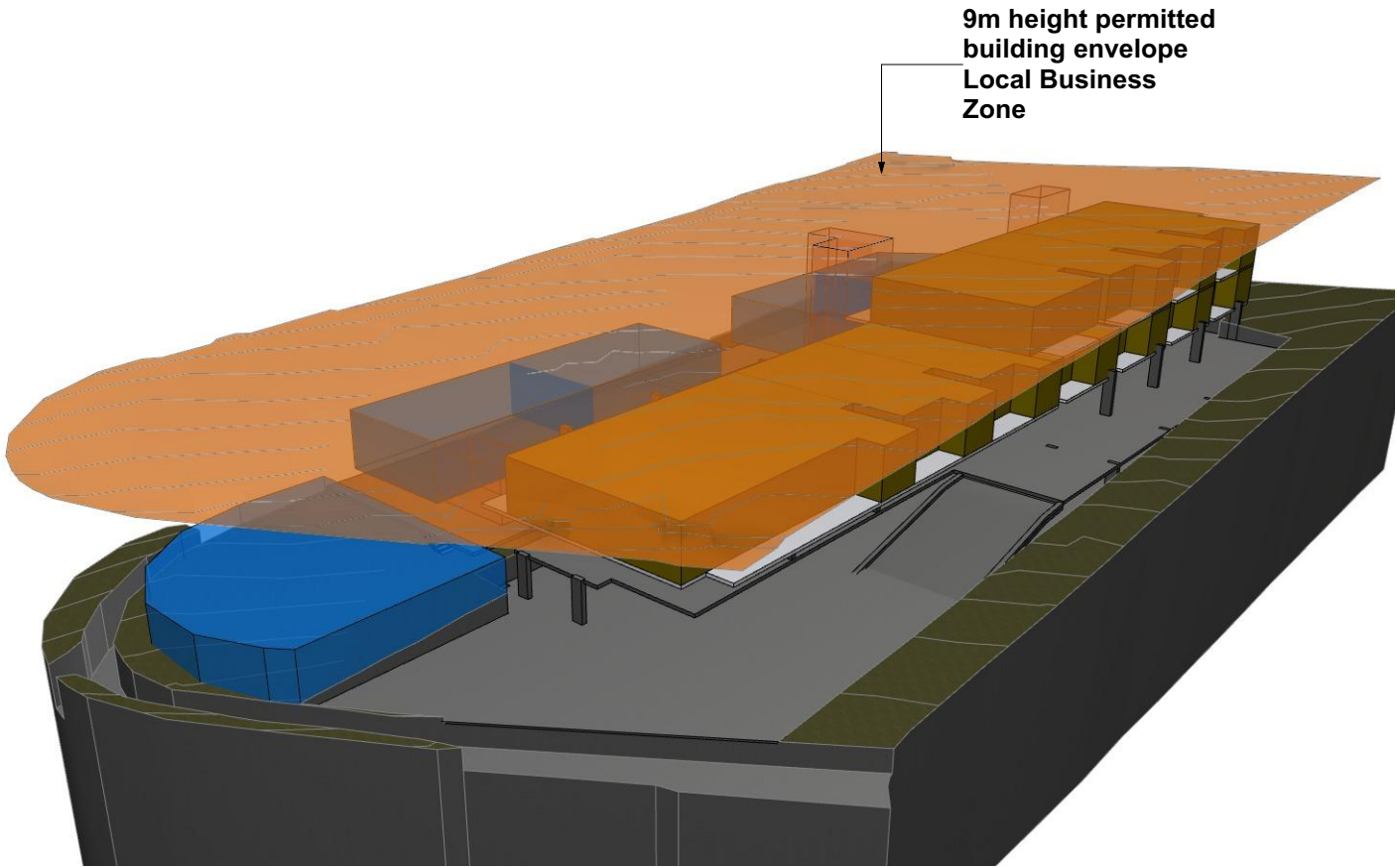


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East Derwent Hwy
115,117,119 Derwent Hwy, Lindisfame TAS 7015
for
Livadi INVESTMENTS PTY LTD.

