

7.5 APPLICATION FOR PLANNING SCHEME AMENDMENT PSA 1/2024 FOR GOLF LINKS ROAD WYNYARD AND ASSOCIATED 12 LOT SUBDIVISION - SD 2191.

To: Council
Reporting Officer: Manager Development and Regulatory Services
Responsible Officer: Director Infrastructure and Development Services
Report Date: 5 February 2026
File Reference: 2758376
Supporting Documents:

1. TasWater SPAN
2. Extension of time response
3. Extension of time request
4. SD 2191 draft permit conditions
5. Consolidated application documents
6. Proposed zoning map

RECOMMENDATION

That Council:-

1. In accordance with s40D(a) of the Land Use Planning and Approvals Act 1993, initiates a planning scheme amendment PSA 1/2024 to rezone land at Golf Links Road Wynyard (CT 148923/2) from Agriculture to Low Density Residential.
2. In accordance with s40F(3) of the Land Use Planning Approvals Act 1993, Council certifies planning scheme amendment PSA 1/2024 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, Council forwards a copy of each of the sealed instruments of Certification and the draft amendments to the Tasmanian Planning Commission within seven (7) days.
4. That, in accordance with Sections 40W(1) and 40X of the Land Use Planning and Approvals Act 1993, Council agrees to the request made under Section 40T(1) to amend the Waratah-Wynyard Local Provisions Schedule and consider the application for a planning permit concurrently;
5. That, in accordance with Section 40(Y) of the Land Use Planning and Approvals Act 1993, Council approves planning permit SD 2191, subject to the conditions provided in the draft permit shown in the attachments to this report.
6. That, in accordance with Section 40Y(6) of the Land Use Planning and Approvals Act 1993, Council forwards a copy of the relevant permit material relating to the permit application to the Tasmanian Planning Commission within seven (7) days;
7. That, in accordance with Section 40FA(1) of the Land Use Planning and Approvals Act 1993, Council 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

8. That in accordance with Section 40G and Section 40Z of the Land Use Planning and Approvals Act 1993, Council publicly exhibits the draft amendment PSA 1/2024 and draft planning permit SD 2191 for a period of 28 days.

PURPOSE

The purpose of this report is to provide an assessment of a combined application for:

- Planning scheme amendment No. PSA 1/2024, which is seeking to:
 - Rezone land at Lot 2 Golf Links Road (CT148923/2), Wynyard from Agriculture under the *Tasmanian Planning Scheme – Waratah Wynyard* to Low Density Residential;
 - Rezone two small portions of CT148923/2 from Agriculture under the *Tasmanian Planning Scheme – Waratah Wynyard* to Environmental Management;
 - Apply the priority vegetation overlay on the land as identified;
 - Remove a section of the coastal refugia overlay as identified;
- A concurrent subdivision for 14 lots, SD2191; and
- The upgrading of services on land known as 8 Inglisdale Drive (CT148923/27) and Council Footway (CT142423/33).

BACKGROUND

On 14 October 2025 Waratah-Wynyard Council received a valid application from PDA Surveyors, Engineers and Planners on behalf of the landowner for a concurrent planning scheme amendment and subdivision to rezone land from Agriculture to Low Density Residential under Section 37, 38 and 40T of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The site is currently vacant. A seasonal creek runs through the property to the Inglis River. The property slopes from the northern and eastern boundaries down towards the river (south west) in the majority. Land to the west is zoned Low Density Residential, and General Residential to the east. The property is bordered to the north by agricultural land, and to the south by Golf Links Road and the Inglis River reserve.

DETAILS

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

The majority of the subject land is currently zoned Agriculture under the Waratah-Wynyard Council Local Provisions Schedule (LPS). The proposal is to rezone the main site from Agriculture to Low Density Residential and subdivide the property into 14 lots. The subdivision would include the transfer of two lots to Council, to be allocated to Road lots, and zoned as Environmental Management in keeping with the existing road. Service upgrades would include works on the adjoining 8 Inglisdale Drive and the adjoining Council footway lot in the General Residential Zone.

Proposed lot sizes for the Low Density Residential subdivision range from 1,970m² to 17,000m² (1.7ha). Lots 1-8 are proposed to be connected to sewer, with lots 11 and 12 capable of providing onsite treatment. Each of the new Low Density Residential lots are capable of providing a building envelope in keeping with the bushfire requirements and appropriate water supply. The final two lots, known as Lots 101 (288m²) and 102 (305m²) are not required to connect to services and will be transferred to road lots.

The proposed new lots 1-8 are to obtain access from Golf Links Road via three new access points. Lots 11 and 12 are to utilise a single access point from Table Cape Road.

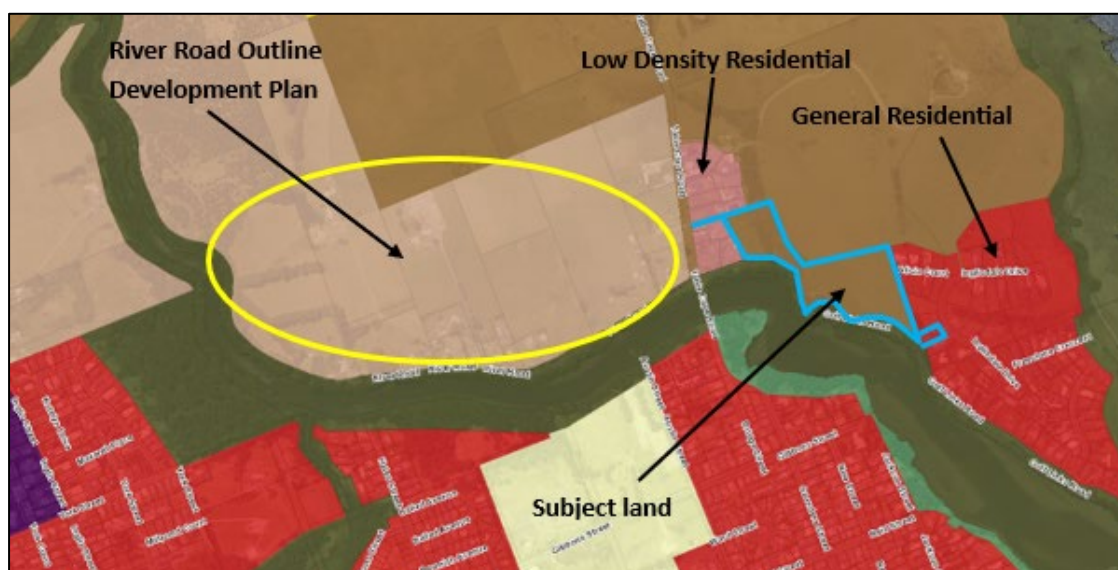


Figure 1: Current zoning of CT148923/2, CT148923/27 and CT142423/33 and surrounds

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. The following conditions were recommended:

1. Stormwater from the development is to be connected and discharged into Council's stormwater drainage network.

2. 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.
3. 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.
4. 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.
5. In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
6. 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.
7. A twelve (12) month maintenance period is to apply to all works within the development which are to become Council infrastructure.
8. 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.
9. 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.
10. 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.
11. A new kerb crossover is to be constructed for Lots 6 to 17, in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveway, TSD-R16-v3 Concrete kerbs and Channels Vehicular Crossings and the conditions in a "Activity in Road Reservation Permit".
12. A reinforced concrete driveway slab is to be constructed for Lots 6 to 17, between the kerb crossover and the property boundary in accordance with Tasmanian Standard Drawing TSD-R09-v3, Urban Roads Driveways and the conditions in a "Activity in Road Reservation Permit".

