

7.3 APPLICATION FOR PLANNING SCHEME AMENDMENT PSA 1/2025 FOR 319 MURCHISON HIGHWAY, SOMERSET

To: Council
Reporting Officer: Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 18 February 2026
File Reference: 3018847
Supporting Documents:

1. Consolidated application documents
2. TasWater SPAN
3. Infrastructure plan
4. TPC Extension of time

RECOMMENDATION

That Council acting in its role as Planning Authority:

- 1. In accordance with s38(2) and s40D(a) of the Land Use Planning and Approvals Act 1993, initiates a planning scheme amendment PSA 1/2025 to rezone land at 319 Murchison Highway, Somerset (CT 158979/2) from Agriculture to Low Density Residential zone.**
- 2. In accordance with s40F(3) of the Land Use Planning Approvals Act 1993, certifies planning scheme amendment PSA 1/2025 as meeting the requirements of s34 of the Land Use Planning Approvals Act 1993.**
- 3. In accordance with s40F(4) of the Land Use Planning and Approvals Act 1993, forwards a copy of the sealed instrument of Certification and the draft amendment to the Tasmanian Planning Commission within seven (7) days.**
- 4. That, in accordance with Section 40FA(1) of the Land Use Planning and Approvals Act 1993, forwards a copy of the draft amendment to any relevant agencies or State authorities the Planning Authority considers may have an interest in the draft amendment; and**
- 5. That in accordance with Section 40G of the Land Use Planning and Approvals Act 1993, publicly exhibits the draft amendment PSA 1/2025 for a period of 28 days.**

PURPOSE

The purpose of this report is to provide an assessment of an application for planning scheme amendment No. PSA 1/2025, which is seeking to rezone land at 319 Murchison Highway, Somerset (CT 158979/2) from the Agriculture Zone under the *Tasmanian Planning Scheme – Waratah Wynyard* to the Low Density Residential zone.

BACKGROUND

On 17 June 2025 Council received an application from JDA Planning Pty Ltd on behalf of the landowners for a planning scheme amendment to rezone land from Agriculture to Low Density Residential under S.37 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The site is vacant pasture, with small sections of mature vegetation along the property border. The south-eastern corner of the site contains a small local waterway.

The subject land is bordered to the north-west by the Murchison Highway and to the east by Haywoods Lane. Four smaller lots containing dwellings adjoin the site and a fifth small vacant lot also adjoins the site. These are not proposed for rezoning.

Land to the north-east of the site is zoned Low Density Residential. This application is seeking to have that Low Density Residential zone expanded to cover the subject site.

Land to the east and south of the site are zoned Rural Living Zone A, with four adjoining lots assigned to the Agriculture zone and one adjoining lot assigned to the Rural Living A zone.

The site was the subject of two previous applications, with one being an unsuccessful application for a combined rezoning (PSA 4/2017) and subdivision (SD2019) under the previous *Waratah-Wynyard Interim Planning Scheme 2013*, prior to the most recent amendments to the Cradle Coast Regional Land Use Strategy (effective on 28 February 2024). The second (PSA 3/2024) was withdrawn by the applicant without a determination being made. The current application for rezoning is to be considered by the planning authority on its own merits, independently of any previous applications submitted to Council.

DETAILS

The site is identified in Figure 1 below, along with the current zoning of the site and the immediate surrounds.

The site is currently zoned Agriculture under the Tasmanian Planning Scheme. The proposal is to rezone the site from Agriculture to Low Density Residential. No further development of the site is included in the proposal.

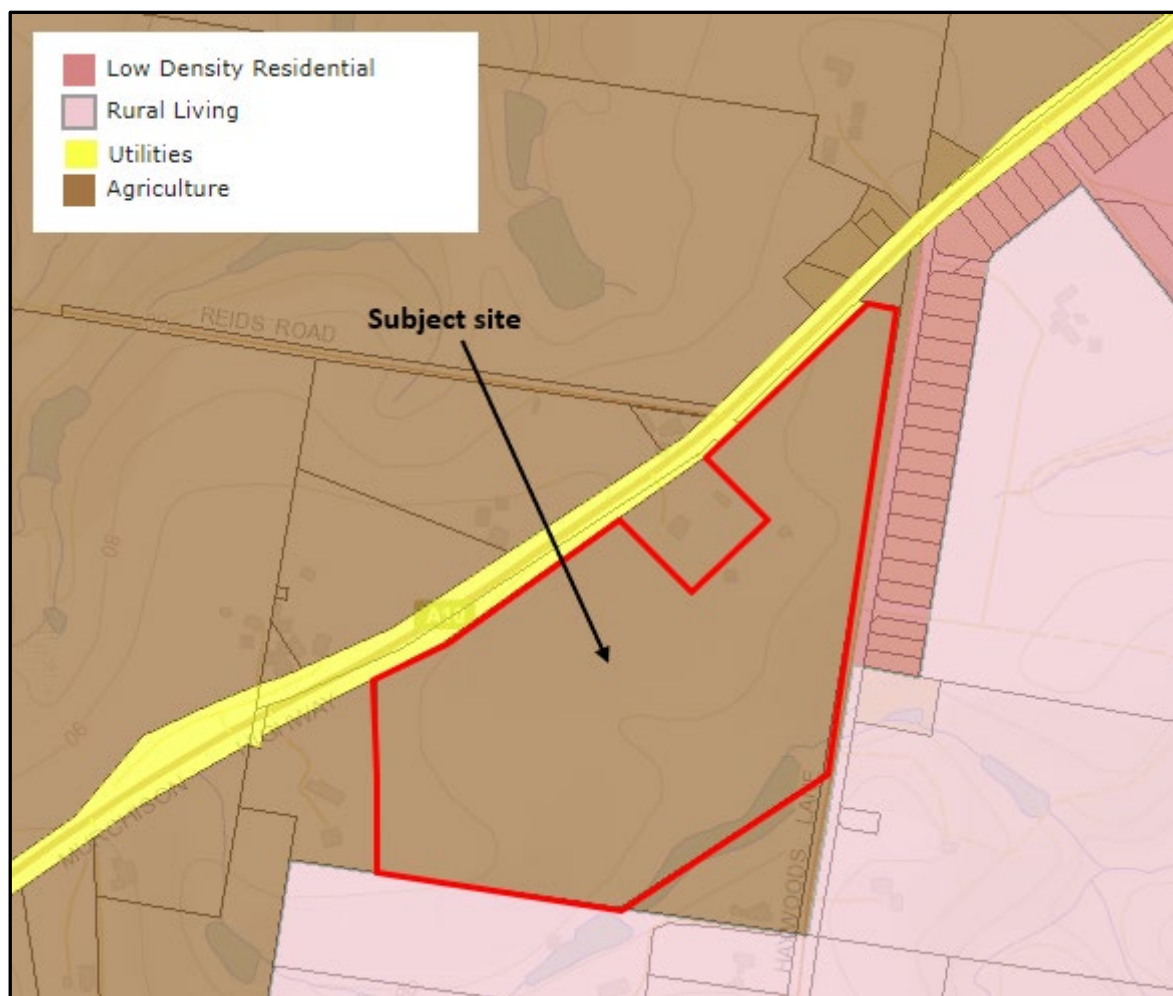


Figure 1: Current zoning of 319 Murchison Highway and surrounds



Figure 2: Aerial image of site and surrounds (Source: LISTmap)