DRAWING

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SCALE

DATE
DRAWN
CHECKED
ACCREDITED DESIGNER
ACCREDITED NUMBER
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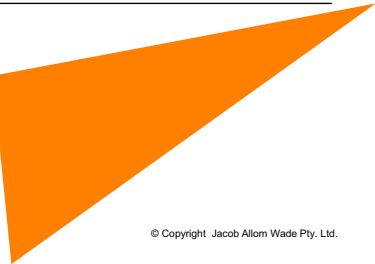
3D VIEWS

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Livadi Investments

113-119 East Derwent Highway

Traffic Impact Assessment

July 2025



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1. Introduction

1.1 Background

Midson Traffic were engaged by Livardi Investments to prepare a traffic impact assessment for a proposed rezoning application to accommodate future mixed-use commercial and residential development at 113-119 East Derwent Highway, Lindisfarne.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *Traffic Impact Assessment Guidelines*, August 2020. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Integrated Transport Assessments for Developments*, 2020.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses of C2.0, *Parking and Sustainable Parking Code*, and C3.0, *Road and Railway Assets Code*, of the Tasmanian Planning Scheme – Clarence, 2021.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 29 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006

- Master of Traffic, Monash University, 2004
- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at 113-119 East Derwent Highway, Lindisfarne. The site currently consists of four residential dwellings.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network



Image Source: LIST Map, DPIPWE

1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Tasmanian Planning Scheme – Clarence, 2021 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Integrated Transport Assessments for Developments*, 2020
- Austroads, *Guide to Road Design*, Part 4A: *Unsignalised and Signalised Intersections*, 2021
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Transport NSW, *Guide to Traffic Impact Assessment*, 2024 (TfNSW Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1)

2. Existing Conditions

2.1 Transport Network

For the purposes of this report, the transport network consists of East Derwent Highway and Ballawinnie Road.

2.1.1 East Derwent Highway

The East Derwent Highway near the subject site is classified as a Category 3 road under the Department of State Growth's road hierarchy.

The Highway is a four-lane divided carriageway with a posted speed limit of 60-km/h. The highway near the subject site is shown in Figure 2.

East Derwent Highway carries approximately 19,900 vehicles per day on weekdays near the subject site. The section of highway adjacent to the site is two northbound lanes which carry approximately 10,000 vehicles per day on weekdays. Peak flows are approximately 2,000 vehicles per hour during both the AM and PM periods.

An indented on-street car parking lane is located adjacent to and south of the subject site. Pedestrian actuated traffic signals are located immediately adjacent to the subject site, providing pedestrian access across the Highway.

Figure 2 East Derwent Highway



2.1.2 Ballawinnie Road

Ballawinnie Road is a local street that connects between East Derwent Highway at its eastern end, and the Esplanade at its western end. It provides access to residential properties, a nursing home, and a small shopping centre car park.

The general urban speed limit of 50-km/h is applicable to Ballawinnie Road. It carries a traffic volume in the order of approximately 1,000 vehicles per day, with higher traffic activity near the access to the shopping centre adjacent to East Derwent Highway. It has a sealed pavement width of approximately 8.5 metres, with footpaths provided on both sides of the road.

Ballawinnie Road adjacent to the subject site is shown in Figure 3.

Figure 3 Ballawinnie Road



2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2020 to 31st May 2025 for East Derwent Highway between Shore Street to Nietta Road, as well as the full length of Ballawinnie Road.