13. A driveway with a sealed surface is to be constructed for lot 1, from the edge of the bitumen surfaced pavement of Table Cape Road 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”.
14. A driveway with a sealed surface is to be constructed for lots 2, 3, 4 & 5, from the edge of the bitumen surfaced pavement of Golf Links Road 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”.
15. 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.
16. Cross road culvert pipes are to be provided at low points in the internal subdivision road alignment and at intervals no greater than 200 metres. The culvert spacing is to be reduced to 100-metre intervals where the longitudinal grade of the road exceeds 10 %.
17. 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.
18. 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 17, 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.
19. All manholes are to be located behind the kerb line.
20. 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.
21. Vehicular access during development is to be confined to the areas designated on the endorsed or approved plans.
22. 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.
23. Erosion control measures are to be maintained at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development.
 24. An 18-metre wide road reservation, with lot boundaries splayed where necessary is to be provided and shown as "Road" on the final survey plan lodged for sealing.
 25. The road reservation is to be widened to a minimum of 25 metres in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads with lot boundaries splayed where required to accommodate a vehicular turning area and shown as "Road" on the final survey plan lodged for sealing.
 26. The Internal subdivision road is to be of compacted crushed rock pavement, designed in accordance with the Austroads Pavement Design Guidelines, with a pavement width of 6 metres measured lip of kerb to lip of kerb, with a minimum total pavement thickness of 300mm plus a 40mm asphalt seal, concrete kerb and channel with sub soil drainage in accordance with TSD-R12-v3 and footpaths all in accordance with the Tasmanian Standard Drawing TSD-R06-v3, Urban Roads Typical Sections and Pavement Widths, and is to be constructed to the reasonable requirements of the Director Infrastructure & Development Services.
 27. The corner radius for the proposed internal subdivision roads and the junction with Mount Hicks Road must be designed to cater for 8.5 metre service vehicles movements in accordance with Austroads Design Vehicles and Turning Path Templates.
 28. Road intersections, both internally and within the council road network are to be assessed in regard to the various requirements of the Austroads Guide to Traffic Management set. All upgrade and works required to achieve compliance with the Austroads Guide to Traffic Management set are to be addressed as part of the road design process.

29. The applicant is to supply and install traffic management devices that include, but are not limited to, signage and line marking in accordance with the suite of AS 1742 standards, and which meet the requirements of Department of State Growth. Before a Construction Certificate may be issued, the applicant or his designer is to prepare a set of traffic management drawings that are to be submitted to and approved by Department of State Growth.
30. The developer is to submit to Council nominations for street names within the new development for consideration in accordance with Street Naming & Addressing Policy LUP.006.
31. Footpaths of 1.5-metre width and otherwise in accordance with Tasmanian Standard Drawing TSD-R11-v3 Urban Roads Footpaths are to be constructed on the eastern side of the internal roads and be located immediately adjacent to lot boundaries.
32. New Footpaths are to be constructed in accordance with Tasmanian Standard Drawing TSD-R11-v3 Urban Roads Footpaths, located on one side of the internal subdivision road and linked with the footpath in front of 1 Golf Links Road.
33. Concrete kerb and Channel type "KC" is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v3, approved Concrete Kerbs and Channels Profile Dimensions on both sides of internal subdivision road.
34. Concrete kerb and Channel type "KC" is to be constructed in accordance with Tasmanian Standard Drawing TSD-R14-v3, approved Concrete Kerbs and Channels Profile Dimensions, from internal subdivision road to existing mountable kerb northern side Golf Links Road.
35. A court bowl of radius 12 metres and otherwise in accordance with Tasmanian Standard Drawing TSD-R07-v3, Urban Roads Cul-De-Sac Turning Heads is to be provided at the termination of the internal road to facilitate the turning movement of large service vehicles. Construction is to be of equivalent standard to the internal road.
36. Street lighting is to be provided in accordance with AS 1158 and the requirements of Aurora Energy Pty Ltd and the Director Infrastructure & Development Services. The street lighting is to be designed to minimise off site glare and reflected light.
37. 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.
38. 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 afterhours 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.

Environmental Health

The following environmental health conditions were recommended.

- (1) Control measures are to be installed for the duration of the construction phase so as to limit the loss of soils and other debris from the site.

Note: 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*.

EXTERNAL REFERRALS

The application was referred to TasWater on 11 April 2024. A response to the final design was received on 2 December 2025 and forms Part B of the draft permit conditions.

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.

This proposal is also considered under Part 3B, Division 4 of LUPAA, as it is a combined planning scheme amendment and development (subdivision) application. Should the planning scheme amendment be assessed as meeting the LPS criteria, the planning authority is required to assess and determine the subdivision application as if the amendment were in force.

When considering a draft amendment, assessment must be undertaken under s.32 and 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.

PART A: Planning Assessment – Planning Scheme Amendment

Matters to be considered by Council are listed under section 32 of LUPAA.

The below table provides each subclause, followed by an assessment against that subclause.

Section 32 LUPAA – Contents of LPSs	
S32(1)	<i>An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.</i>
The proposal applies only to the Waratah Wynyard Municipal area.	
S32(2)	<i>An LPS-</i> <i>must specify the municipal area to which its provisions apply; and</i> <i>must contain a provision that the SPPs require to be included in an LPS; and</i> <i>must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and</i> <i>may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme; and</i> <i>may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land; and</i> <i>must not contain a provision that is inconsistent with a provision of section 11 or 12; and</i> <i>may designate land as being reserved for public purposes; and</i> <i>may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter; and</i> <i>may, if permitted to do so by the SPPs, override a provision of the SPPs; and</i> <i>may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs; and</i> <i>may, subject to this Act, include any other provision that-</i> <i>(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and</i> <i>(ii) is permitted by the SPPs to be included in an LPS; and</i> <i>must not contain a provision that the SPPs specify must not be contained in an LPS.</i>
The amendment has been prepared in keeping with the remainder of the LPS: the proposal applies to the Waratah Wynyard municipal area. The proposal is for a modification to the mapping. No additional provisions are proposed to be changed. The proposal includes a modification to the mapping, as per the attachment to this report. The proposal is for a modification to the land mapping /zoning, as provided for in section 11. The proposal is for a modification to the zoning and overlay maps that apply to the particular land. No new provisions are proposed. The proposal includes the transfer of a small portion of land for public purposes. The proposal is for a change of zoning. No SPP provisions are proposed to be overridden. The proposal is for a modification to the LPS.	

