TASMANIAN PLANNING COMMISSION

DECISION

Planning scheme	Tasmanian Planning Scheme – Waratah-Wynyard
Amendment	Draft amendment PSA 1/2024 – Rezone Lot 2 Golf Links Road, Wynyard (folio of the Register 148923/2) from Agriculture to Low Density Residential
Permit	SD 2191 – 12 lot subdivision at Lot 2 Golf Links Road, Wynyard (folio of the register 148923/2), 8 Inglisdale Drive, Wynyard (folio of the Register 148923/27) and Council Footway known as folio of the Register 142423/33
Planning authority	Waratah-Wynyard Council
Applicant	PDA Surveyors, Engineers and Planners for Bluff Development Estate Pty Ltd
Date of decision	6 October 2026

Decision

The draft amendment is modified under section 40N(1)(b) of the *Land Use Planning and Approvals Act 1993* as set out in Annexure A and is approved under section 40Q.

The permit is modified under section 42B(1)(b)(ii) of the *Land Use Planning and Approvals Act 1993,* as set out in Annexure B.

Dan Ford
Delegate (Chair)

Rohan Probert
Delegate

Disclosure Statement

Rohan Probert, a Commission delegate, disclosed the following interests and associations at the hearing:

- he is an acquaintance of Mr Alistair Carter – a landowner of the site that is the subject of the application – who both attended the same high school in the 1980s;
- his mother was close friends with Mr Carter's father; both now deceased; and
- he has had limited contact with Mr Carter since his schooling.

None of the parties objected to Mr Probert's continued participation in, and determination of, the matter.

REASONS FOR DECISION

Background

Amendment

The Commission notes that the extent of the proposed draft amendment submitted by the planning authority was unclear. At the hearing, the planning authority confirmed that:

- the draft amendment proposes to rezone Lot 2 Golf Links Road, Wynyard (folio of the Register 148923/2) from Agriculture to Low Density Residential, and
- despite conflicting statements in the planning authority's supporting report and certified amendment, no amendments to any code overlays were proposed.

Permit

The permit provides for a 12-lot subdivision at Lot 2 Golf Links Road, Wynyard (folio of the Register 148923/2), and associated service upgrades at 8 Inglisdale Drive, Wynyard (folio of the Register 148923/27) and the Council Footway known as folio of the Register 142423/33.

Site information

The subject land comprises Lot 2 Golf Links Road, Wynyard, 8 Inglisdale Drive, Wynyard and an adjoining Council footway known as folio of the Register 142423/33. Together, these lots have a combined area of approximately 4.87ha.

Lot 2 Golf Links Road, Wynyard (the site) comprises a 4.7ha parcel of cleared pastural grassland with a seasonal creek on the western side of the lot that runs north to south through to the Inglis River. Some remnant and planted vegetation are located along the creek, however this vegetation contains no significant natural values. The site slopes downward from the northern and eastern boundaries towards the river to the south and has a frontage of approximately 490m to Golf Links Road.

The site is currently zoned Agriculture and is subject to the Safeguarding of Airports, Natural Assets, Bushfire-Prone Areas, Landslip Hazard, Coastal Erosion Hazard, Coastal Inundation Hazard and Flood-Prone Areas Hazard codes. The land to the north is in the Agriculture Zone while the land to the south, below Golf Links Road to the Inglis River, is in the Environmental Management Zone. The land to the west and east is in the Low Density Residential and General Residential zones respectively.

The remainder of the site at 8 Inglisdale Drive, Wynyard and the adjoining Council Footway known as folio of the Register 142423/33, is proposed only for service upgrades as part of the subdivision application.

The site is within an area serviced by water and stormwater infrastructure, and most of the site has the capacity to connect to the reticulated sewer service.

Issues raised in representations

One representation was received during the exhibition period. The representation raised a number of issues, including:

- inconsistencies in the application documentation

- the loss of land zoned Agriculture
- inconsistencies with adopted local settlement strategy
- drainage impacts on the Inglis River
- insufficient investigation on karst potential
- traffic impacts; and
- landslip hazard.

The draft amendment was referred to TasWater under sections 56S and 56O of the *Water and Sewerage Industry Act 2008*.

In response, TasWater advised that they had no objection to the draft amendment and provided a submission to planning authority notice (SPAN) providing conditions to be included in the permit.

These issues and any additional matters raised by representors at the hearing are discussed as relevant below.

Planning authority's response to the representations

The planning authority considered the representation and recommended that modifications to the draft amendment and related permit were not required.

Date and place of hearing

The hearing was held at the Waratah-Wynyard Council Chambers at 21 Saunders Street, Wynyard on 5 August 2026.

Appearances at the hearing

Planning authority:	Ms Jasmin Briggs, Town Planner, Waratah-Wynyard Council
	Ms Sally Pearce, Town Planner, Waratah-Wynyard Council
	Ms Joanna Potter, Administrative Officer, Waratah-Wynyard Council
Applicant:	Mr Allan Brooks, Planning Consultant, PDA Surveyors, Engineers and Planners
	Mr Alistair Carter, part-owner of Bluff Development Estate Pty Ltd
	Mr Richard Burke, Traffic Engineer, Traffic and Civil Services
	Ms Rebecca Green, Bushfire Hazard Assessor, Rebecca Green and Associates
	Ms Ann Foster, Engineering Geologist, Geoton
Representors:	Ms Rachel Arnold

Site Visit

A site visit was undertaken prior to the hearing on 4 August 2026.

Consideration of the draft amendment

Statutory Requirements

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 Tasmanian Planning Scheme – Waratah-Wynyard Local Provisions Schedule (LPS) and the representations, statements and recommendations contained in the planning authority's section 40K report, any information obtained at a hearing, and any technical matters.

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 Tasmanian Planning Policies; 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*.

Tasmanian Planning Policies

4. In response to a Commission direction, a joint submission was received from the planning authority and the applicant addressing the relevant elements of the Tasmanian Planning Policies (TPPs). In applying the TPPs, the Commission has had regard to its relevant objectives, strategies and implementation principles. The Commission has considered whether the draft amendment achieves the policy outcomes sought by the relevant TPPs below.

Growth

5. The policy objective for Growth is to plan for settlement growth that provides for community needs and establishes a sustainable pattern of development.

6. Strategies that give effect to the objective include:

   - providing a supply of land to meet the community's existing and forecast demand for residential, commercial, industrial, recreational and community land (Strategy 1);
   - prioritise infill development, consolidation and intensification of under-utilised land within existing settlements (Strategy 2[a]); and
   - prioritise development of land that maximises the use of available capacity within existing infrastructure (Strategy 2[b]).

7. The Commission accepts the planning authority's evidence that the above-mentioned Growth policy strategies are relevant to the draft amendment.