Figure 3: Site photo, from Murchison Highway, February 2026



Figure 4: Site photo, taken from Haywoods Lane, February 2026



Figure 5: Site photo of waterway at rear of property, taken from Haywoods Lane, February 2026

The process by which Council must assess a planning scheme amendment is detailed under s38 (Decision in relation to request) and s34 (LPS Criteria) of LUPAA. This process is described in more detail under the Legislative Requirements section.

CONSULTATION PROCESS

Should the planning authority choose to progress with the planning scheme amendment, the next step will be a public exhibition for a minimum of 28 days. At the expiration of the public exhibition period, Council is to provide the TPC with its Statement of Opinion including any representations that may have been received. At the expiration of that public exhibition process, Council would provide the TPC with a report in relation to the draft amendment, representations and their merit, as well as additional recommendations.

Should the planning authority choose not to progress with the planning scheme amendment, the planning authority must notify the applicant within 7 days of the decision.

INTERNAL REFERRALS

Engineering Services Department

The application was referred to the Engineering Services Department with no conditions required.

Environmental Health

Not applicable.

EXTERNAL REFERRALS

The application was referred to TasWater on 17 June 2025. A response through a Submission to Planning Authority Notice was received on 7 July 2025.

No other external referrals were required.

PLANNING ASSESSMENT

Legislative Requirements

An application for an amendment to an LPS is available under Part 3B, Division 2 of LUPAA.

When considering a draft amendment, assessment must be undertaken under s.34 of the Act. A detailed assessment of the proposal against these provisions is provided below.

Further to satisfying the LUPAA requirements, the draft amendment requires consistency with the Section 8A Guidelines (the Guidelines) for LPS zone and code application. The Guidelines for the relevant zones and codes are reproduced below, with further commentary.

1. Compliance with s34 (2) (LPS criteria) of LUPAA, with the section requiring that the alteration:
 - a) Contains all the provisions that the SPPs specify must be contained in an LPS;
 - b) Is in accordance with section 32; and
 - c) Furthers the objectives of 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 coordinated 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*.
2. If the decision under s38 is to agree to the amendment and to prepare a draft amendment, the decision is required to comply with s37 (Requests for amendments of LPSs) of LUPAA, and further sections:
 - a) 40D (Preparation of draft amendments)
 - b) 40F (Certification of draft amendments)
 - c) 40J (Representations); and
 - d) 40 K (Report to Commission about draft amendments).

3. Should the planning authority decide to refuse to prepare the draft amendment, under s38(2)(b), the applicant must be notified under s38(3) of LUPAA.

It is noted that the Tasmanian Planning Commission (TPC) can review a decision to refuse a request to initiate a draft amendment if a request for review is made within 14 days of the planning authority decision in which case the TPC may direct the planning authority to reconsider the amendment.

An assessment of the proposal against the relevant provisions of LUPAA as outlined above is provided below. Reference is made to each subclause, with comments provided underneath.

Section 34 LUPAA	
The LPS criteria to be met by a relevant planning instrument are that the instrument -	
s34(2)(a)	<i>Contains all the provisions that the SPPs specify must be contained in an LPS;</i>
The application does not alter any of the provisions that the SPPs specify must be contained in an LPS.	
s34(2)(b)	<i>Is in accordance with section 32;</i>
The application does not impact compliance with s32.	
s34(2)(c)	<i>Furtheres the objectives set out in Schedule 1;</i>
<i>Part 1 – Objectives of the Resource Management and Planning System of Tasmania</i> 1. <i>The objectives of the resource management and planning system of Tasmania are –</i> (a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and (b) To provide for the fair, orderly and sustainable use and development of air, land and water; and <i>(c) To encourage public involvement in resource management and planning; and</i> (d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and <i>(e) To promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i> 2. <i>In clause 1(a), sustainable development means managing the use, development and protection of natural resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –</i> (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and <i>(c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.</i> The proposal has potential to interact with the objectives set out in Schedule 1, particularly 1(a), (b), and (d) as well as 2(a) and (b) through the conversion of agricultural land. These objectives are reflected by the <i>Protection of Agricultural Land Policy</i> (PAL Policy). The policy outlines principles for agricultural land management and provides a means of assessing the	

proposal in relation to the natural resource of agricultural land (objectives 1a, 1b, 2a & 2b). A detailed assessment is provided below.

The CCRLUS and the LWWSS also provide the detail for assessment of a proposal in relation to the fair, orderly and sustainable use and development of land in this situation (objectives 1a, 1b & 2a). These policies are also addressed in detail further below.

s34(2)(d)

Is consistent with each State Policy;

State Coastal Policy 1996 (revised 2003 and 2009)

It is considered that the proposal does not conflict with the *State Coastal Policy 1996* due to the distance from the coast.

State Policy for Water Quality Management 1997

The rezoning in itself would not conflict with the *State Policy on Water Quality Management 1997*. Future development would be required to comply through various provisions in the Tasmanian Planning Scheme, were the rezoning to be approved.

National Environment and Protection Measures

Section 12A of the *State Policies and Projects Act 1993* states that a National Environment Protection Measure (NEPMs) is taken to be a State Policy. The proposed amendment does not relate to any issues covered under the NEPMs and the proposal is considered to comply.

Gas Pipelines Act

The subject site is not impacted by the Gas Pipeline and is considered to comply.

State Policy on the Protection of Agricultural land 2009

The proposal is also required to be consistent with the *State Policy on the Protection of Agricultural Land 2009* (PAL Policy).

The site is currently utilised as 12.89ha of vacant pasture and is included in the broad scale land capability mapping was undertaken by the Department of Primary Industries, Parks, Water and Environment. According to this mapping, available on the LIST, the site is identified as containing primarily class 3 soils to the north/north-west with a section of class 4 to the south and an unclassified section along the eastern border.