No additional provisions are proposed.	
No additional provisions are proposed.	
S32(3)	<i>Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –</i> <i>A particular purpose zone, being a group of provisions consisting of –</i> (i) <i>A zone that is particular to an area of land; and</i> (ii) <i>The provisions that are to apply in relation to that zone; or</i> <i>A specific area plan, being a plan consisting of –</i> (i) <i>A map or overlay that delineates a particular area of land; and</i> (ii) <i>The provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions of the SPPs; or</i> <i>A site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.</i>
The amendment does not propose a PPZ, SAP or SSQ.	
S32(4)	<i>An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –</i> <i>A use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or</i> <i>The area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.</i>
The amendment does not propose a PPZ, SAP or SSQ.	
S32(5)	<i>An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.</i>
No change to the structure is proposed.	
S32(6)	A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.
No provisions are proposed.	
S32(7)	A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.
No provisions are proposed.	
Section 34 LUPAA – LPS Criteria	
S34(1)	<i>In this section –</i> <i>Relevant planning instrument means a draft LPS, an LPS, a draft amendment of an LPS and an amendment of an LPS.</i>
<i>S34(2) The LPS criteria to be met by a relevant planning instrument are that the instrument:</i>	
S34(2)(a)	<i>contains all the provisions that the SPPs specify must be contained in an LPS; and</i>
The proposal is for a modification to the land use zoning. No other alterations are proposed.	

S34(2)(b)	<i>is in accordance with s32; and</i>
Accordance with s32 is reviewed above.	
S34(2)(c)	<i>further the objectives set out in Schedule 1; and</i>
Schedule 1 includes Parts 1 and 2. <i>Part 1 – Objectives of the Resource Management and Planning System of Tasmania.</i> <i>1 The objectives of the resource management and planning system of Tasmania are –</i> <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i> The proposal is for conversion of land from one intended use to another. In this case, the potential loss of agricultural land as a result of that conversion and the potential impacts of development as a result of the likely new uses of the land must be considered. The proposal has included the following submission in response to this clause on pages 8 and 9 of the written submission: <i>“the development will be sustainable and meet the requirements of the Urban Drainage Act for the discharge of stormwater to the site. The development will limit the environmental impact as the site is primarily grassland surrounded by residential lots...”</i> The proposal includes an agricultural assessment that reviews another aspect of 1(a), in the conversion of agricultural land. The relevant conclusions within that report are as follows: <i>“The property in question is covered by Class 4, 4+5 and 4+6 land.</i> <i>The proposed rezoning is sensitive to the adjacent land use activity and not anticipated to create any negative impacts and/or constraint on the capability / capacity of the neighbouring properties to be actively managed and farmed.</i> <i>The presence of existing dwellings on Alicia Court, Inglisdale Drive and Table Cape 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.</i> <i>The property...does not have any local and/or regional significance.</i> <i>The proposed re-zoning allows for a contiguous line of residential development from the existing residential areas....across to the southern end of Table Cape Road”.</i> The land is identified in this report as being limited in agricultural capacity due to erosion, waterlogging (due to the type of soil) and poor drainage. It is noted that the parcel is currently a sloped section of land, containing a watercourse, and situated in between existing General Residential and Low Density Residential parcels and a roadway. The site is also identified in the <i>Liveable Waratah Wynyard Strategy</i> (discussed below). The agricultural assessment goes on to note that the land could accommodate approximately 6 head of cattle. The lot sizes and uses proposed would not restrict this land from accommodating a similar agricultural output through lifestyle living. Cropping would not be appropriate under current conditions due to a combination of fettering from existing residential use on either side of the site, topography, erosion and lack of water for irrigation. <i>to provide for the fair, orderly and sustainable use and development of air, land and water; and</i> The applicant provided the following submission regarding this clause : <i>“The proposed rezoning will result in a more sustainable and effective utilisation of the site, consistent with the surroundings of the site”</i> The site is identified within the <i>Liveable Waratah Wynyard Strategy</i> as a site where future change to Low Density Residential is able to be explored, subject to sites specific issues (including drainage) being resolved on the site. The LWWS recognises the severely limited agricultural value of the site due to site characteristics and existing fettering as a result of adjoining residential uses. Whilst the	

proposed zoning does not include protections for adjoining agricultural uses directly in a similar manner to the Rural Living Zone, the bushfire requirements result in a similar outcome when considered in conjunction with the potential agricultural loading of the adjoining Class 4+5 land. It is not anticipated that rezoning and subsequent change of use of the land would impede the agricultural activity to the north of the site.

The rezoning of the land accommodates the expansion of rural residential style use and development in the Wynyard area consistent with many of Councils key focus areas for economic prosperity, our community environment and civic leadership.

the encourage public involvement in resource management and planning; and

The applicant provided the following submission regarding this clause:

"The draft amendment will be placed on public exhibition. Enabling the public to be involved during the planning process and provide the opportunity to provide a representation to the development. Subsequent development will also be placed on public exhibition."

If the application is supported by Council for initiation, the advertising process will occur as per LUPAA, providing the public with the opportunity to be involved. It is noted that no other community consultation has been undertaken to date in direct reaction to this application for rezoning. Community consultation was undertaken as part of the *Liveable Waratah Wynyard Strategy*, which included consideration of this site.

to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

The applicant has submitted that *"the rezoning will facilitate better site utilisation and will restrict conflict between existing residential and agricultural use.....the rezoning will help facilitate sustainable development and provide social and economic benefits to the greater Wynyard area"*.

Whilst any economic development as a result of the rezoning would be minor, there is not anticipated to be any negative impact on economic development as a result of the rezoning (e.g. through loss of agricultural production).

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

The applicant has submitted that:

"The proposed rezoning amendment represents a process where different spheres of government are involved in the planning approval process"

If the amendment is initiated, further assessment is completed by the TPC. Council is responsible for the advertising of a draft amendment and subdivision, allowing public comment. Council would also carry out any further referrals to any relevant state government agencies, thus completing the involvement of various levels of government as required by LUPAA.

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

2 The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this schedule-

to require sound strategic planning and co-ordinated action by State and local government; and

The applicant stated that *"The proposed amendment provides sound strategic planning through the Cradle Coast Regional Land Use Planning Strategy and the Liveable Waratah Wynyard Settlement Strategy"*.

Full consideration of the two strategies is provided later in this report.

