



NOTICE OF APPROVED AMENDMENT
TASMANIAN PLANNING SCHEME – CLARENCE
EFFECTIVE DATE – 3 DECEMBER 2025
PDPSPAMEND-2024/048229

The Tasmanian Planning Commission has approved an amendment to Rezone land at 21 Matipo Street, Risdon Vale to General Residential Zone in accordance with section 40Q of the *Land Use Planning and Approvals Act 1993*.

The amendment to the Local Provision Schedule maps comes into effect on 3 December 2025. The Commission will make the necessary amendments to the planning scheme and the planning scheme maps to give effect to the amendment.

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 5 January 2026. In accordance with legislative requirements, plans and documents can also be viewed at www.ccc.tas.gov.au during these times.

If you would like to make further enquiries, please contact Council's Strategic Planning Team on (03) 6217 9550.

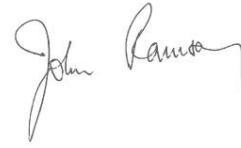
Any personal information submitted is covered by Council's privacy policy, available at www.ccc.tas.gov.au or at the Council offices.

Documents available for viewing:

Tasmanian Planning Commission decision and reasons
Approved Amendment to Local Provision Schedule

**TASMANIAN
PLANNING COMMISSION**

Approved



Effective date: 3 December 2025



**Tasmanian Planning Scheme - Clarence
Draft Amendment**



**AMENDMENT TO LOCAL PROVISION SCHEDULE MAPPING
PDPSAMEND-2024/048229**

To amend the Tasmanian Planning Scheme - Clarence Local Provision Map by rezoning 21 Matipo Street, Risdon Vale from Rural Zone to General Residential Zone.

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HEREUNTO AFFIXED THIS 10th DAY OF JULY 2025, PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE 7th DAY OF JULY 2025 IN THE PRESENCE OF:



CHIEF EXECUTIVE OFFICER

Scale 1:2,000 (at A4)

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

TASMANIAN PLANNING COMMISSION



DECISION

Planning scheme	Tasmanian Planning Scheme - Clarence
Amendment	PDPSAMEND-2024-048229 - rezone 21 Matipo Street, Risdon Vale from Rural to General Residential
Planning authority	Clarence City Council
Applicant	MC Planners for Matipo 21 Pty Ltd
Date of decision	19 November 2025

Decision

The draft amendment is approved under section 40Q of the *Land Use Planning and Approvals Act 1993*

Robin Nolan
Delegate (Chair)

Katrena Stephenson
Delegate

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes to rezone 21 Matipo Street, Risdon Vale from Rural to General Residential.

Site information

The site at 21 Matipo Street, Risdon Vale contains one title (folio of the Register 120636/3) and has an area of approximately 4.2ha. The site contains two dwellings and various outbuildings. Remnant vegetation is located throughout the site.

Land to the west of the site is zoned General Residential, and land to the north, east and south is zoned Landscape Conservation.

The bushfire-prone areas, airport obstacle limitation area, flood-prone areas, priority vegetation area and medium landslip hazard band overlays apply to the site.

Issues raised in representations

The representors raised the following issues:

- the draft amendment in its current form is not supported due to issues relating to the requirement for a full water supply service to be provided to the site and the need to connect this service via multiple private properties
- the potential bushfire hazards and risks on the interface with adjoining bushland
- the area floods regularly.

Planning authority's response to the representations

The planning authority considered the representations and recommended no modifications to the draft amendment.

Date and place of hearing

The hearing was held at the Commission's office on Level 3, 144 Macquarie Street, Hobart on 5 November 2025.

Appearances at the hearing

Planning authority: Robyn Olsen, Lead Strategic Planner
Hannah Atkins, Engineer

Applicant: Mat Clark, MC Planners
Samantha Lane, JMG Engineers
Nick Lambrakis, Matipo 21 Pty Ltd

Representors: Al Cole, TasWater

Consideration of the draft amendment

1. Under section 40M of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the draft amendment to the Local Provisions Schedule (LPS) and the representations, statements and recommendations contained in the planning authority's section 40K report and any information obtained at a hearing.
2. A hearing was convened to assist the Commission consider the issues in the representations.
3. The Commission must also consider whether the draft amendment meets the LPS criteria as set out 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*.
4. Where relevant, these matters are discussed in the sections below.