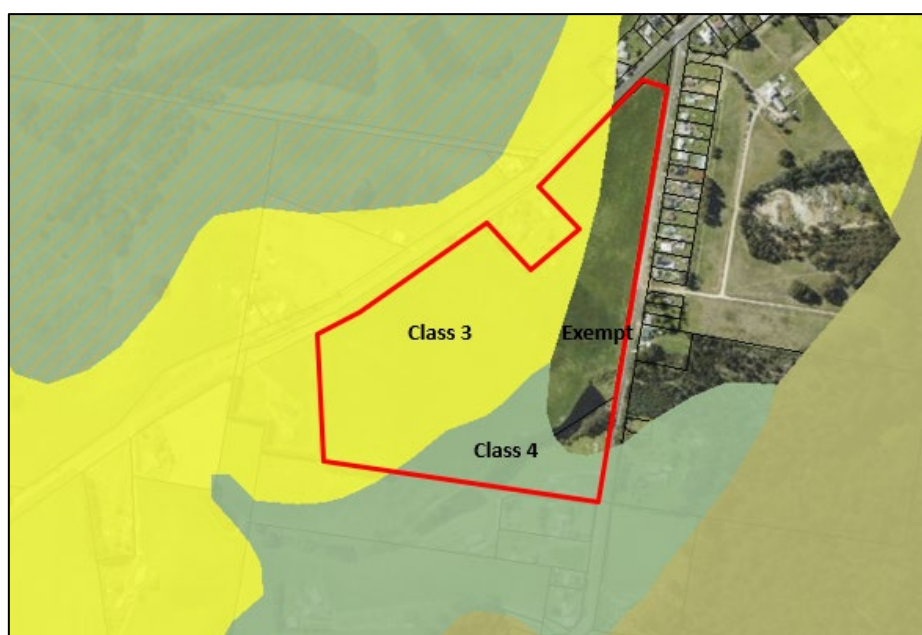


Figure 6: Land capability mapping, theList.

The application documentation included a site specific agricultural assessment which differed from the above classification and states that despite the waterway onsite, no irrigation is available. The assessment provided with the application identified key land capability limitations associated with the property as follows from page 13 of the Agricultural Assessment Report prepared by Pinion Advisory, dated June 2025-

- Erosion (e) associated with the risk of rill and sheet erosion on the steeper land and potential for degraded soil structural due to pugging from livestock movement on waterlogged soils and/or inappropriate and excessive ground cultivation activities.
- Wetness (w) associated with the land being prone to extended periods of soil waterlogging.
- Soils (s) associated with challenging growing conditions for pasture and/or crops due to limitations such as soil depth, texture, presence of stones and/or gravels.

Response to Additional Information Request, page 2 prepared by Pinion Advisory, dated 5 August 2025, identified the following limitations to agricultural land use activity-

- A small area of available land.
- Majority of the property (79%) is covered by non-prime agricultural land (as per class 4, 5 and 6) with the balance covered by class 3 land although this is present in two irregular shaped parcels.
- Very small amount of irrigation water (2.2 ML) available.
- No properties adjoining are used for agriculture land use activity.
- Isolated from any other contiguous larger area of agricultural land.
- Does not contain any infrastructure which is utilised and/or required by adjoining or nearby properties for agricultural use, such as dams, pipeline or logistics access.
- Undulating topography would prevent the construction of glasshouse/polyhouse structures and associated successful operation of dripper irrigation systems; potential for fettering due to conflict with residential land use activity.



Figure 7: Site specific land capability assessment. Refer to agricultural report for details.

As per the supporting report by Pinion Advisory, that the current and future potential primary production use is highly constrained and not of a sufficient level of prominence nor importance to be considered of local or regional significance; and that the rezoning and subsequent subdivision could be undertaken such that it is not anticipated to result in negative impacts and/or fetter the current and/or future agricultural land use activities that can and could be conducted on the agriculture land to the west and further to the south.

Additional / supplementary information was prepared by Pinion Advisory, dated 5 August 2025, which further identified that the subject property is severely constrained for agricultural productivity and therefore the ability of the property to contribute to local and regional agricultural output is minimal in both a practical sense as well as volume of agricultural production.

In terms of the practical sense for the outcomes for agricultural outcomes the subject property it is appropriate to consider:

- The previous experiences for potato production were failures and clearly an unsuitable enterprise. Potato production would represent the highest returning enterprise available.
- It would not be possible to obtain any commercial contracts for any vegetables, poppies or pyrethrum crops due to the lack of scale.
- Severely limited access to irrigation water.
- Close proximity of residential dwellings and the high risk of creating conflict such as due to the routine application of agricultural chemicals (conventional or organic) or fertilisers and/or operation of machinery, plant and equipment.
- Benefits from a scale of economy of any agricultural activity (e.g. using standard large scale machinery to cultivate, sow and/or harvest crops) would not be realised hence rendering the variable production costs unacceptably high and therefore leading to uneconomic outcomes.

- Unsuitable for protected agriculture due to the sloping and undulating topography.
- Attempts to develop the property and engage in more intensive or diversified agricultural production systems would be considered uneconomic and high risk.

The Principles of the PAL Policy are addressed below in detail.

1. *"Agricultural land is a valuable resource and its use for the sustainable development of agriculture should not be unreasonably confined or restrained by non-agricultural use or development"*

Comments: The agricultural report undertaken at a local level identifies the land as suitable only for small scale and low intensity pastoral use but not of regional or local importance. The land has been identified as being potentially constrained criteria 3 under the 'Land Potentially Suitable for Agriculture zone' mapping.

2. *"Use or development of prime agricultural land should not result in unnecessary conversion to non-agricultural use or agricultural use not dependent on the soil as the growth medium"*

Comments: It has been independently confirmed that the site contains a small amount of prime agricultural land. The agricultural report and supplementary information undertaken at a local level identifies the land is suitable only for small scale and low intensity pastoral use but not of regional or local importance.

The agricultural report further finds that

- The land has been identified as being potentially constrained criteria 3 under the 'Land Potentially Suitable for Agriculture zone' mapping.
- The 2.7ha of prime agricultural land is significantly diminished due to the class 3 land being present on two separate areas of the site.
- The northern parcel of class 3 land is in the far corner of the property and in close proximity to the residential dwellings nearby to on the eastern side of Haywoods Lane (approximately 25-30m) and the western side of the Murchison Highway (approximately 30-35m).
- The current and future lack of available irrigation water.
- A complete inability to adhere the property with adjacent prime agricultural land to form a larger contiguous parcel of prime agricultural land.
- Presence of Rural Living and Low Density Residential zoned land and associated number of residential dwellings in relatively close proximity and adjacent to the property in question.
- Despite being class 3 due to the small area of this land, fragmented position, fettering from existing close proximity residential use and lack of irrigation water the current and future agricultural productivity this land (scale and intensity) is not commensurate with its prime agricultural status

3. *"Use or development, other than residential, of prime agricultural land that is directly associated with, and a subservient part of, an agricultural use of that land is consistent with this Policy."*

Comments: No use or development is proposed. The rezoning would introduce potential for a number of new uses / developments that would be considered separately from any agricultural use.