8. Accordingly, the Commission considers that rezoning the site for residential purposes aligns with the strategic outcomes sought by the Growth policy, given its location within and its ability to support consolidation of an existing settlement, and the availability of existing physical and social infrastructure.

Waterways, wetlands and estuaries

9. The policy objective for waterways, wetlands and estuaries is to protect and improve the quality of Tasmania's waterways, wetlands and estuaries.

10. Strategies that give effect to the objective include Strategy 4(e), which ensures that use and development around waterways will not significantly change the rate and quantity of stormwater (through the incorporation of water sensitive urban design techniques) or increase pollutants entering the water.

11. The Commission notes that the seasonal creek that runs through the site and discharges into the Inglis River forms part of the public stormwater system in the area, and that the proposal would utilise the creek for stormwater drainage.

12. The Commission also notes that the draft amendment will facilitate residential development and is likely to increase stormwater runoff from the site. Future development will be required to comply with the *Urban Drainage Act 2013* and implement appropriate stormwater management measures to minimise potential environmental impact to the Inglis River.

13. Accordingly, the Commission considers that the rate and quantity of stormwater discharging into the Inglis River is capable of being managed through water sensitive urban design techniques and that the proposed amendment furthers the relevant strategic outcome sought by the waterways, wetlands and estuaries policy.

Agriculture

14. The policy objective for Agriculture is to protect agricultural land and the resources on which agriculture depends to promote a diverse and productive sector.

15. Strategies that give effect to the objective include:

- protecting land identified as being in the higher classes of agricultural capability (Strategy 2); and
- preventing fettering of agricultural land (Strategy 5).

16. The Commission notes that the application was accompanied by an Agricultural Assessment by Pinion Advisory, dated July 2021. The Agricultural Assessment concluded that the site was identified as being Class 4-6 land under the Tasmanian Land Capability Classification System, and not prime agricultural land (Classes 1, 2 or 3).

17. Additionally, the Agricultural Assessment stated that:

> The presence of existing dwellings on Alicia Court, Inglisdale Drive and Table Cape [Road] already provides a current level of fettering and constraints to the current and potential land use activity which can/could be conducted on adjacent and nearby agricultural land.

18. The site's agricultural potential is explored in further detail under the section on State Policies, however for the purposes of assessment against the TPPs, the Commission considers that the draft amendment would not result in the permanent loss or conversion of land with higher agricultural capability and would not increase the fettering of surrounding agricultural activities.

Commission consideration

19. Having regard to the relevant TPPs as a whole, including the Growth, Waterways, wetlands and estuaries and Agriculture themes, the Commission is satisfied that the draft amendment achieves the policy outcomes sought by the TPPs.

Regional land use strategy

20. The relevant regional strategy is the Cradle Coast Regional Land Use Strategy 2010-2030 (regional strategy).

21. In its supporting report, the planning authority submitted that the draft amendment was as far as practicable, consistent with the regional strategy, in particular the policies at Part C:

- section 2 *Wise Use of Resources* as the site has little value for agricultural use, is not suitable for higher residential densities and is suitable for low density residential development without negatively impacting on natural values, agricultural activity of adjacent land and the nearby Inglis River.
- section 3 *Economic Activity* as the rezoning would contribute to economic activity through increased housing supply.
- section 4.3 *Land Use Policies for Managing Growth and Development* as the site is within the existing settlement boundary of Wynyard, and the rezoning is therefore in keeping with the 'Contained Strategy' of the Cradle Coast Settlement and Management Strategy.

22. In the application report, the applicant submitted that the draft amendment was as far as practicable, consistent with the regional strategy, in particular Part C:

- section 2.4 *Water Management* as the existing seasonal creek that traverses the site will be retained and utilised for stormwater drainage, limiting modification of the site's natural drainage.

- section 2.8 *Coastal Management* as the rezoning is consistent with the surrounding development and will not encroach or impact on the coastal environment.
- section 4.4.1 *Urban Settlement* areas as low density residential land supply is currently below the 10 year threshold established by this policy, applying the zone will contribute to providing additional lots without exceeding a supply by 20 years, and the Liveable Waratah-Wynyard Settlement Strategy 2021 identifies the site for potential future residential development.

23. At the hearing, the planning authority submitted that the draft amendment aligns with the infill objectives of the regional strategy in terms of preserving environmental and agricultural values while still providing market-ready, well located land in high demand.

24. In relation to demand, the planning authority submitted that, while some residential land remains available in Wynyard, there is a strong demand for larger residential lots within the Low Density Residential Zone. The planning authority noted that there is currently no available land within the zone and submitted that the subject site would assist in meeting this unmet demand.

25. The planning authority further submitted that in supporting the draft amendment, it considered the demand for residential land as well as the sequential order and staged land release in the area. This is discussed in further detail below.

Commission consideration

26. The Commission notes that the regional strategy seeks to maintain a surplus supply of residential land. While the strategy does not specifically require separate allocations of land supply within the General Residential Zone and the Low Density Residential Zone, the Commission is satisfied that an additional 12 lots are justified in this case. The site provides an opportunity to augment the supply of larger-lot residential land while consolidating the Wynyard settlement boundary.

27. The Commission finds that the draft amendment is, as far as practicable, consistent with the regional strategy.

Strategic Plan

28. The relevant strategic plan is the Waratah-Wynyard Corporate Strategic Plan 2017/27 (the strategic plan).

29. In its supporting report, the planning authority submitted that it considered that the draft amendment was consistent with the strategic plan, in particular the strategies at:

- Section 3.1.1 – Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness […]; and
- Section 4.3.1 – Commit to ongoing recreation and open space planning […].

30. The planning authority further submitted that:

> It has been demonstrated that that the proposal meets all the legislative obligations and this site will promote a liveable desired lifestyle, with access to existing walking trails, infrastructure and within approximately 1km of the Wynyard CBD.

31. The applicant and the planning authority also submitted that the proposal was consistent with the Liveable Waratah-Wynyard Settlement Strategy 2021 (LWWSS). The LWWSS is discussed in further detail below.

Commission consideration

32. The Commission finds that the draft amendment has had regard to the Council's strategic plan.

Local Strategic Framework - Liveable Waratah-Wynyard Settlement Strategy 2021

33. The regional strategy requires planning strategies to identify, protect and enhance the qualities that contribute to the liveability of towns and villages. It emphasises that population growth along the coast should be accommodated primarily through the consolidation of existing towns and villages, rather than through their expansion or the creation of new settlements.

34. Council's LWWSS was prepared to assist the Waratah-Wynyard municipality in planning for future growth and identifying suitable areas for settlement expansion to meet emerging and future needs. The LWWSS identified 8 investigation areas, each of which was assessed having regard to its constraints, development limitations, exposure to hazards and servicing capacity.