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

The applicant stated that *“The proposed amendment does not affect the planning instruments. The proposed amendment will allow for more effective and efficient site utilisation.”*

The planning scheme amendment process is part of the operation of the planning instruments available. The proposal is thus assessed against all applicable provisions.

to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

The applicant submitted that *“Environmental consideration has been considered and natural values reports has been considered [sic]. The development will meet the requirements of the Urban Drainage Act 2013 to limit potential environmental impact on the nearby water body”.*

The proposal addresses the majority of potential effects on the environment and the planning authority accepts that the applicant has mitigated these impacts, with lots 1-8 being provided with reticulated sewer, water and stormwater. Lots 11 & 12 have the capacity to be developed with appropriate onsite treatment. Previous exploration of the potential rezoning for this site identified the need to address the drainage of the site, an issue that has been resolved in this development design. Interaction with agricultural use in considered in full.

The application documentation does not address the priority vegetation overlay. This is considered in full in the assessment below and determined to comply.

the required land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and

The applicant submitted that *“the proposed amendment does not affect the ability to meet this objective”.*

This submission is considered to be sufficient to demonstrate compliance.

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

The applicant submitted that *“the section 40T process ensures there is a consolidated approval process”.*

The application is for a consolidated and co-ordinated process as established with LUPAA.

to promote the healthier and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and

The proposal is not considered to conflict with this provision. The applicant states in their documentation that *“the proposed amendment will result in more potential residential lots within an established area of Wynyard. The site is near an established area with access to shops and local schools”.*

to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

The applicant submits that *“the site is currently vacant and none of the land has been identified as having heritage values”.*

The planning authority accepts this statement as accurate.

to protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community; and

The applicant submits that *“the proposed amendment will support the provision and coordination of public utilities and other facilities. The traffic assessment is undertaken to assess the existing road network’s potential impact. The proposal will also increase the availability of services to the area”.*

The planning authority accepts that the proposal will expand and support existing public utilities, without negative impact.

to provide a planning framework which fully considers land capability.

The application documentation includes the statement that *“the land has been considered as part of the strategic plan for the Waratah Wynyard municipality. Whilst the site wasn’t considered the primary site to expand, this was due to the site being considered with the title to the north. The site is ranked as high or higher than the preferred site outside of the landslip hazard and most of the landslip is contained within the northern title”.*

The agricultural assessment provided with the application concludes that the land is classified as Class 4 through Class 6 and could be utilised for limited livestock enterprise, requiring feed supplementation rendering the operation financially non-viable. The conclusion is that the site could not be utilised for cropping or perennial horticultural use.

It is noted that agricultural operations rarely function over a single land title, and the land would more likely operate as part of the site to the north.

S34(2)(d)	<i>Is consistent with each State Policy; and</i>
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State Policy on the Protection of Agricultural Land 2009 (PAL)

The purpose of the PAL policy is to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land. The policy applies to all agricultural land within Tasmania. The policy defines Agricultural land as:

“all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses”.

It can be argued that the subject site includes land zoned for agricultural use, despite being restricted for such use by its shape / proximity to adjoining non-agricultural uses. As such, the PAL Policy has been given consideration in this assessment.

Agricultural land is classified according to its ability to withstand degradation. This classification provides a scale of 1-7, with Class 1 being the most resilient. Classes 1 through 3 are identified as prime agricultural land.

The applicant included an agricultural assessment with a site-specific land capability review. The report updated the 1:100,000 mapping to conclude that the site is Class 4, 4+5 and 5+6. The report concludes that the key limitations of the soils are erosion, waterlogging and poor drainage. The assessment identifies that the land is already fettered through the residential uses to the east and west and further limitations to productive agricultural use exist as a result of the watercourse, topography and lack of irrigation capacity.

The report concludes that the land is not significant for local or regional agricultural use and nor would the use of the subject land as proposed result in development that unreasonably confines or restrains the agricultural use to the north of the site.

The proposal aligns with the PAL policy, particularly Principles 1, 2, and 7.

State Coastal Policy 1996 (revised 2003 and 2009)

The site is less than 1km of the high-water mark and as such the State Coastal Policy is relevant.

The amendment is considered to not conflict with or interfere with natural or cultural values of the coastal zone, having regard to the following:

the subject site has not been identified as containing ecological values outside of remnant vegetation in the proposed Lot 8. These will be protected by C7.0 Natural Assets Code.

there are no expected adverse impacts on air, adjacent land or water resources This includes the waterway and the Inglis River;

the land is located within the bounds of an existing township, including the identified growth areas of that township;

the site has been identified within the strategic plans for that township as suitable for consideration for lower density residential development, subject to site specific concerns being resolved; and the site is able to be adequately serviced.

The proposal is therefore considered to be consistent with the State Coastal Policy.

State Policy for Water Quality Management 1997

The State Policy for Water Quality Management 1997 applies to all surface water, including coastal waters and ground waters.

The proposed amendment seeks to rezone land from Agriculture to Low Density Residential and subdivide the land. The development plans include consideration of drainage and servicing of the site, including appropriate disposal of wastewater, whether by sewer or onsite disposal.

The proposal is considered to be consistent with the State Policy for Water Quality Management.

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 and development does not relate to any issues covered under the NEPMs and the proposal is thus considered to comply.

Gas Pipelines Act

The subject site is not impacted by the Gas Pipeline. Complies.

S34(2)(da)	<i>Satisfies the relevant criteria in relation to the TPPs</i>
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The application documentation includes the following submission dated 5th January 2026:

"Whilst TPP aren't currently in place, the proposed rezoning meets the following:

Settlement

1.1.3(1) Per the Waratah Wynyard Strategy there is no additional supply of low density zoned land and the proposed would provide some supply.

1.1.3(2) the proposed rezoning would be considered infill as there is existing development to the east and west of the site. The site has ability for services and integrates with existing transport systems.

1.1.3(3) above requires additional land supply for low-density areas in the area of Wynyard. The site has access to direct employment and training opportunities within Wynyard as well as transport systems.

1.1.3(4) The rezoning priorities [sic] growth in established settlements. Wynyard being a regional town is the highest settlement hierarchy in Waratah-Wynyard municipality.

1.1.3(5) The site doesn't impede infill development.

1.1.3(6) N/A as site isn't in a structure plan and isn't of a scale that would warrant a structure plan.

1.1.3(7) N/A as development isn't creating urban growth boundaries.

1.1.3(8) the land would be considered within an existing urban settlement with the nature of development surrounding the site. An agricultural report has been provided that states the limited nature of utilising the land for agricultural purposes.

1.1.3(9-11) not applicable.

The aspects of 1.2-1.6 are more functions of what is proposed at time of developing. The site currently doesn't negatively impact any of the other aspects.

Content from 2.0 through 7.0 have been addressed with either the full zoning report or further consultant reports."

The TPPs are the first set of common policies applying to Tasmania's planning system that will shape the regional land use strategies and the Tasmanian Planning Scheme into the future. The TPPs were

made by the Minister in 2025 and established with a buffer period, with them coming into effect on 1 July 2026, to allow current assessments to adapt to the making of these policies. They have been given consideration in this assessment despite not being in force at the time of this assessment.