4. *"The development of utilities, extractive industries and controlled environment agriculture on prime agricultural land may be allowed, having regard to criteria, including the following:*

(a) *Minimising the amount of land alienated;*

(b) *Minimising the negative impacts on the surrounding environment; and*

(c) *Ensuring the particular location is reasonably required for operational efficiency.”*

Comments: It has been independently confirmed that the site contains a small section of prime agricultural land. No utilities, extractive industries or controlled environment agriculture are proposed.

5. *“Residential use of agricultural land is consistent with this Policy where it is required as part of an agricultural use or where it does not unreasonably convert agricultural land and does not confine or restrain agricultural use on or in the vicinity of that land.”*

Comments: The proposal would result in the conversion of the land to Low Density Residential zoning. The case needs to be made that the conversion is not unreasonable and does not confine or restrain agricultural use on or in the vicinity of that land.

It has been independently confirmed that the site contains a small amount of prime agricultural land. The agricultural report and supplementary information undertaken at a local level identifies the land is suitable only for small scale and low intensity pastoral use but not of regional or local importance.

The agricultural report further finds that the property in question is highly constrained in the current and potential opportunities for agricultural land use activity due to-

- The current and future lack of available irrigation water.
- Inability to adhere the property with adjacent agricultural land to form a larger contiguous parcel of agricultural land.
- Presence of Rural Living and Low Density Residential zoned land and associated number of residential dwellings in relatively close proximity and adjacent to the property in question.
- The relatively small size of available land.

When assessing if conversion of the land is not unreasonable, it must also not confine or restrain agricultural use on or in the vicinity of that land.

The key risk area is to the west where agricultural land use activity is closest, with the separation distances, layout and nature of the development providing a significant buffer to the nearby agriculture zoned land.

6. *“Proposals of significant benefit to a region that may cause prime agricultural land to be converted to non-agricultural use or agricultural use not dependent on the soil as a growth medium, and which are not covered by Principles 3, 4 or 5, will need to demonstrate significant benefits to the region based on an assessment of the social, environmental and economic costs and benefits.”*

Comments: Much of the site has been independently confirmed as non-prime agricultural land. The proposal is not put forward as a significant benefit to the region.

7. *“The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.”*

Comments: Much of the site has been independently confirmed as non-prime agricultural land. Page 52 of the Agricultural Assessment by Pinion Advisory Principle 7 details the small area of the site in reference to the total available agricultural land in the region, as well as the likely inability for the site to be integrated into a larger agricultural operation. The property itself has no unique agriculturally related (e.g. soil, aspect, irrigation water,

aspect and total land holding) features and/or properties which make it of prominence with respect to the local or regional area agricultural estate. Site inspection reveals that the property presents as outside of the town border of Somerset and that the end of Haywoods Lane effectively provides a transition between the various types of residential land and the agricultural operations of the area. 8. <i>“Provision must be made for the appropriate protection of agricultural land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 and may be made for the protection of other areas that may benefit from broad-scale irrigation development.”</i> Comments: The land is not within a proclaimed irrigation district. 9. <i>“Planning schemes must not prohibit or require a discretionary permit for an agricultural use on land zoned for rural purposes where that use depends on the soil as the growth medium, except as prescribed in Principles 10 and 11.</i> Comments: No change to the zone provisions are proposed. 10. <i>“New plantation forestry must not be established on prime agricultural land unless a planning scheme reviewed in accordance with this Policy provides otherwise. Planning scheme provisions must take into account the operational practicalities of plantation management, the size of the areas of prime agricultural land, their location in relation to areas of non-prime agricultural land and existing plantation forestry, and any comprehensive management plans for the land.”</i> Comments: The proposal does not involve new plantation forestry. 11. <i>“Planning schemes may require a discretionary permit for plantation forestry where it is necessary to protect, maintain and develop existing agricultural uses that are the recognised fundamental and critical components of the economy of the entire municipal area, and are essential to maintaining the sustainability of that economy.”</i> Comments: The proposal does not involve new plantation forestry. There is no conflict with the PAL Policy.	
s34(2)(da)	<i>Satisfies the relevant criteria in relation to the TPPs</i>
As at this date, the Tasmanian Planning Policies have not yet been made under s.12 of LUPAA.	
s34(2)(e)	<i>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;</i>
The Cradle Coast Regional Land Use Strategy (CCRLUS) promotes the wise use of resources, the distribution and development of urban centres and residential settlements, the management of rural land and coastal environments and support for economic activity in the North-West Region. Comment is provided below. As a sub-category of the CCRLUS (as detailed in the CCRLUS), the Liveable Waratah Wynyard Settlement Strategy (LWWSS) is reviewed in detail in this section as well. <u>Cradle Coast Regional Land Use Strategy (28 February 2024)</u> The CCRLUS identifies that “land is to be used in the manner best matched to its highest capability to support social, cultural and economic endeavour while always protecting the health of the environment”.	

The submissions made with the application include the statements that “based upon the residential encroachment which so restricts the potential agricultural use of the land, residential development of the subject site in accordance with the provisions of the Low Density Residential Zone is suggested as its highest and best use” and “the location of the subject site at the fringe of the established urban area of Somerset qualifies the property in the context of the objectives of strategic consideration and goals of the *Cradle Coast Regional Land Use Strategy* (CCRLUS), *Sustainable Murchison 2040 Framework Plan* and *Liveable Waratah-Wynyard Settlement Strategy*. The zone change as proposed will achieve orderly growth and development within the constraints of available infrastructure”, further that “the opportunity to increase further residential density options which comply with the growth criteria identified by the *Cradle Coast Regional Land Use Strategy*, *Sustainable Murchison 2040 Framework Plan* and *Liveable Waratah-Wynyard Settlement Strategy*, enables consolidated growth in a manner consistent with moderate demand and changes in the demographic.”

Rezoning will enable infill development on the fringe of the established urban area of Somerset.

The extension of the Low Density Residential Zone to the subject title will enable the sustainable development of the site in a manner which is in keeping with that of the surrounding and nearby lots, enabling compliance with the planning scheme development standards and relevant Codes.

2. Wise Use of Resources – Respect for What is Valued

The land has little value in terms of resources for agricultural use as demonstrated in the agricultural assessment. The site is not considered suitable for higher residential densities due to servicing limitations and close proximity to waterway and potential use conflicts that higher density residential use of the site may trigger to the existing agricultural use to the west.