35. The subject site, together with the agricultural land to the north, formed part of the area identified as *River Road East* (or Area B). In terms of overall suitability, River Road East was considered suitable for development but was ranked seventh of the 8 investigation areas, reflecting the anticipated sequence of future development and land release.

36. The LWWSS was endorsed by the Council on 17 May 2021 and, to date, none of the 8 investigation areas have been progressed.

37. The planning authority and the applicant submitted that the subject site had been identified as a future growth area and that the proposal was consistent with the LWWSS. In contrast, the representor, Ms Rachel Arnold, submitted that the proposal was out of sequence and inconsistent with Council's adopted LWWSS.

38. At the hearing, the planning authority submitted that the sequencing of River Road East (Area B) reflected its relatively low priority, ranking seventh of the 8 investigation areas. It submitted that this ranking was largely attributable to the adjoining agricultural land. In particular, the northern portion of Area B is located further from the town centre, is affected by development constraints, and would require access to be established from Table Cape Road.

39. The planning authority submitted that the subject site is not affected by these constraints to the same extent as the balance of Area B and is capable of being developed independently of the land to the north. It was submitted that the site

represents an infill development opportunity, has direct frontage to Golf Links Road, and would contribute to the supply of desirable residential land.

40. The planning authority also noted that River Road West (Area A), which was ranked highest of the investigation areas, has the potential to provide approximately 18 additional residential lots. However, it submitted that development of that land is unlikely to occur in the foreseeable future.

Commission consideration

41. The Commission notes that the LWWSS identifies the subject site as forming part of Area B, which is recognised as suitable for future settlement growth. The Commission accepts that the subject site does not rely on the agricultural land to the north for access or servicing and is capable of being developed independently. The Commission finds that the site comprises only a small portion of Area B and represents a logical opportunity to consolidate the existing settlement of Wynyard.

42. While the Commission acknowledges that Area B was identified as a lower-priority future growth area, it is satisfied that development of the subject site would not prejudice the broader sequencing of growth contemplated by the LWWSS. Having regard to the limited size of the site and its potential yield, the Commission is satisfied that the proposal would not undermine the strategic framework for growth established by the LWWSS.

Suitability of the Site

Application of the Low Density Residential Zone

43. In their respective reports, the applicant and the planning authority submitted that the Low Density Residential Zone is suitable for the site as:

    - it is consistent with the surrounding development to the east and west of the site;
    - the site is not suitable for agricultural use; and
    - as a result of infrastructure and environmental constraints on the site, the land is not appropriate for development to higher densities, such as the General Residential Zone.

Cultural Heritage

44. In its supporting report, the planning authority submitted that the site has no region-specific heritage values.

45. At the hearing, the planning authority submitted that, while an aboriginal heritage assessment had not been undertaken and submitted in relation to the subject proposal, recent footpath upgrade works undertaken by the Council on adjacent land between Golf Links Road and the Inglis River may have been subject to an aboriginal heritage assessment.

46. The planning authority further submitted that it was agreeable to include an advice note on the permit in relation to the required procedure to follow when dealing with any unanticipated discovery of Aboriginal relics or heritage features.

47. In response to a post hearing direction, the planning authority confirmed that an aboriginal heritage assessment had been undertaken as part of Council's Inglis

River Walking Track Project at Golf Links Road. The assessment indicated that no artefacts or cultural heritage values were identified, and that two registered sites were situated well outside the vicinity of Golf Links Road.

48. The Commission accepts the planning authority's submissions and notes that the planning authority agrees to providing an advisory note on any permit issued for the purpose of aboriginal heritage management.

49. The Commission is satisfied that the planning authority has considered the heritage values of the site and of the adjoining land at Golf Links Road.

Transport Network

50. The applicant submitted a Traffic Impact Assessment prepared by Traffic & Civil Services, dated December 2025.

51. Traffic & Civil Services considered that the existing Table Cape Road/Golf Links Road intersection is adequate to cope with the likely increase in traffic resulting from the proposal.

52. At the hearing, the representor, Ms Rachel Arnold, submitted that the traffic observations undertaken as part of the Traffic Impact Assessment were carried out during school holidays and weren't an accurate reflection of existing conditions.

53. At the hearing, Mr Richard Burk of Traffic & Civil Services confirmed that due to variations of the proposal's scope, sections of the Traffic Impact Assessment relating to road standards and heavy vehicles were no longer relevant. Specifically, several recommendations concerned the construction standards of an internal road network that formed part of earlier versions of the proposal. These recommendations contributed to some confusion and were the subject of concerns raised by the representor.

54. Mr Burke further confirmed that changing the proposed access arrangement from public roads to private rights-of-way enabled compliance with the maximum slope requirements of the relevant Australian Standards and removed the need to accommodate heavy vehicles.The planning authority similarly acknowledged that parts of the assessment were no longer applicable, however it considered that the overall conclusions and recommendations of the Traffic Impact Assessment remained accurate and relevant to the proposal.

55. At the hearing, Mr Burke confirmed his support for the concluding remarks made in his Traffic Impact Assessment, they being:

> …the proposed subdivision will not disaffect traffic safety and [efficiency] on Golf Links Road or at the Table Cape Road intersection and is supported on traffic grounds.

56. The Commission is satisfied that the proposal can be supported on traffic grounds.

Geology

57. The applicant submitted a Geotechnical Investigation, Karst Assessment and Landslide Assessment (geotechnical assessment) prepared by GeoTon Pty Ltd, dated 10 July 2026.

58. GeoTon Pty Ltd considered that the site did not display any distinct landslide or karst features, and that subject to the recommendations within the report, the

risk posed by landslide to life and property by the proposal was assessed as acceptable.

59. At the hearing, the representor, Ms Arnold, queried whether the landslide risk was acceptable, referring to a previous instance of road collapse in the locality. Ms Arnold also submitted that potential impacts upon the local hydrology and karst system had not been adequately considered.

60. After the hearing, the planning authority was directed to provide a revised version of, or an addendum to, the Geotechnical Investigation, Karst Assessment and Landslide Risk Assessment dated 10 July 2025.

61. In response, the planning authority submitted a revised Geotechnical Investigation report by GeoTon Pty Ltd, dated 12 August 2026. Section 8 of the revised report stated as follows:

> It is evident that calcareous sediments (limestone) exist within the site; however, the desktop study and field investigation revealed no evidence of karst formations or systems within the site or surrounds. It is considered that the proposed development will not cause damage to sites of scientific significance or karst features, will minimise of erosion and prevent sediment and pollution entering the Karst system. It will not increase the potential for ground surface or land instability, subterranean water flow, or significantly alter the surface hydrology. Therefore, the site is considered to have an [acceptable] level of risk with regard to the Wynyard Karst.