Further to the comments provided by the applicant, 1.1.3(1) of the TPPs intend for a 15 year regional supply of land. The Liveable Waratah Wynyard Strategy identified there to be a 3-4 year supply of land available in the Low Density Residential zone (p.251). The Cradle Coast Regional Land Use Strategy (CCRLUS) identifies a need for additional regional supply of lower density / rural residential style expansion (p.153). Note that the CCRLUS does not differentiate between current land zone categories, but treats all as rural residential land. Further assessment against the CCRLUS is provided below.

In addition, the site is considered to be within the urban growth boundary as identified in the Liveable Waratah Wynyard Strategy, in keeping with 1.1.3(7).

S34(2)(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

The CCRLUS forms the regional land use strategy referred to in S34(2)(e). The CCRLUS is supported by the Sustainable Murchison Strategy and the LWWSS. All documents are reviewed here for exploration of compliance with S34(2)(e).

The applicant includes a submission on pages 11-28 of the Rezoning and Subdivision report by PDA Surveyors, Engineers and Planners.

Further to the submission provided by the applicant, assessment against the CCRLUS is provided below. The purpose of the CCRLUS is to provide a consistent policy foundation for the regulatory intentions and requirements contained in local planning scheme prepared for each municipal area. It should be noted that not all of the policies are relevant to the proposal.

Cradle Coast Regional Land Use Strategy

Wise Use of Resources

The land has little value in terms of resources for agricultural use as demonstrated in the land capability assessment. The site is not considered suitable for higher residential densities due to servicing and access limitations, landslip risk, the waterway on the property and potential use conflicts that higher density residential use of the site may trigger.

The applicant demonstrates that stormwater and sewerage can be managed, and the site developed whilst maintaining sensitive interaction with the waterway(s) and agricultural activity as well as minimising disturbance to native vegetation.

Support for Economic Activity

The proposed change in land zoning and subdivision would contribute an additional 10 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 is established that approximately 6 head of cattle could be run on the property. Given the lot layout, and the need to supplement the feed of this stock if it were utilised for such a purpose, the proposed subdivision would not necessarily remove all capacity for use for a small number of stock across the properties, thus retaining some of this role, despite the change of zoning and primary use.

Places for People – Liveable and Sustainable Communities

The parcel of land is bordered by General Residential to the east, Low Density Residential land to the west, Agricultural land to the north and the road and river reserve to the south. The applicant submits that the proposed development pattern is in keeping with the area and a logical continuation of the established settlement. The submission also makes the case that this site was identified in the Liveable Waratah Wynyard Settlement Strategy and that the proposed amendment will “help bridge the gap” between the existing settlement and the area to the west which is identified in the River

Road Outline Development Plan as well as providing infill development between the properties to the east and west.

Land Use Policies for Managing Growth and Development

The proposed rezoning and development is considered to be within the existing settlement boundary and providing connection through the existing network as well as appropriate connection to infrastructure in accordance with demand and local strategy. The proposal is in keeping with the "Contained" strategy, providing strategically planned expansion whilst retaining urban form and development that is contiguous with the established settlement area.

The Liveable Waratah Wynyard Strategy identified there to be a 3-4 year supply of land available in the Low Density Residential zone (p.251). The CCRLUS identifies a need for additional regional supply of lower density / rural residential style expansion (p.153). The proposed development would contribute to this supply, supporting the existing settlement, without meaningful loss of agricultural land.

Land Use Policies for Protecting People and Property

The proposed amendment and development demonstrates sufficient risk management or land exposed to landslide, bushfire or flood inundation in accordance with the TPS. The proposal includes demonstration that appropriate building areas are available.

Land Use Policies for Housing Land – Places to Live

The municipality currently does not contain the intended 10-20 years of land supply in the proposed land zoning. The proposed rezoning and development would contribute, albeit in a minor way, to this goal, and would link in with the River Road Outline Development Plan site to provide a mix of densities whilst being consistent with the PAL Policy, managing hazards and infrastructure availability.

Planned Provision for Infrastructure – Support for Growth and Development

The proposed rezoning and development has the capacity to be serviced appropriately and utilise existing infrastructure without negative impact.

Sustainable Murchison Community Plan 2040

The Sustainable Murchison 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 includes the north west of Tasmania and is providing the basis for the next review of the RLUS, as it did for the recent minor revision of the CCRLUS.

The applicant has not addressed the Sustainable Community Murchison Plan directly.

The proposal does not challenge Burnie as the regional centre, in keeping with Principle 1.

The proposal is likely to have limited economic impact, rendering it in keeping with Principle 2.

The subject site has suitable access to transport networks and the development of that site would not adversely impact those networks, in keeping with Principle 3.

The proposed rezoning and development reflects the natural features of the site, including the waterway, accessibility and adjoining land uses. The design is for infill development, allowing for conservation of resources. This is in keeping with Principle 4.

The site would allow for utilisation of existing community infrastructure, without overloading said infrastructure (Principle 5).

The natural values of the site and adjoining land have been considered and will be protected through the design of any subdivision as a result of the requirements of the C7.0 Natural Assets Code, C13.0 Bushfire Protection Code and the C15.0 Landslip Hazard Code which will limit the location and intensity of development or alternative subdivision design whilst requiring the retention of a buffer to the agricultural land to the north through C13.0. The drainage issues on the site include consideration of the potential changes in stormwater management as a result of climate change.

Similarly, the bushfire provisions provide protection from this risk from climate change into the future. The proposal is considered to be in keeping with Principle 6.

Principle 7 is not relevant to the proposal outside of the integration and interaction between the various strategies.

Liveable Waratah Wynyard Settlement Strategy 2021

The LWWSS sits between the hierarchy of planning controls. The CCRLUS requires the LWWSS to “identify, protect and enhance the qualities that contribute to the liveability of the towns and villages of the municipality” (p.5, LWWSS).

In particular, the LWWSS is clear in the intention to:

direct growth to infill lots; and

provide for additional Rural Living land. Note that the LWWSS treats multiple land zonings (Low Density Residential and Rural Living Zones) interchangeably.

The applicant provides a submission in response to the 8 key priorities within the LWWSS, which are summarised here and available in full on page 29 of the full supporting report by PDA:

“Guiding Growth - The proposed amendment meets the priorities as it supplies appropriate land as mentioned.....There is only 3-4 year supply.... Help bridge the service gap to the recommended growth area...

Efficient use - ...meet the goal to minimise conflict with adjoining use. The site has residential development to the east and west.....

Resilience -broader demographic base....lack of low-density sized blocks....

Character - ...continuation of existing residential development.....

Community participation -amendment will be advertised....

Support healthy lifestyle - ...proximity to open space....

Efficient & vibrant centres -lots will be in a similar style to the eastern side...popular with high market demand. The development will have easy access to services and town area....

Natural & cultural values - ...no ecological value but does overlook the Inglis River....attract people who want the natural values of the area”

This site was considered during development of the LWWSS, but was dismissed due to insufficient information and a weaker case compared to the River Road Outline Development Plan area. It is however, still considered to have potential development value, as highlighted in the statement “the proponents are invited to undertake the investigations necessary to establish if their sites are suitable for development and their sites may then be considered in a revised list when:

The sites outlined in this recommendation are approaching exhaustion; or

An unexpected issue interrupts supply or threatens to interrupt supply.”