3. Support for Economic Activity – A Diverse and Robust Economy

The proposed change in land zoning would enable the potential yield of up to an additional 50 liveable lots to further support a liveable regional community. Economic activity would be limited to the minor impact these additional lots would provide. No significant economic activity would be lost, as demonstrated in the agricultural assessment accompanying the proposal, where it identified that the subject property is severely constrained for agricultural productivity and therefore the ability of the property to contribute to local and regional agricultural output is minimal in both a practical sense as well as volume of agricultural production.

3.3.3 Agricultural Production

The current and future potential primary production use is highly constrained and not of a sufficient level of prominence nor importance to be considered of local or regional significance; and that the rezoning and any subsequent subdivision could be undertaken such that it is not anticipated to result in negative impacts and/or fetter the current and/or future agricultural land use activities that can and could be conducted on the agriculture land to the west and further to the south.

3.3.4 Minerals, Construction Aggregate and Stone Resource Extraction

The site has not been identified as an area of known prospective significant for mineral and aggregate resources. However, due to the existence of existing sensitive uses adjoining and adjacent the site, Extractive Industry 7 use would not be appropriate on this site.

4. Places for People – Liveable and Sustainable Communities

The parcel of land is adjacent Low Density Residential zoned land to the east, adjacent and adjoining Rural Living A zoned land to the east and south, Agricultural land to the north and the and west and adjacent on the northern side of the Murchison Highway.

The applicant submits that the proposed rezoning is in keeping with the area and a logical continuation of the established settlement on the urban fringe through infill development within the capacity of infrastructure.

4.3 Land Use Policies for Managing Growth and Development

The proposed rezoning is considered to be on the fringe of the existing urban settlement and providing connection through the existing network as well as appropriate connection to infrastructure in accordance with demand and local strategy.

4.3.1 Urban Settlement Areas

A settlement management strategy is applied through Table 4.3 and indicates the growth scenarios and settlement management strategies for the settlements of the Region at the time of drafting.

The Cradle Coast Settlement Management Strategy identifies Somerset has a Medium Growth Scenario and a Contained Settlement Strategy identified in Table 4.3.

Land use planning processes for urban settlement areas are to –

- a. *Promote established settlement areas as the focus for growth and development.*
The subject site is on the fringe of the existing urban settlement of Somerset.
- b. *Promote optimum use of land capability and the capacity of available and planned infrastructure service.*
The subject site if rezoned to Low Density Residential could promote optimum use of the land capability and be developed at the capacity of available infrastructure.
- c. *Match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years, unless a contemporary land supply and demand analysis demonstrates that additional urban land should be made available to accommodate growth.*

The Cradle Coast Residential Supply and Demand Report identified that Somerset has just over 200 lots of theoretical supply, however 57% of this is provided through underutilised property. When only vacant supply is considered, Somerset supply is forecast to be consumed as early as 2030.
- d. *Accommodate growth and development for each of the settlements as identified in Table 4.3 through either –*
 - i. *A Stable Strategy which restricts new development to existing land supply within the designated urban boundary without priority for intensification; or*
 - ii. *A Contained Strategy which promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.*

Somerset is identified to have a Contained Strategy.

A Contained Strategy which promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.

The Contained Strategy, providing strategically planned expansion whilst retaining urban form and development that is contiguous with the established settlement area. At the time of adoption (17 May 2021), the Liveable Waratah Wynyard Strategy identified there are between 9-12 years supply of GRZ land based on a range of population and lot size variables with too few LDRZ developments to draw reliable conclusions about how long that zoning will last. This is at the lower end of required identified and supply of 10-20 years (p.96). Further, the CCRLUS identifies a need for additional regional supply of lower density / rural residential style expansion (p.153). The proposed rezoning would contribute to this supply, supporting the existing settlement, without meaningful loss of agricultural land.

4.4 Land Use Policies for Protecting People and Property

The proposed amendment is on land with reduced risk from natural hazards, with the land being identified as within a bushfire prone area and a small buffer area around a local waterway.

4.6 Land Use Policies for Housing Land – Places to Live

As discussed above, it is acknowledged that Somerset now has less than the minimum 10 year supply for residential land. The proposed rezoning would enable appropriate infill development in accordance with the ability to be serviced and the requirements contained within the Tasmanian Planning Scheme.

5. Planned Provision for Infrastructure – Support for Growth and Development

The proposed rezoning has the capacity for limited services appropriate to the Low Density Residential zone and to further utilise existing infrastructure without negative impact.

5.6 Land Use Policies for Water Supply

Land use acknowledges that a clean, reliable and secure water supply is a fundamental resource for the Region's environmental, economy and human systems. Land use assists arrangements for capture, storage and distribution of urban and rural water supplies and the collection, treatment and disposal of waste water. To enable growth and development a secure water supply and waste water disposal system is required.

TasWater has advised through the Submission to the Planning Authority Notice that full reticulated water services present a significant challenge due to the elevation of the site relative to the reservoirs water levels.

"In general, for a site to be reliably supplied with water directly from a reservoir, the elevation of the connection point should be at least 30 metres below the reservoir's water level when it is one-third full. For the Murchison Reservoir, this design supply head is approximately 98.5 metres. The elevation difference at this site ranges from only 8.8 to 23.8 metres, which is significantly below the recommended minimum. This means that water pressure at the site would be insufficient for standard service requirements."

Further work will need to be investigated by the applicant if the amendment is successful to better understand what reticulated water service could be provided to the site, if any, and what capacity it could operate at.

Alternatively, the site would need to provide onsite water supply and waste water disposal systems that are effective.

Liveable Waratah-Wynyard Settlement Strategy

The LWWSS takes the principles of the CCRLUS and expands upon these, bringing these into specific detail for the Waratah Wynyard Municipal area. The LWWSS recognises the need for additional 'lifestyle' lots such as those provided for within the Rural Living and Low Density Residential zonings, however it cautions that there are specific challenges that present alongside

such expansion. The LWWSS provides site specific reviews of potential locations for this expansion. This site is not one of those recommended for expansion, however, is very similar to one that is. A significant focus of the LWWSS is to consolidate existing towns and settlements where possible, rather than expanding or creating new settlements. Specifically, high rates of vacant dwellings and undeveloped land were identified for towns and villages in the municipality, including Somerset, with demand for housing near the centre of Somerset identified as an ongoing need due to the older demographic of the area. A demand for RLZ lots was identified as opposed to expansion of land for urban uses alone (contributing to sprawl).

The submissions accompanying the application for rezoning relies on the notion that the expansion of the Low Density residential would be in keeping with the tenets of the LWWSS for retaining compact urban form though it is at least 1km from the recommended growth front for Somerset identified by the LWWSS.

In the LWWSS the growth scenario for Somerset is medium being-

“demand is driven by internal population change and growth and/or moderate positive inward migration. Growth relies on intensification of existing land supply within designated urban boundaries and/or expansion.”