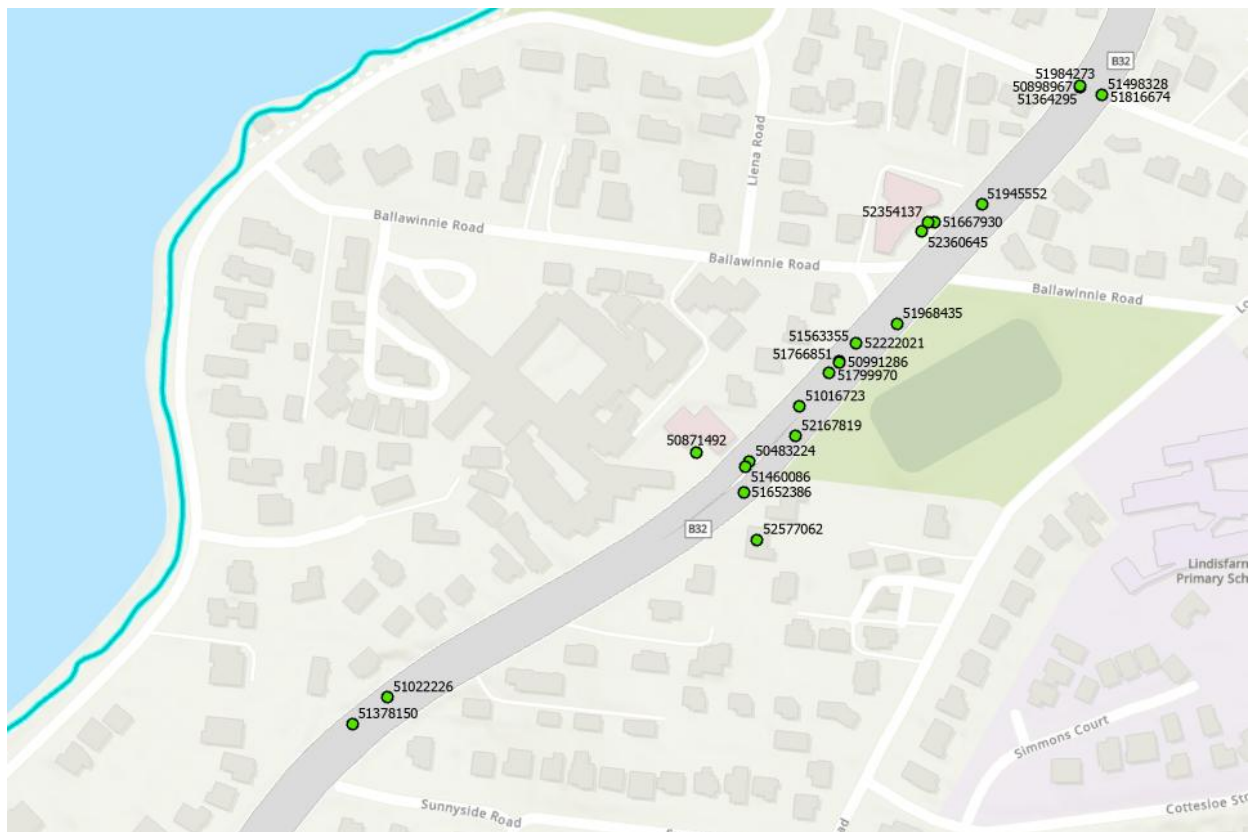
The findings of the crash data is summarised as follows:

- No crashes were reported in Ballawinnie Road during this time.
- A total of 24 crashes were reported in East Derwent Highway during this period.
- Severity. 1 crash involved serious injury; 5 crashes involved minor injury; 2 crashes involved first aid at the scene; 16 crashes involved property damage only.
- Time of day. 19 crashes were reported between 8:00am and 6:00pm. 1 crash occurred prior to 4:00am, and 4 crashes were reported after 6:00pm. Afternoon crashes were dominant, with 10 crashes reported between 1:00pm and 4:00pm.

- Day of week. 6 crashes were reported on Thursdays; 5 crashes were reported on Tuesdays and Wednesdays; 3 crashes were reported on Mondays and Fridays; 1 crash was reported on a Saturday and a Sunday.
- Crash types. 4 crashes involved 'other-overtaking' collisions; 3 crashes involved 'cross-traffic' collisions; 3 crashes involved 'rear-end' collisions; 2 crashes involved 'lane-side-swipe' collisions; various other crashes were reported with no clear crash trend.
- Crash locations. 4 crashes were reported at the Nietta Road junction; 14 crashes were reported at midblock locations; 5 crashes were reported in off-road locations (including service station property, IGA car park, etc).
- Vulnerable road users. 3 crashes involved pedestrians (1 serious injury and 2 minor injury); and 1 crash involved a motorcycle (property damage only). Two of the pedestrian crashes were reported at the signalised pedestrian crossing adjacent to the subject site.

The crash data is considered to be typical of a four-lane divided carriageway highway through an urban area.