Regional land use strategy

5. The relevant regional land use strategy is the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy).
6. The planning authority's report supporting the draft amendment (supporting report) noted that the application was submitted in November 2024, at which time the land was outside the urban growth boundary in the regional strategy. The planning authority further noted that an updated regional strategy was gazetted in May 2025 which included the land within the urban growth boundary.
7. MC Planners' planning report submitted with the application (planning report) provided an assessment against the relevant regional policy statements within the regional strategy and submitted that the draft amendment is consistent, as:
 - it is located at the periphery of an existing urban area which includes connections to existing facilities and public open space networks

- Risdon Vale falls within the definition of a 'Local Centre' under the activity centres hierarchy and the site is within close proximity to the local centre, ensuring good support for the future residents
 - infrastructure and services are available to the site
 - it is located within walking distance to public transport stops and any future subdivision will offer connectivity to pedestrian networks
 - it will retain the priority vegetation area overlay, and consideration has been given to the ability to retain significant trees within the site in examining the feasibility of any future subdivision.
8. The planning report submitted regional policies at SRD 2.2, 2.4 and 2.8 are particularly relevant:
- SRD2.2 Manage greenfield growth through an Urban Growth Boundary, which sets a 20 year supply limit with associated growth limits on dormitory suburbs.
- SRD2.4 Recognise that the Urban Growth Boundary includes vacant land suitable for land release as greenfield development through residential rezoning as well as land suitable for other urban purposes including commercial, industrial, public parks, sporting and recreational facilities, hospitals, schools, major infrastructure, etc.
- SRD 2.8 Aim for the residential zone in planning schemes to encompass a 10 to 15- year supply of greenfield residential land when calculated on a whole of settlement basis for Greater Hobart.
9. The planning report noted that forecast demand for dwellings within the regional strategy is significantly higher for Clarence and supply within the Urban Growth Boundary is being exhausted faster. In support for the rezoning the report provided a comprehensive assessment on the capacity for future residential development within the Risdon Vale area.
10. The planning authority's supporting report submitted that the draft amendment is generally aligned with, consistent with or neutral with the relevant strategic directions of the regional strategy. The planning authority submitted that the proposed rezoning facilitates growth within the defined urban area and will enable fully serviced land for development at higher densities.

Commission consideration

11. The land is within the regional strategy's urban growth boundary and can be serviced for water, sewer and stormwater as discussed further in this decision.
12. The Commission finds the draft amendment for General Residential zoning is, as far as practicable, consistent with the regional strategy.

Strategic Plan

13. The planning authority submitted that the draft amendment is generally consistent with the City of Clarence Strategic Plan 2021-2031 with the overarching goals for a people friendly city, a well-planned liveable city, a prosperous and creative city, and an environmentally responsible city.

14. The planning authority noted that there are no specific local policies or strategies that are relevant to this proposal.

Commission consideration

15. The Commission finds that the draft amendment has had regard to a strategic plan prepared under section 66 of the *Local Government Act 1993*.

Strategic assessment

16. The applicant's planning report submitted that the draft amendment is consistent with Guideline No. 1 Local Provisions Schedule (LPS): zone and code application (Guideline No. 1) as the General Residential Zone will be an extension of the existing zone in the area, is capable of being connected to services and bushfire hazard can be managed through development of the site and the existing planning scheme overlays.
17. An update to Guideline No. 1 was issued in June 2025 to require that:
 - 3.6 The application of one or more higher-order urban zones within Greater Hobart, as defined by Map 2 of the Southern Tasmania Regional Land Use Strategy, must be supported by a Precinct Structure Plan. The requirement for a Precinct Structure Plan may be waived where a proposal is made under section 40T of the Act and accompanied by a concurrent application for subdivision and/or development proposal fulfilling the function of a Precinct Structure Plan as relevant and within its context.
18. The applicant contended that a vast majority of information required of a precinct structure plan was provided in their planning report. The planning authority noted that the application was submitted before the requirement for a precinct structure plan came into effect and currently there is no structure plan for Risdon Vale.
19. The planning authority considered that GRZ 1 and 2 of Guideline No. 1 were met. For criteria GRZ 2 the planning authority submitted that natural values and bushfire hazards are relevant to the site, but no significant vegetation communities have been identified, and relevant overlays apply for future development.
20. The planning authority submitted that:

The site is sufficiently large and has sufficient road frontage to Downhams Road to potentially accommodate subdivision of a density envisaged as being appropriate by the TPS within the General Residential Zone, or alternatively the development of multiple dwellings. The applicable scheme provisions adequately manage and account for the potential issues arising from more dense development.
21. The planning authority considered that as the site is adjacent General Residential zoned land and has no significant natural values, there is no basis for why the site should be constrained differently from the adjoining urban properties.

22. The planning authority considered that residential amenity can be satisfactorily protected through the application of the applicable standards of the General Residential Zone.
23. At the hearing the Commission discussed the development of the three lots zoned General Residential to the west of the site, 16 Marlock Street (folio of the Register 108429/1), 18 Marlock Street (folio of the Register 108429/2) and 33 Matipo Street (folio of the Register 120636/4) in the context of sequential orderly development.
24. The further submission from MC Planners dated 30 October 2025 submitted that the rezone was orderly development as these lots have site constraints for development:

It is worth noting that 18 Marlock is accessed via a right of way on 16 Marlock Street and there is a 15.33m wide right of way which appears to be earmarked as a future road connection possibly between Marlock and Matipo Streets (refer to Attachment 1). However, there is no corresponding right of way on 33 Matipo Street. The two rights of way on 16 Marlock, in addition to the capital value of the existing house, would make development of this site inefficient and likely reliant on an owners consent from 18 Marlock Street.

Further, the 15m road reserve enabled by the easement would limit the number of lots/equivalent tenements possible on both lots to 15 based on the IPWEA Municipal Standard Drawings V3, unless there was agreement to both widen the easement.

25. In regard to the provision of services to these lots the applicant submitted:

We have not modelled the water demands on these three sites but it would be likely their capacity would be limited without a connection to the ring main, and that the new ring main proposed may assist the future development of these properties. We have not considered sewer or stormwater capacity for these three sites, but it is assumed this is possible. Achieving a road connection between Marlock and Matipo Street would seem unlikely given the gullies that cross these sites (refer to Figure 2 below). Note the dwelling on 33 Marlock is accessed by a winding access road which traverses the gully and connects to Matipo Street.

Based on the above, it would seem there are significant constraints to developing these three properties, regardless of improved access to water, primarily due to access and interdependent ownership constraints.

Commission consideration

26. The application was submitted prior to the requirement for a structure plan under Guideline No.1. Nevertheless, the evidence addressed the strategic context for the draft amendment for General Residential zoning consistent with the Guideline.
27. The Commission notes the purpose of the General Residential Zone is:
 - 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

28. Further the Commission notes that the provisions and standards for the General Residential Zone appropriately facilitates future development of the site.
29. The Commission accordingly finds on strategic assessment that the site is unconstrained, can be serviced, is intended to be developed for urban densities and is suitable for future residential development in accordance with the requirements for the General Residential Zone.

Infrastructure

30. The applicant's planning report submitted that the site has access to road, water, sewer and stormwater and is designated as serviced for water and sewer under the TasWater LISTmap overlay.
31. The applicant noted that there are upgrades required to Downhams Road, the main water supply and the local stormwater system to facilitate development on the site.