The settlement development and growth management strategy in the LWWSS for Somerset is Contained Strategy being –

“promotes a mix of intensification and strategically planned expansion to retain compact urban form and provide a mix of development and growth opportunities. The mix does not need to occur in balanced proportion. The approach allows for optimum use of available and planned infrastructure in both established and new release areas.”

The proposed rezoning is to expand the designated urban boundary on which it is on the fringe and at an appropriate intensification whilst retaining a compact urban form.

Detailed assessment against the LWWSS is provided within this report.

It is noted that the planning authority has adopted two Outline Development Plans in December 2025, as recommended within the LWWSS, one for River Road, Wynyard and the other for Malakoff Street, Somerset. The Malakoff Street Outline Development Plan will not be furthered by the current landowners, leaving the question of where will the growth be accommodated within Somerset?

Sustainable Murchison Community Plan 2040

The Sustainable Murchison Community Plan (SMCP) provides additional guidance for assessment of a rezoning application.

The *Sustainable Murchison Community Plan 2040* provides a framework for actions through initiatives associated with business and industry, tourism, strong communities and social capital, access and infrastructure, natural resource management, health and wellbeing, education, place making and liveability, governance and working together. The plan provided the basis for the most recent review of the CCRLUS.

The site for the rezoning was not assessed within the SMCP, however have similarities to the Malakoff Street area other than the proximity to the town centre for walkability.

The SMCP does not prohibit peripheral growth, however, will only be acceptable if it can be demonstrated that there is a pressing need to accommodate a particular land use, no other reasonable options exist to accommodate that land use within an existing built up area and the land proposed for that land use is the least valuable of all options in terms of its ecological, economic and landscape value.

The application makes a case that this site can accommodate a residential land use, there are no other reasonable options that are development ready within an existing built area and that the land is not valuable from an ecological, economic or landscape value.

Application documents address the LWWSS within JDA Planning: June 2025, on pages 29, 30 and 31 of the original submission.

Residential Demand and Supply for Somerset

The Cradle Coast Regional Land Strategy (CCRLUS) requires that Council must “*match land supply to need and provide sufficient land within the designated urban settlement boundaries of each centre to meet forecast need for a time horizon of not less than 10 years but not exceeding 20 years, unless a contemporary land supply and demand analysis demonstrates that additional urban land should be made available to accommodate growth.*”

However, the CCRLUS allows for additional land where *a contemporary land supply and demand analysis indicates that additional land should be made available to accommodate growth, the designated growth scenario or settlement strategy may be varied...*”

The parameters for additional land release are –

- i. *The land supports urban consolidation or is contiguous to established urban areas;*
- ii. *The land will service any shortages identified in a land supply and demand analysis;*
- iii. *Growth is identified in any current local land use strategies or settlement structure plans endorsed by the Council;*
- iv. *The land can be supplied with reticulated water, sewerage and stormwater services;*
- v. *Growth is aligned with the capacity of transport and road infrastructure and minimises impacts on the efficiency and safety of road and rail networks;*
- vi. *Regard is given to minimising the potential for land use conflicts; and*
- vii. *Regard is given to the accessibility to social infrastructure, such as health and educational facilities, and its capacity to provide for the intended growth.*

What is the current residential demand and supply for Somerset with the understanding that Council must provide for a time horizon of not less than 10 years but not exceeding 20 years, is a key question? Taking key findings from the Cradle Coast Residential Demand and Supply Report (CCRDSR) at the time of finalisation (September 2024) Somerset was found to have “*relatively low supply in Somerset sees forecast demand consumed supply by 2042, and as early as 2030 if only vacant supply is considered.*”

Key findings of the CCRDSR were-

“Waratah-Wynyard has adequate supply of residential land across the LGA to accommodate overall demand. However, for individual assessment areas the relationship between supply and demand differs.

Both Somerset and Wynyard have similar levels of demand, averaging around 10 to 11 dwellings a year over the forecast period. While Wynyard has adequate vacant supply to accommodate demand (around 640), and even greater supply when potential from underutilised parcels is included (around 960), Somerset has much lower supply.

Somerset has just over 200 lots of theoretical supply, however 57% of this is provided through underutilised property. When only vacant supply is considered, Somerset supply is forecast to be consumed as early as 2030. Recent dwelling supply in Somerset isn’t necessarily characterised by standard detached dwellings, with a degree of alternate forms, such as units and villa units, being constructed over the past decade... These types of development are often infill, suggesting that realisation of some underutilised parcels is likely in the future.”

Council Officers are currently undertaking a review of supply and demand in Somerset from the time horizon of the data supplied to inform the CCRDSR up until February 2026, to more comprehensively understand Somerset's supply.

SGS Economics & Planning Pty Ltd Supplementary Information

Cradle Coast Regional Land Strategy (CCRLUS)

The supplementary information provided by SGS Economics & Planning Pty Ltd dated 17 November 2025, has reviewed the findings from the CCRDSR from the perspective that the overall supply at the LGA wide level does not mean that local shortfalls do not exist.

From this perspective the annual demand in Somerset is projected to be around 11 dwellings on average, based on the demand scenario applied in the report. Somerset has a total supply of 207 lots, with the majority falling into categories that are not highly likely to become available and on underutilised existing residential uses.

Only 32 residential lots are highly likely to become available (i.e. retail), and this equates to 15% of the supply. The report shows that by 2030 there would be an acute shortage of residential land to accommodate demand, based on vacant supply. When taking into account all the land, including land not easily developed and/or unlikely to become available to the market, there would be an acute shortage by 2039.

Liveable Waratah Wynyard Settlement Strategy (LWWSS)

The supplementary information provided by SGS Economics & Planning Pty Ltd dated 17 November 2025, discusses the intended settlement patten for the municipality.

It is based on a number of principles. Relevant principles in this context are:

- *“Avoid unnecessary expansion of the footprint of towns or villages.” Prioritising consolidation over expansion is a well-accepted planning principle that drives sustainable development and thriving communities.*
- *Respect the views and needs of all who are in the community and the needs of those who will be.” Community members have preferences for where and how they want to live, and where reasonable and not undermining the public benefit, these preferences should typically not be ignored.”*

“The settlement strategy was developed prior to the CCRDSS and appears to rely on now outdated population projections by Treasury Tasmania. Treasury updated its projections in recent years in response to years of higher than anticipated population growth. Further, these Treasury projections do not take internal migration between councils into account, which has resulted in lower estimates than observed (real) population change especially in urban fringe and peri-urban areas around Tasmania.

The proposed rezoning aligns with the two strategic principles listed before. The proposed expansion is necessary and also is adjacent to the existing residential area enabling consolidated growth. By allowing the rezoning, the needs and preferences of the community are also met.”