(P 110, LWWSS).

A section of land designated in the River Road Outline Development Plan is presently under consideration for rezoning and subdivision, with the objective of creating approximately 18 additional lots. The planning authority is unaware of any development plans by the remaining landowners in the area covered by the River Road Outline Development Plan, who hold over half the identified area.

The current proposal aims to ensure a continuous ‘market-ready’ supply of this high-demand land, aligning with infill objectives while preserving both environmental and agricultural values and managing the supply as per the concerns identified on p.110 of the LWWSS that results in uncertainty. Additionally, the proposed subdivision design meets the objectives outlined for the Wynyard - Preferred Character for the LDRZ, as specified on page 26 of Appendix 7.

S34(2)(f)	<i>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</i>
The applicant did not address the Waratah Wynyard Council 10 Year Corporate Strategic Plan. The proposed rezoning is considered consistent with the Waratah Wynyard Council 10 Years Corporate Strategic Plan and in particular priorities: <i>3.1.1 Deliver planning for activation through effective urban design and planning that promotes liveability, social gathering and connectedness....</i> <i>4.3.1 Commit to ongoing recreation and open space planning.....</i> It has been demonstrated 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.	
S34(2)(g)	<i>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.</i>
The applicant stated: <i>"The two nearest municipalities of Circular Head Council and Burnie City Council have Local Provision Schedules in effect. The proposed amendment will not impact any Local Provision Schedule's operation in adjoining municipal areas."</i> This statement is generally accepted. There is no clear interaction between the proposal & the development site with the adjoining LPSs.	
S34(2)(h)	<i>Has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.</i>
The applicant stated: <i>"There is no gas infrastructure in the vicinity of the development and considered [sic] not applicable."</i> This proposal is generally accepted, as the development is located more than 2.5km from the designated area.	

Section 8A Guidelines

In addition to the LPS criteria, the Commission have also issued a set of guidelines under section 8A of the Act to assist Council with the preparation of the LPS and amendments of the LPS. The Guidelines provide information on the application of the zones and codes under the LPS. The draft amendment has been considered in the context of applying the Low Density Residential Zone to the subject site, with a response provided against these Guidelines.

10.0 Low Density Residential Zone	
Zone Purpose	
10.1.1	<i>To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.</i>
10.1.2	<i>To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.</i>
10.1.3	<i>To provide for Visitor Accommodation that is compatible with residential character.</i>
Zone Application Guidelines	

LDRZ 1	<i>The Low Density Residential Zone should be applied to residential areas where one of the following conditions exist:</i> <i>residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:</i> <i>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</i> <i>ii. environmental constraints that limit development (e.g. land hazards, topography or slope); or</i> <i>b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or</i> <i>c) 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.</i>
Not applicable. The land is not an existing residential area, residential settlement or low density residential area.	
LDRZ 2	<i>The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section 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.</i>
Not applicable. The site was not within a LDRZ under the Interim Planning Scheme.	
LDRZ 3	<i>The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values.</i>
The zoning is not being considered for the purpose of protecting these values.	
LDRZ 4	<i>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.</i>
As a result of infrastructure and environmental constraints on the site, the land is not appropriate for development to higher densities. The proposal is consistent with LDRZ 4 of the Guidelines.	

PART B: Planning Assessment – Development Application

The land is to be zoned Low Density Residential, General Residential and Environmental Management under the *Tasmanian Planning Scheme - Waratah-Wynyard* (TPS). The proposed development is for residential subdivision, reliant upon assessment under a number of performance criteria.

The proposal is submitted as a discretionary application under Section 57 of LUPAA and assessed under the TPS and relevant State Policies and Acts. Section 57(1)(b) of LUPAA allows Council to relax or waive the provisions of its Planning Scheme within the discretionary category.

An assessment of the proposal against the applicable clauses for the Low Density Residential Zone, General Residential Zone and the Environmental Management Zone is provided below.

10.0 Low Density Residential Zone

10.6 Development Standards for Subdivision

10.6.1 Lot Design

A1 Each lot, or a lot proposed in a plan of subdivision, must: have an area of not less than 1,500m² and: (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 10.4.3 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2 be required for public use by the Crown, a council or a State authority; be required for the provision of Utilities; or be for the consolidation of a lot with another lot provided each lot is within the same zone.	P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: the relevant requirements for development of buildings on the lots; the intended location of buildings on the lots; the topography of the site; adequate provision of private open space; the pattern of development existing on established properties in the area; and any constraints to development, and must have an area not less than 1,200m².
Planner's comments: Each of the proposed lots in this zone exceeds 1500m² and is able to contain a building envelope as required, with the exception of the slope requirement. There are no existing buildings to be considered. The proposal is reliant upon the performance criteria for assessment. The slope of the site has been addressed in the design of the subdivision through the provision of larger lots, sharing of accesses to minimise disturbance and the provision of services where possible (e.g. sewer). The pattern of development is not out of keeping with the Low Density Residential land to the west. The proposal is considered to comply with P1.	
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.	P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: the width of frontage proposed, if any; the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; the topography of the site; the functionality and useability of the frontage; the ability to manoeuvre vehicles on the site; and

	the pattern of development existing on established properties in the area, and is not less than 3.6m wide.
Planner's comment: A number of lots will not satisfy the 20m frontage provision. The proposal is reliant upon the performance criteria for assessment. Each lot will include access that is considered sufficient by the road authority. The design also satisfies the bushfire requirements. The topography and existing road frontage of the site limits the ability to provide for individual accesses. The properties to the west include internal lots, albeit not lots which have shared rights of way for access. This lack of shared rights of way is a legacy design matter due to the previous iterations of the planning scheme, which did not allow for consideration of shared rights of way in this scenario. The proposal is considered to comply with P2.	
A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: - the topography of the site; - the distance between the lot or building area and the carriageway; - the nature of the road and the traffic; - the anticipated nature of vehicles likely to access the site; and - the ability for emergency services to access the site.
Planner's comments: Complies. The Road Authority, being Council, has reviewed the proposal and approves, subject to conditions.	

10.6.2 Roads

A1 The subdivision includes no new roads.	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to: - any relevant road network plan adopted by council; - the existing and proposed road hierarchy; - the need for connecting roads and pedestrian paths, to common boundaries with adjoining land, to facilitate future subdivision potential;
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	maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; minimising the travel distance between key destinations such as shops and services and public transport routes; access to public transport; the efficient and safe movement of pedestrians, cyclists and public transport; the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016; the topography of the site; and the future subdivision potential of any balance lots on adjoining or adjacent land.
Planner's comments: Complies. No new roads are proposed.	