62. Section 7.1 of the revised report concluded as follows:

> …provided the development of the site is in accordance with the recommendations within our report, we consider that an acceptable level of risk can be achieved for the development of each lot in accordance with section C15.7.1 (Subdivision within a landslip hazard area) and C15.6.1 (Building and works within a landslip hazard area) of the Landslide Hazard Code of the Tasmanian Planning Scheme – Waratah-Wynyard.

63. The Commission accepts the conclusions of the expert evidence in relation to the Landslide Hazard Code in the State Planning Provisions.

Wastewater

64. The GeoTon Pty Ltd assessment included a preliminary on-site wastewater evaluation for proposed Lots 11 and 12. When questioned at the hearing why Lots 11 and 12 were not proposed to be connected to a reticulated sewerage system, the applicant submitted that, unlike the General Residential zoned land to the east, the Low Density Residential zoned land around the Golf Links Road/Table Cape Road intersection and adjacent to Lots 11 and 12 was not connected to the sewerage network. The applicant submitted that the closest access to the sewerage network was Inglisdale Drive, and that the cost of constructing mains across the seasonal creek to Lots 11 and 12 was prohibitive.

65. While GeoTon Pty Ltd indicated that Lots 11 and 12 were not suitable for disposal of primary treated effluent (eg septic tank and absorption trenches) due to having soils with very low permeability, they submitted that both lots had adequate area available for domestic effluent disposal subject to the following:

- onsite disposal via a secondary treatment system and an adequately sized sub-surface irrigation area (and sufficient reserve area)
- raising the ground surface level of the northern section of Lot 12 that was subject to standing water
- ensuring disposal areas were adequately set back from other on-site features
- ensuring buildings did not significantly reduce the area dedicated to wastewater irrigation
- limiting dwellings on both lots to a maximum of 4 bedrooms
- constructing any dwelling on Lot 12 within the indicative building envelope; and
- preventing sheds on Lot 12.

66. At the hearing, Ms Anne Foster of GeoTon Pty Ltd confirmed that due to variations to the proposal's scope, specifically the size and layout of proposed Lots 11 and 12, the recommendations of the geotechnical report relating to adequate wastewater provisions for proposed Lots 11 and 12 were no longer accurate.

67. After the hearing, the applicant was directed to provide a revised geotechnical assessment confirming any changes to recommendations arising from the updated subdivision configuration, including any recommended changes to the draft permit conditions.

68. In response, the planning authority provided a submission accompanied by a revised Geotechnical Investigation report by GeoTon Pty Ltd, dated 12 August 2026.

69. The revised version of the Geotechnical Investigation stated that:

> Due to the size of proposed Lots 11 and 12 (i.e., 3,427m² and 3658m2), careful planning will be required to ensure that any proposed buildings do not significantly reduce the area available for the disposal of on-site wastewater. Dwellings within proposed Lots 11 and 12 shall be restricted to a maximum of 4 bedrooms.

70. The planning authority submitted that permit condition 31 is recommended to be revised accordingly. The revised condition removed the need for a building envelope and prohibition preventing the construction of outbuildings on Lot 12.

Bushfire

71. The applicant submitted a Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan prepared by Rebecca Green & Associates, dated 17 December 2026.

72. Rebecca Green and Associates considered that the site is bushfire-prone and that potential residential development can comply with the Bushfire-Prone Areas Code through appropriate water supply arrangements, code-compliant access and vegetation management.

Commission consideration

73. The Commission is satisfied that, based on the evidence provided, the site is suitable for residential development in accordance with the Low Density Residential Zone as the site:

    - is not suitable for agricultural use;
    - has no known cultural values on the site;
    - has the capacity to manage wastewater through a combination of reticulated services and onsite systems;
    - can incorporate suitable stormwater management techniques discharging into Council's system; and
    - has the capacity to meet the requirements of the Bushfire-Prone Areas, Landslip Hazard and Road and Railway Assets codes.

State Policies

State Coastal Policy 1996

74. The planning authority and the applicant considered that the *State Coastal Policy 1996* (Coastal Policy) is relevant to the draft amendment.

75. In the application report, the applicant submitted that the proposed amendment would have minimal interaction with the coastal environment and that the primary impact is related to the increased stormwater discharge into the Inglis River, which is proposed to be managed through water sensitive design techniques in accordance with the *Urban Drainage Act 2013*.

76. The Commission finds that the proposal will consolidate the entire settlement to the north of the Inglis River and is consistent with the Coastal Policy.

State Policy on the Protection of Agricultural Land 2009

77. The State Policy on the Protection of Agricultural Land 2009 (PAL Policy) applies.

78. The site is currently in the Agriculture Zone and included in the State's agricultural land mapping, identified as Potentially Constrained (Criteria 3).

79. The applicant submitted an Agricultural Assessment, prepared by Pinion Advisory, dated July 2021. The key findings of the report identified that the site is not prime agricultural land (defined as agricultural land classified as Class 1, 2 or 3) but rather comprises Class 4, 4+5 and 5+6 land. The Assessment Report outlines that while the classification could indicate suitability for cropping and horticultural uses, the site's topography, size, prevailing erosion risk, lack of irrigation water and proximity to residential uses would limit such enterprises. The Assessment Report concluded that the site is not suitable for agricultural use, and that the proposed rezoning is not expected to create any negative impacts or constraints on the capability or capacity of the neighbouring properties to be actively managed and farmed.

80. At the hearing, the planning authority demonstrated that, due to the shape of the site and the location of existing residential development in Alicia Court and Table Cape Road, rezoning Lot 2 Gold Links Road would not result in any greater fettering of the agricultural land to the north than currently exists.

81. The Commission accepts the evidence prepared by Pinion Advisory and considers that the purpose of the Agricultural Zone is unlikely to be achieved on the site as:

    - the site has limited potential for agricultural use; and
    - it is not integral to the management of a larger farm holding that will be within the Agriculture Zone.

82. The Commission is satisfied, based on the expert evidence, that the site has limited potential for agriculture and is constrained by its size, soil classification, proximity to residential uses and lack of irrigation water. While the rezoning would provide for the permanent loss and conversion of the land to non-agricultural uses, its conversion would not increase the fettering of surrounding agricultural activities.

83. The Commission finds that the draft amendment is consistent with relevant principles of the PAL Policy.

State Policy on Water Quality Management 1997

84. As the site drains directly into a watercourse the *State Policy on Water Quality Management 1997* (Water Quality Policy) applies to the site.

85. The Commission finds that SPPs provide sufficient controls to ensure water quality management measures can be incorporated into future development and/or conditioned as part of any permit. The Commission finds that the draft amendment is consistent with the Water Quality Policy.

National Environment Protection Measures (NEPMs)

86. There is no evidence that any NEPMs have application to the site. The Commission is satisfied that the draft amendment is not inconsistent with the NEPMs.