Figure 4 Crash Locations



Source: Department of State Growth

3. Proposed Development

3.1 Development Proposal

The proposed development involves a rezoning from residential to local business. The rezoning will facilitate mixed use development on the site. A concept of what can be developed on the site as a result of the rezoning is provided in Figure 5 and Figure 3.

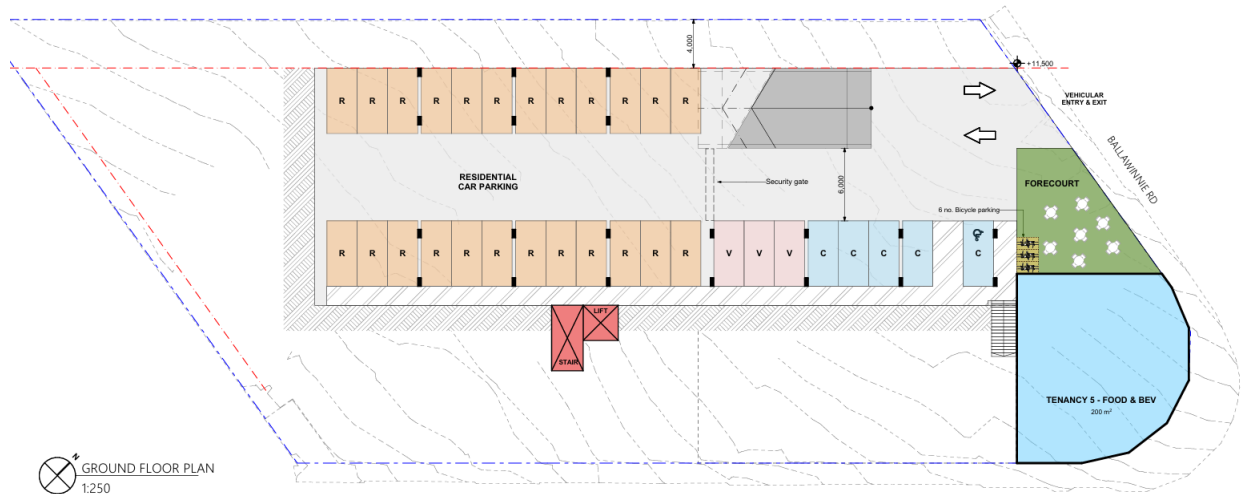
The concept development includes a mix of residential and commercial tenancies, with vehicular entry at East Derwent Highway and two-way vehicular access at Ballawinnie Street. The concept development includes the following components:

- 4 x ground floor commercial tenancies with total floor area of 516m²
- 2 x 3-bedroom residential dwellings
- 10 x 2-bedroom residential dwellings
- 71 on-site car parking spaces, and 2 x motorcycle parking spaces

Figure 5 Proposed Development Plans – Ground Floor



Figure 6 Proposed Development Plans – Lower Ground Floor



4. Traffic Impacts

4.1 Trip Generation

The rezoning will permit new development that is likely to generate increased traffic. Trip generation was determined using the TfNSW Guide.

The existing site consists of 4 residential dwellings that currently generate approximately 7.5 vehicles per dwelling per day, with a peak of 0.84 vehicles per dwelling per hour. This equates to an existing generation of 30 vehicles per day, with a peak of 3 vehicles per hour. Existing traffic generation is spread across four individual driveways.

The traffic generation of the concept development is set out in Table 1. The commercial components of the concept development were assessed as 'small suburban shopping centres (0 – 1,000m² GLFA)' in the TfNSW Guide. The residential components were assessed as 'medium density residential (regional areas)' in the TfNSW Guide.

The total traffic generation of the concept development is therefore approximately 1,100 vehicles per day, with a peak of 141 vehicles per hour.

Table 1 Concept Traffic Generation Summary

Component	Quantity	Daily Generation	Peak Generation
Tenancy 1 – General Retail & Hire.	185m ²	374 vpd	48 vph
Tenancy 2 – General Retail & Hire.	147m ²	297 vpd	38 vph
Tenancy 3 – Food and Beverage.	92m ²	186 vpd	24 vph
Tenancy 4 – Food and Beverage.	92m ²	186 vpd	24 vph
2 Bedroom Residential Units.	10 units	37 vpd	6 vph
3 Bedroom Residential Units.	2 units	7 vpd	1 vph
TOTAL		1,087 vpd	141 vph

4.2 Trip Assignment

The concept design has an entry only access on East Derwent Highway, and a two-way access on Ballawinnie Road.