The above supplementary information provided by SGS Economics & Planning Pty Ltd dated 17 November 2025 is supported.

s34(2)(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;

No impact outside matters already discussed.

s34(2)(g)	<i>As far as practicable, is consistent with and coordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates</i>
The proposed rezoning would be in proximity to, but not directly interact with, the adjoining Burnie municipal area.	
s34(2)(h)	<i>Has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2016.</i>
No impact.	
Section 37(1) LUPAA A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.	
Section 37(2) LUPAA A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.	
The request was made the planning authority as per s37(1). The application format complies with s37(2).	
Section 37(3) LUPAA A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land- (a) Be signed by each owner of the land; or (b) Be accompanied by the written permission of each owner of the land to the making of the request.	
The application was accompanied by the written permission of each landowner to the making of the request. The application complies with s37(3).	
Section 38 LUPAA Before making a decision as to whether or not to prepare a draft amendment of an LPS the planning authority must-	
s38(1)	<i>Be satisfied that such a draft amendment of an LPS will meet the LPS criteria</i>
The LPS criteria are addressed in detail throughout this report. The proposed rezoning has been found to meet the LPS criteria.	
s38(2)	<i>Within 42 days after receiving a request under section 38(1) or a longer period allowed by the Commission, must-</i> <i>(a) Decide to agree to the amendment and prepare a draft amendment of the LPS; or</i> <i>(b) Decide to refuse to prepare the draft amendment of the LPS.</i>
An extension to the 42 day assessment timeframe was sought due to the timing of the Council Meeting. The Tasmanian Planning Commission granted the request for an extension of time so that the proposal could be considered at the Council meeting of Monday 16 March 2026.	
s38(3)	<i>Within 7 days of deciding under subsection (2) whether or not to prepare a draft amendment of an LPS in accordance with a request under section 37(1), must give notice of the decision to the person who made the request.</i>

The decision is to be considered and made at the Council Meeting of 16 March 2026. The applicant will be notified within 7 days of this decision.

Further to satisfying the LUPAA requirements, the draft amendment requires consistency with the Section 8A Guidelines for LPS zone and code application. The guidelines for the relevant zones and codes are reproduced below, with further commentary.

Existing zoning: 21.0 Agriculture Zone

	Zone Application Guidelines	Comment
AZ 1	The spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, whilst also having regard to: (a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which: (i) incorporates more recent or details analysis or mapping; (ii) better aligns with on-ground features; or (iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and where appropriate, may be demonstrated in a report by a suitably qualified person, and is 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. (b) any other relevant data sets; and (c) any other strategic planning undertaken at a local or regional level 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.	The land was identified in this layer, as 'Potentially Constrained – Criteria 3'. The application includes agricultural land analysis at a local level. The CCRLUS and the LWWSS provide the necessary assessment referenced in AZ1(c). These are addressed in this report in detail.
AZ 2	Land within the Significant Agriculture Zone in an interim planning scheme should be included in	The site was considered during the assessment of the transition from the interim

	the Agriculture Zone unless considered for an alternate zoning under AZ6.	planning scheme to the TPS. The request at that time was that the site be considered for revision from the Agriculture Zone to the Rural Living Zone. The planning authority and the Tasmanian Planning Commission concluded that the rezoning of the site was not supported by local strategy at the time and that the site was able to support agricultural activity.
AZ 3	Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to: (a) existing land uses on the title and surrounding land; (b) whether the title is isolated from other agricultural land; (c) current ownership and whether the land is utilised in conjunction with other agricultural land; (d) the agricultural potential of the land; and (e) any analysis or mapping undertaken at a local or regional level consistent with the relevant regional land use strategy or supported by more detailed local strategic analysis consistent with the with the regional land use strategy and endorsed by the relevant council.	The layer identified the site as Potentially Constrained -3. The application includes further investigation of the listed matters as does this assessment report. In particular: – the land is currently utilised as 12.8 ha of vacant pasture. – the land adjoins a number of dwellings, and the Murchison Highway and consideration has been given to the existing land uses on the title and surrounding land. – the land is not part of a wider agricultural holding. – land capability assessment has been undertaken at a local level and found to have limited and significantly constrained agricultural potential. – Further analysis has been undertaken at a local level since the Cradle Coast

		Residential Land Supply and Demand Report was released to better understand if the proposed amendment would be consistent with the Regional Land Use Strategy. - The proposed rezoning has been assessed against the relevant land use strategy and local strategy in this report. The proposed rezoning is considered to be in keeping with these strategies.
AZ 4	The 'Potential Agricultural Land Initial Analysis' layer may assist in making judgments on the spatial application of Agriculture Zone, including, but not limited to: (a) any titles that have or have not been included in the 'Land Potentially Suitable for Agriculture Zone' layer, including titles that are surrounded by land mapped as part of the LIST layer; (b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3; (c) outlying titles that are either included or excluded within the 'Land Potentially Suitable for the Agriculture Zone' layer; and (d) larger titles or those with extensive areas of native vegetation cover.	The subject land was identified in this analysis as potential agricultural land.  Figure 9: Land in dark brown identifies the potential agricultural land The site was identified as Potentially Constrained – 3, which references the proximity of residences for a potential conflict of uses.
AZ 5	Titles may be split zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.	N/A. Titles are not split zoned. The current application does not propose split zoning, and the planning authority has no reason to consider such a proposal, given the specifics of the site and surrounds.
AZ 6	Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if:	The land was identified in this layer, as potentially constrained.

	(a) local or regional strategic analysis has identified or justifies the need for an alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis with the relevant regional land use strategy and endorsed by the relevant council; (b) for the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning; (c) for the identification and protection of significant natural values, such as priority vegetation areas as defined in the Natural Assets Code, which require an alternate zoning; (d) for the identification, provision or protection of strategically important uses that require an alternate zone; or (e) it can be demonstrated that: (i) the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone; (ii) there are significant constraints to agricultural use occurring on the land; or (iii) the Agriculture Zone is otherwise not appropriate for the land.	The application provides a more detailed local analysis in accordance with (a). There are no strategically important resources known to be located on the site. There are no significant natural values on the site that require specific protection. There are no strategically important uses that require alternative zoning. The application identifies that the land has limited potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone. The application identifies that there are significant constraints to agricultural use occurring on the land.
AZ 7	Land not identified within the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if: (a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone 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 (b) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land	The land was identified in this layer, as Potentially Constrained.

	uses in conjunction with land mapped as suitable for the Agriculture Zone; (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or (d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer; and (e) having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.	
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Conclusion: the main consideration for this site in the 8A Guidelines is that of the agricultural capacity of the land and the regional and local strategies. Compliance with these strategies is considered in detail above in response to the PAL Policy.