Commission consideration

87. The Commission finds that the draft amendment is consistent with all of the State Policies and NEPMs.

Resource Management and Planning System Objectives

88. The planning authority considered that the draft amendment furthers the Objectives of the Resource Management and Planning System at Schedule 1 of the Act.

89. In relation to Part 1, the planning authority submitted that the draft amendment:

    - supports sustainable development as it facilitates residential growth on land with limited agricultural value without constraining the agricultural activity of adjoining land
    - provides for the fair, orderly and sustainable use of land by facilitating residential growth on strategically identified land without constraining agricultural activity of adjoining land
    - encourages public involvement in resource management and planning via the statutory exhibition process and earlier strategic consultation
    - facilitates economic development by enabling additional residential opportunities on land with limited agricultural value; and

- promotes the sharing of responsibility for resource management as the statutory amendment process involves a variety of local and state government agencies and provides opportunity for community participation.

90. In relation to Part 2, the planning authority submitted that the draft amendment:

- gives effect to strategic planning directions identified in local and regional growth strategies
- utilises the statutory planning scheme amendment process
- enables the orderly extension of utilities and infrastructure without causing adverse impacts on existing public assets or services; and
- is on land that has limited agricultural capability and that strategic assessment supports its transition to low density residential use.

Commission consideration

91. The Commission is satisfied that the draft amendment furthers the objectives of the Resource Management and Planning System at Schedule 1 of the Act.

Modifications required to draft amendment

92. Under section 40M of the Act, the Commission must consider whether modifications to a draft amendment of an LPS ought to be made.

93. At the hearing, the Commission and the planning authority discussed the certified draft amendment. The following elements of the draft amendment are required to be modified to provide clarity to the intention of the draft amendment:

- modify the mapping to remove the references to the zones and codes that are not relevant to the draft amendment;
- modify the mapping to show the extent of new road lots 101 and 102 to be rezoned from Agriculture to Environmental Management; and
- modify the instrument so that it clearly and accurately describes the draft amendment as required under the Commission's Practice Note 12.

Decision on draft amendment

94. Subject to the modifications described above (and as shown in Annexure A of the decision), the Commission is satisfied that the draft amendment meets the LPS criteria and gives its approval.

Consideration of the permit

95. Under section 40T(1) of the Act, a person who requests a planning authority under section 37 to amend an LPS may also:

(a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
(b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.

96. Under section 42A of the Act, the Commission must consider the permit and, under section 42B, review the planning authority's decision as reported under section 42.

97. The permit sought is for a 12-lot subdivision at Lot 2 Golf Links Road, Wynyard (folio of the Register 148923/2 and associated works at 8 Inglisdale Drive, Wynyard (folio of the Register 148923/27) and the Council owned footway known as folio of the Register 142423/33.

98. The subdivision proposes the creation of 10 residential lots ranging in size from 1,970m² to 1.7ha, together with 2 road lots to be transferred to Council (widening the Golf Links Road road reserve). Lots 1-8 are proposed to be connected to the reticulated sewer network, while Lots 11 and 12 are capable of accommodating on-site wastewater treatment. Lot 8 is the largest of the proposed lots, with an area of 1.7ha, and contains the seasonal creek.

99. Several of the proposed lots do not have direct frontage to a public road. Access to Lots 1-8, located east of and including the creek, is provided via 3 new rights-of-way extending from Golf Links Road. Lots 11 and 12 are proposed to share a single right of way access over Lot 11 from Golf Links Road, with Lot 12 also benefiting from an existing 5.1m frontage to Table Cape Road.

100. The proposed rights-of-way are necessary to achieve compliance with the applicable design and construction standards for property access, particularly in relation to maximum gradients, which could not be accommodated through a public road layout.

101. Accordingly, the development application must be considered against the applicable standards in the Low Density Residential Zone and applicable codes in the State Planning Provisions.

102. At the hearing, the planning permit and associated conditions were reviewed.

Assessment against the provisions of the planning scheme

103. The land at Lot 2 Golf Links Road is currently in the Agriculture Zone. The proposed 12-lot subdivision is prohibited in that zone, requiring the proposed amendment to enable its consideration.

104. Both the applicant and planning authority provided an assessment of the proposal against the planning scheme provisions in their reports.

105. The majority of Lot 2 Golf Links Road is proposed to be rezoned to the Low Density Residential Zone, with the balance (the proposed road lots) being rezoned to the Environmental Management Zone. The subject site is also subject to the landslip hazard, waterway and coastal protection area, future coastal refugia, coastal erosion hazard, coastal inundation hazard, flood-prone areas hazard, bushfire-prone areas and safeguarding of airports overlays. The Parking and Sustainable Transport, Road and Railway Assets and Natural Assets codes are also applicable to the proposal. The Commission, in reviewing the planning authority's assessment, considers the proposal meets the relevant zone and code acceptable solutions, except for those discussed in further detail below.

10.0 Low Density Residential Zone

Development standards – clause 10.6.1 Lot Design A1/P1

106. Given the steeply sloping topography, several lots are too steep to meet the Acceptable Solution. The planning authority and the applicant considered that the proposal complies with clause 10.6.1 P1 relating to lot design, for reasons including:

    (a) the lots are to have an area more than 1,200m^2
    (b) the lots are to have sufficient usable area and dimensions suitable for residential use
    (c) the subdivision design has regard to the topography of the site; and
    (d) the subdivision design is in keeping with the pattern of residential development to the site's west.

107. The Commission accepts the submission and agrees that the performance criteria are satisfied.

Development standards – clause 10.6.1 Lot Design A2/P2

108. The planning authority and the applicant submitted that the proposal complies with clause 10.6.1 P2 relating to lot design, for reasons including:

    (a) each of the lots has access considered sufficient by the road authority
    (b) each of the lots is large enough to ensure maneuverability within the site; and
    (c) each of the lots has legal access with a width not less than 3.6m.

109. The Commission accepts the submission and agrees that the performance criteria is satisfied.

Development standards – clause 10.6.3 Services A2/P2

110. The planning authority and the applicant considered that the proposal complies with clause 10.6.3 P2 relating to services, for reasons including:

    (a) all lots except Lots 11 and 12 are proposed to be connected to a reticulated sewer system; and
    (b) the geotechnical investigation by GeoTon Pty Ltd, dated 10 July 2025 (and the revised assessment dated 12 August 2026), concluded that the site is capable of accommodating an on-site wastewater treatment system for Lots 11 and 12.