The estimated trip assignment of the concept design is set out in Table 2.

Table 2 Trip Assignment – PM Peak

Access	Left-In	Right-In	Left-Out	Right-Out
East Derwent Hwy	49 vph	-	-	-
Ballawinnie Rd	13 vph	9 vph	21 vph	49 vph
TOTAL	IN: 71 vph		OUT: 70 vph	

4.3 Access Impacts

The concept design will result in the following access modifications to the subject site:

- Removal of four residential driveways on East Derwent Highway (two driveways at 113 and one driveway at 115, 117 and 119 East Derwent Highway). Each existing driveway facilitates two-way access, but no turning is available on each site, requiring a reversing manoeuvre for either entry or exit.
- New one-way entry access on East Derwent Highway.
- Modifications to the existing driveway access in Ballawinnie Road to facilitate entry and exit manoeuvres associated with the car park.

The concept design therefore reduces the number of accesses from 5 to 2 across both road frontages.

The access impacts associated with the East Derwent Highway and Ballawinnie Road accesses are examined in the following sections.

4.3.1 East Derwent Highway Access

A new access is proposed on East Derwent Highway that will be entry only. The Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme states "*For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority*".

In this case written consent has not been granted by the Department of State Growth as road authority and therefore the requirements of Acceptable Solution A1.2 of Clause C3.5.1 of the Planning Scheme is not met.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

"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".*

The following is relevant with respect to the concept design:

- a. Increase in traffic. The concept design will remove 4 existing residential driveways on the East Derwent Highway frontage, with a combined traffic generation of 24 vehicles per day (4 driveways associated with three residential properties). The traffic generated by the concept design at the proposed access will be in the order of 300 vehicles per day (peak will be 49 vehicles per hour). The increase will therefore be in the order of 280 vehicles per day, however the increase will only involve inward movements and reduce the number of accesses from 4 to 1.
- b. Nature of traffic. The traffic generation will be a mix of residential and commercial (all light vehicles). This is compatible with traffic currently accessing neighbouring land use along the highway corridor. All traffic generation will be one-way inward flow, with no exit flow onto East Derwent Highway.
- c. Nature of road. East Derwent Highway is an urban highway that provides a high volume of through traffic and also provides a strong property access function near the subject site.
- d. Speed limit and traffic flow. East Derwent Highway has a posted speed limit of 60-km/h. The speed limit was recently reduced from 70-km/h. The traffic flow is approximately 10,000 vehicles per day in the northbound carriageways adjacent to the subject site (approximately 5,000 vehicles per day per lane). The speed limit and traffic flow are compatible with the proposed access arrangements associated with the concept design.
- e. Alternative access. An access is also provided in Ballawinnie Road. The access arrangements provide a balanced flow through the site that is compatible with the functions of the frontage roads.
- f. Need for use. The access is required to service the on-site car parking spaces associated with the concept design on the rezoned land.

- g. Road authority advice. No written advice has been received by the Department of State Growth as road authority.

Based on the above assessment, the East Derwent Highway access associated with the proposed concept design satisfies the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme. Notably the access associated with the concept design will remove 4 existing two-way residential driveways and replace with a single one-way entry access.

4.3.2 Ballawinnie Road Access

The Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme states "*vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not be increased by more than the amounts in Table 3.1*".

Table C3.1 specifies a maximum increase of 20% or 40 vehicle movements per day, whichever is greater, for vehicle crossings on a minor road. The traffic generation at the Ballawinnie Road exceeds this maximum level and therefore does not satisfy the requirements of Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

"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".*

The following is relevant to the Ballawinnie Road access:

- a. Increase in traffic. The existing access currently services a residential property and therefore has a daily generation of 8 vehicles per day. The increase in traffic utilising the access will be in the order of 760 vehicles per day (noting that the access will facilitate all exit manoeuvres for the development and a proportion of entry manoeuvres). The peak hour increase will be 91 vehicles per hour during the PM peak, which equates to an average of approximately 1.5 vehicle

movements every minute. The access can absorb the additional traffic generation at an acceptable level of efficiency or safety.