Proposed zoning: 10.0 Low Density Residential zone

	Zone Application Guidelines	Comment
LDRZ 1	The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist: (a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints: (i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and (ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or (iii) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities.	The site is not a residential area but adjacent one. The proposal intends to alter this situation, expanding the residential footprint of the area. The site is possibly able to be partly serviced by water. It appears unable to be serviced by sewer and would be considered in keeping with (i). There are no significant environmental constraints to limit development. Bushfire risk and the relationship to the waterway on site would need to be managed in any future development. The application documentation makes the case that the proposed rezoning would be an expansion of the existing low density residential land adjacent the site.
LDRZ 2	The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section	N/A.

	29 planning scheme to lots that are smaller than the allowable minimum lot size for the zone and are in existing residential areas or settlements that do not have reticulated infrastructure services.	
LDRZ 3	The Low Density Residential zone should not be applied for the purpose of protecting areas of important natural or landscape values.	The site is not identified as having important natural or landscape values.
LDRZ 4	The Low Density Residential Zone should not be applied to land that is targeted for greenfield development unless constraints (e.g. limitations on infrastructure, or environmental considerations) have been identified that impede the area being developed to higher densities.	The site is considered by the planning authority to be a greenfield site with limitations on infrastructure.

Conclusion: The site is not able to be fully serviced and is adjacent to other land within the Low Density Residential Zone, with limitations on infrastructure. The appropriate modification of this site to Low Density Residential zoning would be reliant upon demand and strategic planning supporting the proposed change. These matters are assessed elsewhere in this report in detail.

Potential alternative zonings:

The site was also summarily considered for potential alternative zonings. These were limited to the 11.0 Rural Living zone, due to the proximity of land within this zoning to the subject site, and the 20.0 Rural zone, as potentially appropriate alternatives to the Agriculture zone, should that be deemed inappropriate.

Conversion of land to the Rural Living Zoning is heavily reliant upon compliance with the regional and local strategic planning. As such, this zoning was dismissed from consideration.

Conversion of land to the Rural Zone is appropriate where land has limited agricultural value, as has been identified on this site. The next consideration for this site in the following:

- RZ3 The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if:*
- (a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;*
 - (b) it can be demonstrated that there are significant constraints to agricultural use occurring on the land;*
 - (c) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis;*
 - (d) the land is identified for a strategically important use or development that is more appropriately located in the Rural zone and is supported by strategic analysis; or*
 - (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.*

Items (c) and (d) are able to be dismissed. The assessment then returns to that matters of agricultural potential, constraints and strategic analysis for the site. These have been addressed in detail in response to the PAL Policy and regional and local strategic planning throughout this report. The site is not considered appropriate for rezoning to the Rural Zone.

STATUTORY IMPLICATIONS

The proposal requests that land identified as 319 Murchison Highway, Somerset be rezoned from Agriculture to Low Density Residential.

For a planning scheme amendment to be initiated (supported), the proposal needs to be assessed as complying with the relevant sections of LUPAA (please refer to legislative requirement above for further detail). It is considered that the proposed amendment as demonstrated in the planning assessment is consistent with the legislative documents and should therefore be initiated.

POLICY IMPLICATIONS

A planning scheme is a policy statement by a planning authority with respect to local requirements for the use, development, conservation and protection of land so as to achieve compliance with the requirements of State legislation and land use strategies.

Council has a statutory duty as a planning authority to ensure local planning controls are appropriate to the provision of a sustainable future for the Waratah-Wynyard municipality. The planning scheme amendment is consistent with common provisions of the planning scheme. It is therefore recommended that the planning scheme amendment be initiated.

FINANCIAL IMPLICATIONS

There may be financial costs associated with a planning scheme amendment application. This includes costs to represent the interests of the planning authority before the Tasmanian Planning Commission (TPC) if a hearing is required, and costs in preparing the amended

planning scheme maps for inclusion in the planning scheme. These are operational costs within the budget considerations of Council.

RISK IMPLICATIONS

Applications for planning scheme amendments are ultimately determined by the TPC. The Council is required in the first instance to decide whether to proceed with and initiate the planning scheme amendment. Should the application for planning scheme amendment be initiated for public exhibition, it is also required to be certified under s40F LUPAA.

There is limited risk for the Council acting as planning authority, provided that decisions made are in accordance with legislative requirements. This report details the reasons for the officer's recommendation to initiate the amendment and approve the planning application. Should Council as a planning authority wish to make a decision against the professional advice provided, the reasons will need to be detailed.

COMMENT

The rezoning of the site from Agriculture to Low Density Residential zone will enable infill development on the fringe of the established urban area of Somerset and an addition of up to 50 lots (equal to 5 years supply) subject to servicing capabilities.

The extension of the Low Density Residential zone to the subject title will enable the sustainable development of the site in a manner which is in keeping with that of the surrounding and nearby lots.

It is therefore recommended that the proposed amendment be initiated in accordance with the recommendations at the beginning of this report.

7.3 APPLICATION FOR PLANNING SCHEME AMENDMENT PSA 1/2025 FOR 319 MURCHISON HIGHWAY, SOMERSET

To: Council
Reporting Officer: Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 18 February 2026
File Reference: 3018847
Supporting Documents: 1. Consolidated application documents
2. TasWater SPAN
3. Infrastructure plan
4. TPC Extension of time

MOVED BY	CR JOHNSTONE
SECONDED BY	CR RAW

That Council acting in its role as Planning Authority:

- 1. In accordance with s38(2) and s40D(a) of the Land Use Planning and Approvals Act 1993, initiates a planning scheme amendment PSA 1/2025 to rezone land at 319 Murchison Highway, Somerset (CT 158979/2) from Agriculture to Low Density Residential zone.**
- 2. In accordance with s40F(3) of the Land Use Planning Approvals Act 1993, certifies planning scheme amendment PSA 1/2025 as meeting the requirements of s34 of the Land Use Planning Approvals Act 1993.**
- 3. In accordance with s40F(4) of the Land Use Planning and Approvals Act 1993, forwards a copy of the sealed instrument of Certification and the draft amendment to the Tasmanian Planning Commission within seven (7) days.**
- 4. That, in accordance with Section 40FA(1) of the Land Use Planning and Approvals Act 1993, forwards a copy of the draft amendment to any relevant agencies or State authorities the Planning Authority considers may have an interest in the draft amendment; and**
- 5. That in accordance with Section 40G of the Land Use Planning and Approvals Act 1993, publicly exhibits the draft amendment PSA 1/2025 for a period of 28 days.**

The MOTION was put and was CARRIED.

IN FAVOUR

CR BRAMICH	CR COURTNEY	MAYOR DUNIAM	CR EDWARDS
	CR ROBERTS	CR JOHNSTONE	CR RAW