111. The Commission accepts the submission and agrees that the performance criteria is satisfied.

23.0 Environmental Management Zone

Development standards – clause 23.5.1 Lot Design A2/P2

112. The planning authority considered that the proposal complies with clause 23.5.1 P2 relating to lot design.

113. The planning authority stated that:

> The subdivision proposed within the Environmental Management Zone is limited to the resolution of the small portion of CT148923/2 that extends into the road reserve. The proposal includes altering the zoning of this land to Environmental Management in keeping with the remainder of that road reserve, as well as the creation of a separate land title for transfer to Council. The proposal is considered to comply with P2(a).

114. At the hearing, the planning authority confirmed that it agreed to rezoning part of proposed road lot 101 and all of proposed lot 102 from Agriculture to Environmental Management.

115. The Commission accepts the submissions of the planning authority and considers that the proposal satisfies performance requirement 23.5.1 P2.

C10.0 Coastal Erosion Hazard Code

Development standards – clause C.10.7.1 Subdivision within a coastal erosion hazard area A1/P1

116. In their respective supporting reports, the planning authority and the applicant considered that the proposal complies with clause 10.7.1 P1 relating to subdivision, for reasons including:

    (a) the site is separated from the coast by Golf Links Road
    (b) the proposal works are unlikely to increase risk from coastal erosion on adjacent land
    (c) the development will minimize the level of risk to development by utilising existing infrastructure; and
    (d) the proposed works are to be implemented to minimise future remedial works.

117. At the hearing, the Commission noted that performance criteria C10.7.1 P1 states that each proposed lot within a coastal erosion hazard area:

> must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal erosion, having regard to:
>
> […]
>
> (g) the advice contained in a coastal erosion hazard report.

118. The Commission also noted that the application was not accompanied by such advice.

119. After the hearing, the planning authority was directed to provide a submission on whether a technical report was required to accompany the application in order to demonstrate compliance with performance criteria C.10.7.1 P1.

120. In response, the planning authority submitted an amended Geotechnical Investigation report by GeoTon Pty Ltd, dated 12 August 2026. The amended report, that included an assessment of the coastal erosion hazard for the proposed subdivision, concluded that the site has been identified as having an acceptable risk from coastal erosion hazards.

121. The planning authority also submitted its own revised assessment of the relevant provisions of the Coastal Erosion Hazard Code, concluding that the proposed subdivision will achieve and maintain a tolerable risk from coastal erosion, therefore satisfying performance criteria 10.7.1 P1.

122. The Commission accepts the submissions of the planning authority and agrees that the performance criteria are satisfied.

C11.0 Coastal Inundation Hazard Code

Development standards – clause C.11.7.1 Subdivision within a coastal erosion hazard area A1/P1

123. In their respective supporting reports, the planning authority and the applicant considered that the proposal complies with clause 10.7.1 P1 relating to subdivision, for reasons including:

    (a) only 1 lot of the subdivision (Road Lot 101) is within the Low coastal inundation hazard band
    (b) the level of risk associated with the works proposed within the Low coastal inundation hazard band is low; and
    (c) the existing road at Golf Links Road protects the site from potential coastal inundation.

124. At the hearing, the Commission noted that performance criteria C11.7.1 P1, states that each proposed lot within a coastal inundation hazard area:

> must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal inundation, having regard to:
>
> […]
>
> (g) the advice contained in a coastal inundation hazard report.

125. The Commission also noted that the application was not accompanied by such advice.

126. After the hearing, the planning authority was directed to provide a submission on whether a technical report was required to accompany the application in order to demonstrate compliance with performance criteria C.11.7.1 P1.

127. In response, the planning authority submitted that the Coastal Inundation Hazard Area overlay applies only to a portion of proposed Road Lot 101. The planning authority also submitted that as the road lots are to be transferred to Council, the proposed subdivision will meet acceptable solution C11.7.1(c), therefore not requiring a coastal inundation hazard report.

128. The Commission accepts the submission of the planning authority and agrees that the acceptable solution is satisfied.

C12.0 Flood-Prone Areas Hazard Code

Development standards – clause C.12.7.1 Subdivision within a flood-prone hazard area A1/P1

129. In their respective supporting reports, the planning authority and the applicant considered that the proposal complies with clause 12.7.1 P1 relating to subdivision, for reasons including:

(a) each lot within the proposed subdivision is capable of accommodating building envelopes and access points outside of the identified flood-prone area
(b) the flood affected land does not extend into the proposed development site
(c) the subdivision does not create an increase in risk from flood for adjacent land; and
(d) no works are proposed within the identified flood-prone area.

130. At the hearing, the Commission noted that performance criteria C12.7.1 P1, states that each proposed lot within a flood-prone hazard area:

> must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from flood, having regard to:
>
> […]
>
> (g) the advice contained in a flood hazard report.

131. The Commission also noted that the application was not accompanied by such advice.

132. After the hearing, the planning authority was directed to provide a submission on whether a technical report was required to accompany the application in order to demonstrate compliance with performance criteria C.12.7.1.

133. In response, the planning authority submitted that the Flood-Prone Hazard Area overlay applies only to a portion of proposed Road Lot 101. The planning authority also submitted that as the road lots are to be transferred to Council, the proposed subdivision satisfies acceptable solution C12.7.1(c). Accordingly, compliance with the performance criteria C12.7.1 P1, including the preparation of a flood-prone hazard report, was not required.

134. The Commission accepts the submissions of the planning authority and agrees that the acceptable solution is satisfied.

C15.0 Landslip Hazard Code

Development standards – clause C.15.7.1 Subdivision within a landslip hazard area A1/P1

135. The planning authority considered that the proposal complies with clause 15.7.1 P1 relating to subdivision, for reasons including:

(a) the proposal does not create or increase any risk from landslip; and
(b) the proposal is accompanied by advice contained in a landslip hazard report.

136. The Commission accepts the submission of the planning authority and agrees that the performance criteria are satisfied.

Planning Permit Conditions

137. At the hearing, the Commission and planning authority discussed the conditions of the draft permit. The following conditions require deleting, modifying or reordering as a result of discussions, submissions received and for clarification of the intention of the permit condition:

- modify condition 1(a) to specify the maximum allowable gradient of all sealed accessways to the site as 15 degrees, rather than 15% as erroneously shown on the endorsed Plan of Subdivision
- delete conditions 1(c) – 1(f) as they are deemed irrelevant
- modify condition 1(i) to reference the recommendations of the Traffic Impact Assessment
- modify condition 1 (j) to reference the revised version of the Geotechnical Assessment prepared by GeoTon Pty Ltd dated 12 August 2026
- modify condition 7 to reference the revised version of the Geotechnical Assessment prepared by GeoTon Pty Ltd dated 12 August 2026
- modify condition 20 to specify the lot numbers consistent with the permit and proposed development
- reorder conditions 21 and 23 for better clarity
- modify condition 31 to specify the required restrictions to the future residential development of Lots 11 and 12, and
- further editorial corrections as required.