- b. Nature of traffic. The increased traffic generation will be residential and commercial (all small vehicles) in nature. This is consistent with nearby land uses in Ballawinnie Road.
- c. Nature of road. Ballawinnie Road is a local access road that provides access residential properties along its length, as well as a nursing home and the shopping centre opposite the subject site. The nature of the road is compatible with the traffic generation associated with the proposed development.
- d. Speed limit and traffic flow of road. Ballawinnie Road has a posted speed limit of 50-km/h and carries a traffic volume of approximately 1,000 vehicles per day. The traffic flow and speed limit are compatible with the access arrangements associated with the proposed development.
- e. Alternative access. No alternative access is possible.
- f. Need for use. The access is required to provide access to the on-site car parking associated with the proposed development.
- g. Traffic impact assessment. This report documents the findings of a traffic impact assessment.
- h. Road authority advice. Council requires a traffic impact assessment to be prepared for the proposed development.

Based on the above assessment, the proposed development's access complies with the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.

4.4 Sight Distance

Australian Standards, AS2890.1, provide the sight distance requirements for commercial and domestic driveways. Sight distance requirements are lower for driveways compared to road junctions.

- East Derwent Highway. The minimum sight distance requirements for a commercial driveway access in a 60-km/h frontage road is 45 metres (the desirable sight distance is 69 metres).
- Ballawinnie Road. The minimum sight distance requirements for a commercial driveway access in a 50-km/h frontage road is 83 metres (the desirable sight distance is 65 metres).

It is noted that the East Derwent Highway access is entry only, and therefore sight distance is not applicable at this access. A relevant consideration is following sight distance for vehicles slowing to enter the site to minimise the risk of rear-end collisions. The available sight distance exceeds 100 metres to the south of the access (noting also that the highway only has one-way flow adjacent to the site due to the divided carriageway).

The Ballawinnie Road access has unrestricted access to the East Derwent Highway junction (approximately 40 metres). It is not a requirement to have sight distance into an adjoining roadway. The available sight distance exceeds 45 metres to the west of the access, thus complying with the requirements of AS25890.1.

4.5 Pedestrian Impacts

The proposed development is likely to generate some pedestrian activity in the network. The existing footpath infrastructure is considered to be of a high standard in the existing road network to cater for these pedestrian movements. Pedestrian actuated traffic signals are also located immediately adjacent to the subject site, providing a safe access for pedestrians across the highway.

The concept design includes a separated pedestrian access at East Derwent Highway.

4.6 Road Safety Impacts

The road safety impacts of the proposed development have been assessed with consideration of the existing crash history and the proposed access arrangements associated with the concept design.

4.6.1 Existing Road Safety Performance

The crash analysis undertaken for East Derwent Highway indicates that the existing road safety performance is consistent with expectations for this type of road infrastructure. Over the 5+ year analysis period (2020-2025), a total of 24 crashes were reported along the East Derwent Highway corridor, with the majority being property damage only crashes (16 crashes) or minor injury crashes (5 crashes). Only one crash involved serious injury.

The crash data shows no clear crash trends or patterns that would indicate specific road safety deficiencies in the vicinity of the subject site, or crashes associated with property access. The crash rate and severity distribution is considered typical of a four-lane divided carriageway highway through an urban area with mixed land uses and multiple access points.

No crashes were reported on Ballawinnie Road during the analysis period, which is consistent with its function as a low-volume local access road.

4.6.2 Impact of Proposed Development

The proposed development will result in several road safety improvements compared to the existing situation:

- **Access Consolidation:** The concept development will remove four existing residential driveways on East Derwent Highway and replace them with a single entry-only access. This represents a significant reduction in the number of potential vehicle conflict points along the highway frontage, from four two-way access points to one one-way entry point.
- **Elimination of Reversing Movements:** The existing residential driveways require vehicles to reverse either into or out of the properties due to limited on-site manoeuvring space. The proposed development eliminates these reversing movements onto East Derwent Highway, which removes a significant safety risk.
- **Entry-Only Design:** The proposed East Derwent Highway access is designed as entry-only, which eliminates right-turn and left-turn exit movements that could conflict with through traffic. This

design significantly reduces the potential for rear-end and side-swipe collisions that are common at commercial driveways.