Water supply

32. The applicant's planning report submitted that TasWater have advised that there is insufficient pressure to service the 51-54 lots possible on the site with the current water main connection. The planning report contended that the supply of water to the site is relevant from a strategic perspective. It contended, for land adjoining residential development to lack an adequate water supply, was an anomaly.
33. The representation from TasWater did not support the draft amendment without certainty on the supply of water to the site. TasWater submitted that the nearest water main with appropriate pressure is 600-800m away across a number of private properties and no formal agreements are in place.
34. In reply the applicant's submission of 30 October 2025 advised that since the application was submitted to Council further consultation has been undertaken with TasWater on the water main connection. The applicant submitted a preliminary design by JMG Engineers showed the proposed water main within an easement over 18 Downhams Road and 60 Elaia Drive. Mat Clark advised the proposed water main alignment over these properties had in principle support from the landowners.
35. At the hearing Al Cole for TasWater advised that for the site the existing water pressure is too low to service the entirety of the block for a subdivision. Mr Cole advised that the dwelling on 21 Matipo and the handful of houses below are currently serviced by a water tank and associated pumping station.
36. Mr Cole further submitted that the definition of water serviced land as shown on the LISTmap refers to a single dwelling on a single lot, not whether a new subdivision can be serviced. The reason 21 Matipo Street is listed as water serviced land is because the dwelling on the site can be serviced.
37. Mr Cole advised that TasWater requires certainty that the water main will be built and a 6m wide access easement created for TasWater maintenance.
38. Mr Clark noted that the only certainty achievable is from a signed contract from the owners of 18 Downhams Road and 60 Elaia Drive. Mr Clark submitted that

to achieve certainty a design that is approved by TasWater in terms of the easement width is required.

39. Mr Clark noted that the subdivision plan submitted with the planning report is only a conceptual design for the purposes of the rezone application and a detailed design is required to be agreed by TasWater along with a formal contract with the owners of 18 Downhams Rd and 60 Elaia Drive to secure the easement.
40. Mr Clark submitted that the owners of 18 Downhams Road and 60 Elaia Drive have been amenable to having a water pipeline on the area of their property shown on the JMG Engineer's plan. Mr Clark further noted that other options on how to get the water connection to the site had been explored with TasWater.

Commission consideration

41. The Commission notes the submission from the applicant that water services can be provided to the site with the preferred pipeline alignment through 18 Downhams Road and 60 Elaia Drive.
42. The Commission finds that compliant water supply can be provided to the site consistent with the purpose for the General Residential zone. Certainty of provision of water is a matter for the applicant and TasWater with planning for supply and contractual details agreed after the rezoning has been confirmed.

Stormwater

43. The representation from Chris and Eva Thompson submitted that no flood map or assessment has been provided by a qualified expert to show the existing flood risk or how it will change after the rezoning. The representors noted that houses near the intersection of Matipo Street, Palm Street and Gardenia Road are known to flood regularly.
44. The planning authority's supporting report stated:

Although some concerns exist at a Council level in relation to stormwater management and disposal from the site at subdivision stage, Council's development engineers agree that a solution is likely to be achieved at subdivision stage – subject to detailed engineering design work being undertaken.
45. The report advised that the site is subject to the flood-prone areas hazard code in the site's north-west corner.
46. At the hearing Hannah Atkins for the planning authority submitted that for the site Council is confident that the issues relating to stormwater can be managed. Ms Atkins noted that there are details to be worked through for the subdivision, but there is a solution to service the site.

Commission consideration

47. The Commission finds on the evidence from the planning authority that stormwater can be managed through the provision of on-site and off-site infrastructure.

48. On infrastructure generally the Commission finds the site can be appropriately provided with road, water, sewer and stormwater services consistent with the General Residential zone.

State Policies and Resource Management and Planning System Objectives

State Policy on the Protection of Agricultural Land 2009

49. The site is not Agricultural land as defined in the State Policy. The draft amendment is consistent with the *State Policy on the Protection of Agricultural Land 2009*.

Tasmanian State Coastal Policy 1996

50. The site is located more than 1km from the coast and is therefore outside the Coastal Zone as defined in the State Policy. The draft amendment is consistent with the *State Coastal Policy 1996*.

State Policy on Water Quality Management 1997

51. The evidence is that urban stormwater can be appropriately managed through on-site and off-site infrastructure. The draft amendment is consistent with the *State Policy on Water Quality Management 1997*.

Schedule 1 Objectives of the Act

52. In consideration of the site's strategic context and infrastructure services provision and with specific reference to Objective Part 1 1(b):
 'to provide for the fair, orderly and sustainable use and development of air, land and water'
53. The Commission finds the draft amend furthers the Schedule 1 Objectives.

Decision on draft amendment

54. The Commission is satisfied that the draft amendment meets the LPS criteria and gives its approval.

Attachments

Annexure A - approved draft amendment

Annexure A

Approved draft amendment PDPSAMEND-2024-048229 – Tasmanian Planning Scheme – Clarence