Schedule 1 Objectives of the Act

138. The Commission finds that the draft permit furthers the Objectives at Schedule 1 of the Act.

TasWater conditions

139. The TasWater notice to the planning authority provided conditions to be included in the permit under sections 56P and 56S of the *Water and Sewerage Industry Act 2008*.
140. Condition 26 on the TasWater notice provides for the payment by the developer of a fee for development assessment and for consent to register a legal document.
141. This condition is not for a proper planning purpose1 and is to be removed but may be included as advice.

Decision on permit

The Commission modifies the conditions attached to the permit granted by the planning authority, as set out above, and as contained in Annexure B of the decision.

Attachments

Annexure A - Modified amendment

Annexure B - Modified permit

[1] See *Western Australian Planning Commission v Temwood Holding Pty Ltd* [2004] HCA 63 at 57 and 60

Annexure A

Modified amendment PSA 1/2024, Tasmanian Planning Scheme – Waratah-Wynyard

Rezone part of Lot 2 Golf Links Road, Wynyard folio of the Register 148923/2 from the Agriculture Zone to the Low Density Residential Zone, and rezone the remaining part of the land from the Agriculture Zone to the Environmental Management Zone, as shown in Figure 1 below.

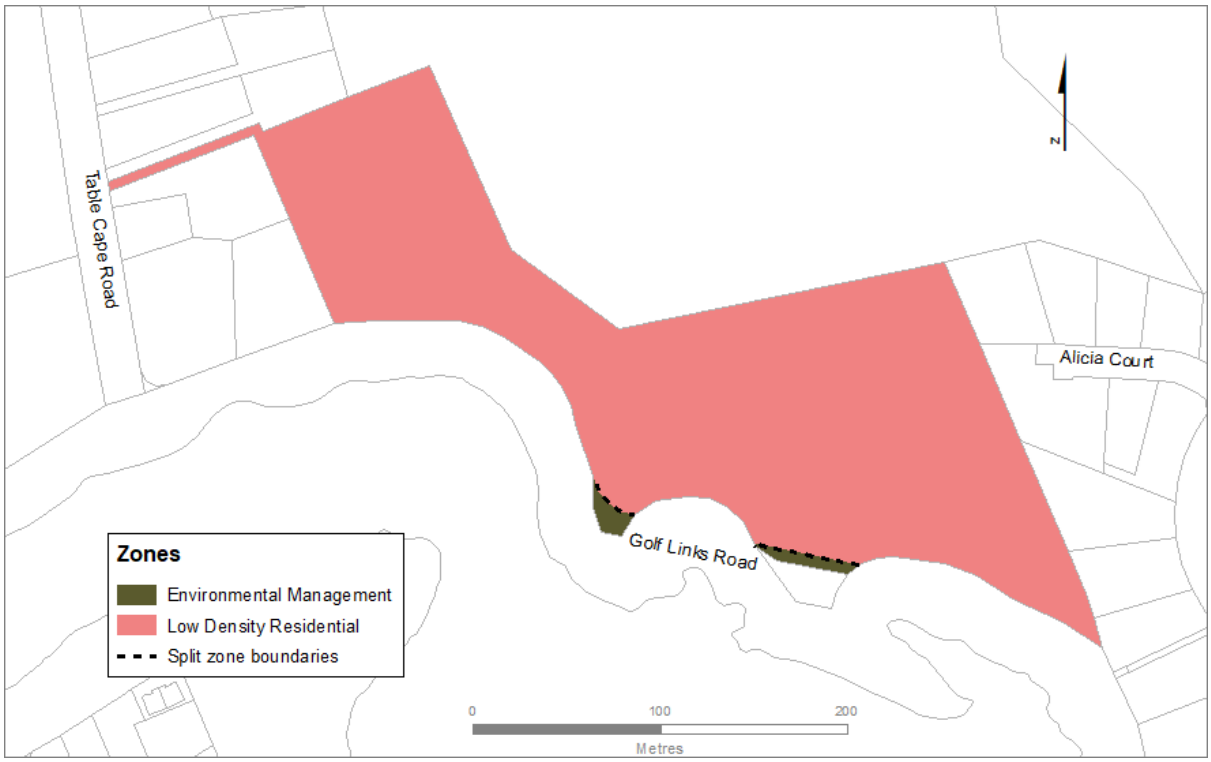

Figure 1: Application of the Low Density Residential Zone and Environmental Management Zone to land at Lot 2 Golf Links Road, Wynyard.

Annexure B

Modified permit SD 2191

PART A CONDITIONS:

(1) *The development is to be generally in accordance with the application as submitted and endorsed documents as listed:

a. Subdivision plans with Job Number 49895AB-PA-05 Revision B as prepared by PDA Surveyors, Engineers and Planners and dated 25 November 2025, noting that sealed access is not to exceed 15 degrees.

b. Subdivision plans with Job Number 49895-C-CP1 through CP12 inclusive as prepared by PDA Surveyors, Engineers and Planners and dated 10 December 2025.

c. Agricultural Assessment of Lot 2 Golf Links Road, Wynyard by Pinion Advisory and dated July 2021.

d. Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan – Lot 2 Golf Links Road, Wynyard, Job Number RGA-B2345 Version 3 by Rebecca Green and Associates and dated 17 December 2025.

e. Traffic Impact Assessment – Lot 2 Golf Links Road, Wynyard by Traffic and Civil Services and dated December 2025, and to be implemented in accordance with the recommendations at Section 7 on Page 34 of the Traffic Impact Assessment.

f. Geotechnical Investigation, Project No. GL24537Ac_Rev2 by Geoton Pty Ltd and dated 12 August 2026.

(2) Stormwater from the development is to be connected and discharged into Council's stormwater drainage network in accordance with the *Urban Drainage Act 2013*.

(3) All costs associated with the proposed development including those related to infrastructure extensions or upgrades to Council assets are to be met by the Developer.

(4) Relevant engineering plans, specifications, calculations, and computations are to be prepared or certified by a Chartered Professional Engineer and submitted to the Director Infrastructure & Development Services for approval. No work is to commence until a Construction Certificate has been issued by the Director Infrastructure & Development Services.

(5) Construction of civil engineering work associated with the development is to comply with the requirements of Council's Policy PR003 – Standard requirements for the construction of new infrastructure assets and the replacement of existing infrastructure assets.

(6) On completion of work covered by a Construction Certificate a Chartered Professional Engineer is to certify by declaration that all work has been carried out fully in accordance with the approved plans, specifications, calculations and computations. "Works as Constructed" drawings that comply with the requirements of Council's "Submission of digital-as-constructed information" template are to be supplied.

(7) *Before sealing of the Final Plan, the northern portion of proposed Lot 12 is to be built up by the placement of granular fill to a minimum 9m AHD and a drain be constructed near the northern site boundary to capture stormwater runoff in accordance with the requirements of part 10.3 of the Geotechnical Investigation, Project No. GL24537Ac_Rev2 by Geoton Pty Ltd and dated 12 August 2026.