- **Traffic Distribution:** The two-way access via Ballawinnie Road provides an appropriate outlet for the development traffic while distributing movements between the highway and local road network in a manner that minimizes safety impacts.

The proposed access arrangements will result in a net improvement to road safety conditions compared to the existing situation. The consolidation of access points, elimination of reversing movements, and entry-only design on East Derwent Highway will reduce potential conflict points and improve traffic flow. The road safety impacts of the proposed development are considered to be positive.

5. Parking Assessment

5.1 Parking Provision

The concept development includes a total of 71 on-site car parking spaces. This includes 2 disabled parking spaces. A total of 2 motorcycle spaces are also proposed.

5.2 Planning Scheme Requirements

The Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme states:

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

- (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;*
- (b) the site is contained within a parking precinct plan and subject to Clause C2.7;*
- (c) the site is subject to Clause C2.5.5; or*
- (d) it relates to an intensification of an existing use or development or a change of use where:*
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or*
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:*

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1".

In this case, sub-points (a), (b), (c), and (d) are not applicable.

The requirements of Table C2.1 are summarised as follows:

▪ <u>General retail and hire.</u>	1 space per 30m ² of floor area	11 spaces
▪ <u>Food services.</u>	15 spaces for each 100m ²	28 spaces
▪ <u>Multiple dwellings.</u>	2 spaces per dwelling	24 spaces
▪ <u>Visitor parking (residential).</u>	1 space per 4 dwellings	3 spaces
▪ <u>TOTAL.</u>		<u>66 spaces</u>

The provision of 71 on-site parking spaces therefore complies with the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme.

5.3 Disabled Parking

The proposed development provides two disabled parking spaces, located within the main car park immediately adjacent to commercial tenancies. The disabled parking provision complies with the requirements of the BCA Code.

The dimensions and layout of the accessible parking spaces comply with the requirements of AS2890.6 (specifically noting the requirement for a 'shared space' adjacent to the accessible parking space).

5.4 Motorcycle Parking

The Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme states "*the number of on-site motorcycle parking spaces for all uses must be no less than the number specified in Table C2.4*".

Table C2.4 requires 1 motorcycle parking space for every additional 20 car parking spaces beyond 41 spaces. This is a requirement for 2 motorcycle spaces, which is provided. Acceptable Solution A1 of Clause C2.5.3 of the Planning Scheme is satisfied.

5.5 Car Parking Layout

The general layout of the car park complies with the requirements of AS2890.1 in terms of parking dimensions and manoeuvring area.

The proposed development is for a rezoning, rather than a detailed development proposal, and therefore the parking layout has not been assessed against the requirements of Clause C2.6.2 of the Planning Scheme.

6. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts of a proposed rezoning application to accommodate future mixed-use commercial and residential development at 113-119 East Derwent Highway, Lindisfarne.

The key findings of the TIA are summarised in the following sections.

6.1 Context and Land Use Appropriateness

The proposed rezoning involves changing the zoning from residential to local business to facilitate mixed-use development. The subject site currently consists of four residential dwellings that are effectively "land locked" by existing commercial developments, including a service station to the south, shopping centre to the north, and retirement village to the west. The residential use of the site is therefore inconsistent with the established commercial character of the immediate area, and the rezoning will provide a more appropriate land use that is compatible with the surrounding developments.

6.2 Development Proposal

The concept development plan demonstrates the type of mixed-use development that could be constructed on the rezoned land, comprising 4 commercial tenancies (516m² total), 12 residential dwellings (2 x 3-bedroom and 10 x 2-bedroom units), and 71 on-site parking spaces. It should be noted that this concept plan is indicative only and shows what is possible under the proposed zoning, rather than representing a detailed development application.