10.6.3 Services

A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral road reserve or Utilities, must: be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.	P1 No performance criterion.
Planner's comments: Each lot is to be connected to water mains. Complies with A1.	
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
Planner's comments:	

Lots 1-8 are to be provided with connection to sewer, via 8 Inglisdale Drive and the Council owned walkway. Lots 11 and 12 are proposed to provide onsite wastewater disposal. As such, the proposal must be assessed under the performance criteria. The application is accompanied by a supporting report demonstrating that the proposed lots can either connect to sewer or achieve onsite wastewater disposal for future residential use of the site, whilst also accommodating the other requirements of the scheme (e.g. building envelopes and bushfire management). The proposal complies with P2.	
A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	P3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land.
Planner's comments: Stormwater is to be disposed via the seasonal creek to the Inglis River, which forms part of the public stormwater system in the area, to the satisfaction of Council's Infrastructure and Development Services. The proposal complies with A3.	

8.0 General Residential Zone

There are no relevant requirements under the provisions of the General Residential Zone. The development within this zone is limited to the provision of infrastructure for the subdivision. Landowner consent was provided.

23.0 Environmental Management

23.5.1 Lot Design

A1 Each lot, or a lot proposed in a plan of subdivision, must be: required for public use by the Crown, a council or a state authority; required for the provision of Utilities; for the consolidation of a lot with another lot, provided each lot is within the same zone;	P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant Acceptable Solutions for development of buildings on the lots; (b) existing buildings and the location of intended buildings on the lot;
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in accordance with an authority under the <i>National Parks and Reserve Management Regulations 2019</i> granted by the Managing Authority or <i>Nature Conservation Act 2002</i>; or in accordance with an approval of the Director-General of Lands under the <i>Crown Lands Act 1976</i>.	(c) the ability to retain vegetation and protect the values of the land on each lot; (d) the topography of the site; (e) the presence of any natural hazards; (f) the need for the subdivision; and (g) any advice of the managing authority.
Planner's comments: 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).	
A2 No Acceptable Solution	P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway that is sufficient for the intended purpose, having regard to: the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; the anticipated nature of vehicles likely to access the site; the topography of the site; the pattern of development in that area; and the ability for emergency services to access the site; and must have a frontage of not less than 3.6m.
Planner's comments: The land impacted has no need for frontage or legal access, due to the fact that it will be transferred to Council and form part of the road reserve. This is considered to be sufficient for the intended purpose and thus compliant with P2.	
A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot, or building area on the lot, if any, having regard to: the topography of the site; the length of the access; the distance between the lot or building area and the carriageway; the nature of the road and the traffic; any vegetation removal; and the protection of values on the site.

Planner's comments:

The requirements of the road authority have been satisfied. In this case, the requirements are that this portion of land will be transferred to the road authority upon the sealing of the Final Plan. The proposal complies with P3.

23.5.2 Services**A1**

No Acceptable Solution.

P1

Each lot, or a lot proposed in a plan of subdivision, must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land, which minimises any environmental impacts.

Planner's comments:

The land in question will be utilised for road reserve. The intended use and development of the land does not require any wastewater system. Complies with P1.

C3.0 Road and Railway Assets Code

The proposal is accompanied by a traffic impact assessment and the road authority has granted permission for the new accesses.

The proposal complies with this Code.

C7.0 Natural Assets Code

No development is to occur within the waterway and coastal protection area.

The scheme amendment would include the application of the priority vegetation overlay to a section of the site. No development or works are proposed in this area.

C7.7 Development Standards for Subdivision**C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area****A1**

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

be for the creation of separate lots for existing buildings;

be required for public use by the Crown, a council or a State authority;

be required for the provision of Utilities;

be for the consolidation of a lot; or

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

P1

Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:

the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and

future development likely to be facilitated by the subdivision.

Planner's comments:

The subdivision design complies with (e).

C7.7.2 Subdivision within a priority vegetation area

A1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; be required for the provision of Utilities; be for the consolidation of a lot; or not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a priority vegetation area.	P1.1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for: subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; subdivision for the construction of a single dwelling or an associated outbuilding; subdivision in the General Residential Zone or Low Density Residential Zone; use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. P1.2 Works associated with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to: the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; any particular requirements for the works and future development likely to be facilitated by the subdivision; the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; any mitigation measures implemented to minimise the residual impacts on priority vegetation;
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	any on-site biodiversity offsets; and any existing cleared areas on the site.
Planner's comments: The proposed amendment includes the application of the priority vegetation area over the existing established vegetation on the property. Due to the design of the subdivision, none of the areas listed in (e) are within the proposed overlay area. The subdivision design complies with (e).	

C10.0 Coastal Erosion Hazard Code

C10.7 Development Standards for Subdivision

C10.7.1 Subdivision within a coastal erosion hazard area

A1 Each lot, or a lot proposed in a plan of subdivision, within a coastal erosion hazard area, must: be able to contain a building area, vehicle access and services that are wholly located outside a coastal erosion hazard area; be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; or be required for the provision of Utilities and not be located on an actively mobile landform.	P1 Each lot, or a lot proposed in a plan of subdivision, 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: any increase in risk from coastal erosion for adjacent land; the level of risk to use or development arising from an increased reliance on public infrastructure; the need to minimise future remediation works; any loss or substantial compromise, by coastal erosion, of access to the lot on or off site; the need to locate building areas outside the coastal erosion hazard area; any advice from a State authority, regulated entity or a council; and the advice contained in a coastal erosion hazard report, and works must not be located on actively mobile landforms unless for engineering or remediation works to protect land, property and human life.
Planner's comments: The applicant has included a submission against the performance criteria due to access and sewer being located within this overlay: "The site is separated by Golf Links Road which separates the coast from the site. The proposed development includes access and sewer main through the erosion hazard area. The proposed work is unlikely to impact adjoining neighbours. The proposed site will utilise existing sewer within the overlay. The proposed line is unlikely to impact or increase any additional risk to coastal inundation. Proposed works to be to a standard to decrease	

remediation works in the future. The proposed coastal erosion is over the existing road the separate the site from the coast. Building envelopes are outside of the hazard band.”

This submission is considered sufficient for this site to demonstrate compliance with the provision. In short, the works proposed will assist with protecting the site and adjacent area.

The subdivision design complies with P1.

C11.0 Coastal Inundation Hazard Code

C11.7 Development Standards for Subdivision

C11.7.1 Subdivision within a coastal inundation hazard area

A1 Each lot, or a lot proposed in a plan of subdivision, within a coastal inundation hazard area, must: be able to contain a building area, vehicle access and services that are wholly located outside a coastal erosion inundation area; be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; or be required for the provision of Utilities.	P1 Each lot, or a lot proposed in a plan of subdivision, 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: any increase in risk from coastal inundation for adjacent land; the level of risk to use or development arising from an increased reliance on public infrastructure; the need to minimise future remediation works; any loss or substantial compromise, by coastal inundation, of access to the lot on or off site; the need to locate building areas outside the coastal inundation hazard area; any advice from a State authority, regulated entity or a council; and the advice contained in a coastal inundation hazard report.
Planner’s comments: The applicant has included a submission against the performance criteria as follows: “There is only 1 lot within the potential low hazard area, this band contains a number of existing houses and is at the end of the proposed band. Works required in the area include services to facilitate drainage and connect into the existing main within the walkway. The risk level is low and with the existing road provide protection to the site.” This submission is considered sufficient for this site to demonstrate compliance with the provision, due to the works proposed not creating or increasing any risk from coastal inundation. The subdivision design complies with P1.	