(8) In the course of undertaking the development/use there is to be no damage caused to

any Council owned infrastructure or property.

(9) A Final Survey Plan submitted for sealing by the Council is to show all easements required for powerlines, sewerage, water, drainage purposes and legal access.

(10) A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure.

(11) A maintenance bond of 5% of the cost of the civil works as approved by the Director Infrastructure & Development Services is to be lodged with Council prior to:

a. the issue of the Maintenance Period Commencement document; or

b. prior to the sealing of the Final Survey Plan.

(12) Before sealing of the Final Plan, all disturbed surfaces on the land except those set aside for roadways, footways and driveways are to be covered with topsoil and seeded and, where appropriate, re-vegetated and stabilized to the reasonable requirements of the Director Infrastructure & Development Services.

(13) If the development requires work within a road reservation of Golf Links Road, the applicant is to obtain from Council a “Activity in Road Reservation Permit” before any site work commences. The Permit conditions may require lodgement of a bond as surety against damage to Council’s infrastructure.

(14) A property access is to be constructed for each right of way, in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access, and the conditions in a “Activity in Road Reservation Permit”.

(15) A sealed driveway entrance is to be constructed for each right of way, between the edge of the seal and the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access,

(16) A driveway with a sealed surface is to be constructed for lots 1, 2, 3, 4, 5, 6,7, 8 and 12 from the edge of the bitumen surfaced pavement of the right of way to the property boundary in accordance with Tasmanian Standard Drawing TSD-R03-v3, Rural Roads Typical Property Access & TSD-R04-v3, Rural Roads Typical Driveway Profile and the conditions in a “Activity in Road Reservation Permit”.

(17) All new vehicular accesses are to be located in accordance with Tasmanian Standard Drawing TSD-RF01-v3, Guide to Intersection and Domestic Access Sight Distance Requirements and be approved by the Director Infrastructure & Development Services.

(18) Property access, including shared internal driveways, are to comply with the requirements of the submitted Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan – Lot 2 Golf Links Road, Wynyard, Job Number RGA-B2345 Version 3 by Rebecca Green and Associates and dated 17 December 2025 and are to be constructed prior to the to the sealing of the Final Survey Plan.

(19) A reticulated stormwater drainage system is to be provided with individual lot connections, road drainage and method of discharge in accordance with the reasonable requirements of the Director Infrastructure & Development Services. The design return interval for the reticulation network is to be 1 in 10-year ARI for property only, 1 in 20 Year ARI for road drainage and provision is to be made to contain a 1 in 100-year ARI major overland flow-path.

(20) *A new 150Ø stormwater connection point including an accessible inspection opening at ground level is to be constructed at the lowest point of lots 1 to 8 and 11 to 12, to permit connection to Council’s stormwater drainage reticulation network. The connection point is to be inspected and approved by the Director Infrastructure & Development Services before backfilling.

(21) *Before site disturbance or construction commences an environmental management

plan is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to outline proposed practices in relation to:

a. Temporary run-off and erosion controls, which are to be installed before the development commences. Controls are to include, but are not limited to:

i. Minimisation of site disturbance and vegetation removal.

ii. Diversion of up-slope run-off around cleared and/or disturbed areas, areas to be cleared and/or disturbed or filled providing such diverted run-off does not cause erosion and is directed to a legal discharge point.

iii. Installation of sediment retention traps (e.g. sediment fences, etc.) at the down slope perimeter of a disturbed area or stockpile to prevent unwanted sediment and other debris escaping from the land.

iv. Rehabilitation of all disturbed areas as soon as possible.

b. Weed management.

c. Storage facilities for fuels, oils, greases, chemicals, and the like

d. Litter management.

(22) Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.

(23) *Erosion and sediment control measures that meet the reasonable requirements of the Director Infrastructure & Development Services are to be implemented and maintained during the course of development to minimise downstream sediment transfer, particularly with respect to watercourses, stormwater outlets and disturbed ground

(24) Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.

(25) Underground/overhead power is to be provided to each lot in the development in accordance with the requirements of TasNetworks and LGAT - Tasmanian Standard Drawings and Specifications.

(26) Before site disturbance or construction commences, a plan of management is to be prepared and submitted for approval by the Director Infrastructure & Development Services. The plan is to provide relevant project management information and outline proposed construction practices, including, but not limited to:

a. Contact details for principal, consultants and contractors including after-hours numbers;

b. Traffic management plan including road works signage;

c. Proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);

d. Identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;

e. Site facilities to be provided; and

f. Procedures for washing down vehicles to prevent soil and debris being carried onto the street.

(27) Prior to sealing the Final Plan of Survey, the developer must complete all infrastructure services works and provide the Council with evidence of completed works, including as-constructed drawings, to the satisfaction of the Director Infrastructure and Development Services or their delegate or delegated representative.

(28) Upon sealing of the Final Plan of Survey, Lots 101 and 102 are to be transferred to Council ownership.

(29) *Before a final survey plan may be sealed, the developer is to provide a contribution in lieu of providing public open space in the development. The contribution is to be equivalent to five percent (5%) of the value of the new lots that are zoned Low Density Residential and the principles of the Waratah-Wynyard Council Public Open Space Contribution Policy adhered to in the application of this provision.

(30) The developer is to seek a private land valuation of the new lots that are zoned Low Density Residential. A copy of the valuation is to be submitted to Council before or at the time of payment of the public open space contribution.

(31) *Prior to sealing of the Final Plan of Survey, a Part V Agreement under Section 71 of the *Land Use Planning and Approvals Act 1993* is to be registered on the land for Lots 11 and 12 restricting future residential development to a maximum of four bedrooms.

PART B CONDITIONS:

(1) *The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to *section 56Q* of the *Water and Sewerage Industry Act 2008*, reference TWDA 2024/00419-WWC (attached), except condition 26.

Notes: -

The following is provided for information only and does not constitute condition(s) of permit.

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- The applicant is advised to consult with a building surveyor to ensure the development is constructed in accordance with *Building Act 2016.*
- This permit is based on information and particulars set out in Development Application SD 2191. Any variation requires an application for further planning approval of Council.
- This development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994.*
- Attention is drawn to existing or proposed electricity infrastructure. Please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.
- A further fee is required for the signing and sealing of Final and Strata Plans. Please refer to Council’s website for current Planning fees.
- Prior to Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to Council as evidence of compliance with the Part B Conditions of the Planning Permit. The application form for this consent document can be obtained from the TasWater website http://www.taswater.com.au/Development/Forms.

***permit conditions modified by the decision of the Tasmanian Planning Commission dated 6 October 2026**