6.3 Key Traffic Findings

The key findings of the TIA are summarised as follows:

- **Traffic Generation:** The proposed development will generate approximately 1,087 vehicles per day with a peak of 141 vehicles per hour, compared to the existing residential use which generates 30 vehicles per day with a peak of 3 vehicles per hour.
- **Access Improvements:** The development will consolidate access arrangements from 5 existing access points to 2, removing 4 residential driveways from East Derwent Highway and replacing them with a single entry-only access. This represents a significant improvement in terms of traffic safety and efficiency.
- **Road Safety:** The proposed access arrangements will result in net road safety improvements through access consolidation, elimination of reversing movements onto East Derwent Highway, and the entry-only design that removes potential conflict points with through traffic.
- **Planning Compliance:** The proposed accesses satisfy the Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme, with the East Derwent Highway access providing entry-only movements and the Ballawinnie Road access accommodating two-way traffic flow.

- Parking Provision: The development provides 71 on-site parking spaces, which exceeds the Planning Scheme requirement of 66 spaces, along with appropriate disabled and motorcycle parking provision.
- Pedestrian Connectivity: The site benefits from good pedestrian connectivity via pedestrian actuated traffic signals immediately adjacent to the site, providing safe pedestrian access across East Derwent Highway and linking to the broader pedestrian network.
- Network Capacity: The additional traffic generated by the development can be accommodated by the existing road network without adversely affecting traffic flow or safety and the low volume nature of Ballawinnie Road.

6.4 Conclusion

The proposed rezoning will facilitate an appropriate mixed-use development that is consistent with the established commercial character of the area. The development will improve road safety conditions through access consolidation and will provide adequate parking and connectivity. The traffic impacts are considered acceptable and can be appropriately managed within the existing transport network.

Based on the findings of this report, the proposed development is supported on traffic and parking grounds.

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	11 July 2025

7.4 LOCAL PROVISION SCHEDULE AMENDMENT REQUEST PDPSPAMEND-2025/054641 – 113, 115, 117, AND 119 EAST DERWENT HIGHWAY, LINDISFARNE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is for Council, acting as a Planning Authority, to consider the request made for an amendment to the Clarence Local Provisions Schedule (LPS) under section 37 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The draft amendment seeks to change the zoning of 113, 115, 117 and 119 East Derwent Highway, Lindisfarne from the General Residential Zone to the Local Business Zone.

RELATION TO PLANNING PROVISIONS

The subject properties are within the General Residential Zone. Applicable codes include the Parking and Sustainable Transport Code, Road and Railway Assets Code, Flood-prone Hazard Areas Code and Safeguarding of Airports Code.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the *Judicial Review Act 2000* and the Local Government (Meeting Procedures) Regulations 2025.

Section 37 of LUPAA provides for the Planning Authority to consider a request to amend the Clarence Local Provision Schedule (LPS).

In determining this matter, the Planning Authority must consider whether it is satisfied that the draft amendment meets the LPS criteria under Section 34 of LUPAA. The Planning Authority is required to make a decision in relation to this matter within the statutory period, which expires on 22 October 2025, noting the Tasmanian Planning Commission (the Commission) has granted an extension of time until this date.

CONSULTATION

Unless directed otherwise by the Commission, if Council agrees to a request to prepare a draft amendment to the LPS, it will then be subject to public exhibition and open for public comment for a period of 28 days, in accordance with statutory requirements.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That, pursuant to Section 38(1) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority is satisfied that the requested amendment of the Clarence Local Provisions Schedule (PDPSPAMEND-2025/054641) meets the LPS criteria.
- B. That, pursuant to Section 38(2) of the *Land Use Planning and Approvals Act 1993*, that the Planning Authority agrees to prepare a draft amendment to rezone 113, 115, 117 and 119 East Derwent Highway, Lindisfarne (folios of the Register 75763/4, 75763/3, 75763/2 and 75763/1) to Local Business Zone.

- C. That, once certified, the Planning Authority will provide a copy of the draft amendment to the Tasmanian Planning Commission, give notice and place the draft amendment on public exhibition for a period of 28 days as required under Section 40H of the *Land Use Planning and Approvals Act 1993*.
- D. That the details and conclusions included in the Associated Report be recorded as the reasons for the Planning Authority’s decision in respect of this matter.

Decision:	MOVED Cr Walker SECONDED Cr Hulme	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Cr Blomeley	Cr James
	Cr Chong	
	Cr Darko	
	Cr Goyne	
	Cr Hulme	
	Cr Kennedy	
	Cr Mulder	
	Cr Walker	