C12.0 Flood Prone Areas Hazard Code

C12.7 Development Standards for Subdivision

C12.7.1 Subdivision within a flood prone hazard area

A1 Each lot, or a lot proposed in a plan of subdivision, within a flood prone hazard area, must: be able to contain a building area, vehicle access and services that are wholly located outside a flood prone hazard area; be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; or be required for the provision of Utilities.	P1 Each lot, or a lot proposed in a plan of subdivision, 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: any increase in risk from flood for adjacent land; the level of risk to use or development arising from an increased reliance on public infrastructure; the need to minimise future remediation works; any loss or substantial compromise, by flood, of access to the lot on or off site; the need to locate building areas outside the flood prone hazard area; any advice from a State authority, regulated entity or a council; and the advice contained in a flood prone hazard report.
Planner's comments: The applicant has included a submission against the performance criteria as follows: "Each lot within the proposed subdivision is capable of accommodating building envelopes and access points outside the identified flood-prone area. The flood-affected land is limited to a small section of the existing road and does not extend into the proposed development site. The proposal does not result in any increase in flood risk to adjoining properties, as the site has only minor interaction with the flood overlay and no works are proposed within the affected area" This submission is considered sufficient for this site to demonstrate compliance with the provision, due to the works proposed not creating or increasing any risk from flood. The subdivision design complies with P1.	

C13.0 Bushfire Prone Areas Code

The application is accompanied by a certified bushfire hazard management plan demonstrating compliance with the Code.

C15.0 Landslip Hazard Code

C15.7 Development Standards for Subdivision

C15.7.1 Subdivision within a landslip hazard area

A1 Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must:	P1 Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or
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be able to contain a building area, vehicle access and services that are wholly located outside a landslip hazard area; be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; or be required for the provision of Utilities.	development that cannot achieve and maintain a tolerable risk from landslip, having regard to: any increase in risk from landslip for adjacent land; the level of risk to use or development arising from an increased reliance on public infrastructure; the need to minimise future remediation works; any loss or substantial compromise, by landslip, of access to the lot on or off site; the need to locate building areas outside the landslip prone hazard area; any advice from a State authority, regulated entity or a council; and the advice contained in a landslip hazard report.
Planner's comments: The applicant has included a submission against the performance criteria as follows: "The proposed area includes area within a low landslip hazard band. The proposed development will be consistent with the surrounding area that contains landslip. The proposed works will need to be done in accordance to good hillside practice." This submission, in conjunction with the supporting report by Geoton, is considered sufficient for this site to demonstrate compliance with the provision, due to the works proposed not creating or increasing any risk from landslip. The subdivision design complies with P1.	

C16.0 Safeguarding of Airports Code

C16.7 Development Standards for Subdivision

C16.7.1 Subdivision

A1 Each lot, or a lot proposed in a plan of subdivision, within an airport noise exposure area, must: be for the creation of separate lots for existing buildings; be required for public use by the Crown, a council or a State authority; be required for the provision of Utilities; be for the consolidation of lots; be for the creation of a lot that contains a building area not less than 10m x 15m entirely located outside of the airport noise exposure area; or	P1 Each lot, or a lot proposed in a plan of subdivision, within an airport noise exposure area must not create an opportunity for a sensitive use to be exposed to excessive aircraft noise, having regard to: (a) the location, orientation and elevation of the site relative to aircraft flight paths; (b) the current and future type and frequency of aircraft operating from the airport; (c) the type of use and the operational requirements for the use; the layout
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not be intended for a sensitive use.	and construction of buildings associated with the use; (d) the need to not compromise the future operation of the airport; (e) the requirements of any relevant airport master plan; and (f) any advice from the airport operator or Airservices Australia.
Planner's comments: The design includes lots that are not within a noise exposure area. The subdivision design complies with the acceptable solution.	

STATUTORY IMPLICATIONS

The proposal requests that land identified as 2 Golf links Road, Wynyard be rezoned from Agriculture to Low Density Residential, and associated modifications. It also includes application for a permit for subdivision.

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.

The risk to Council if the proposed planning scheme amendment is not initiated (rezoned) is the limited to the associated costs.

COMMENT

The proposed rezoning and subdivision will provide for logical utilisation of the identified land, within existing town boundaries.

As discussed above, the proposal is consistent with the requirements of LUPAA, the TPPs, the CCRLUS, the Sustainable Murchison Community Plan, the Liveable Waratah Wynyard Settlement Strategy and the planning scheme. The planning authority can only decide to allow a planning scheme amendment application to progress to exhibition if it does not conflict with, or is in accordance with, the list of provisions stated under LUPAA.

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

EXCERPT COUNCIL MEETING 16 FEBRUARY 2026

7.5 APPLICATION FOR PLANNING SCHEME AMENDMENT PSA 1/2024 FOR GOLF LINKS ROAD WYNYARD AND ASSOCIATED 12 LOT SUBDIVISION - SD 2191.

To: Council
Reporting Officer: Manager Development and Regulatory Services
Responsible Officer: Director Infrastructure and Development Services
Report Date: 5 February 2026
File Reference: 2758376
Supporting Documents: 1. TasWater SPAN
2. Extension of time response
3. Extension of time request
4. SD 2191 draft permit conditions
5. Consolidated application documents
6. Proposed zoning map

MOVED BY	CR ROBERTS
SECONDED BY	CR JOHNSTONE

That Council:-

1. In accordance with s40D(a) of the Land Use Planning and Approvals Act 1993, initiates a planning scheme amendment PSA 1/2024 to rezone land at Golf Links Road Wynyard (CT 148923/2) from Agriculture to Low Density Residential.
2. In accordance with s40F(3) of the Land Use Planning Approvals Act 1993, Council certifies planning scheme amendment PSA 1/2024 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, Council forwards a copy of each of the sealed instruments of Certification and the draft amendments to the Tasmanian Planning Commission within seven (7) days.
4. That, in accordance with Sections 40W(1) and 40X of the Land Use Planning and Approvals Act 1993, Council agrees to the request made under Section 40T(1) to amend the Waratah-Wynyard Local Provisions Schedule and consider the application for a planning permit concurrently;
5. That, in accordance with Section 40(Y) of the Land Use Planning and Approvals Act 1993, Council approves planning permit SD 2191, subject to the conditions provided in the draft permit shown in the attachments to this report.
6. That, in accordance with Section 40Y(6) of the Land Use Planning and Approvals Act 1993, Council forwards a copy of the relevant permit material relating to the permit application to the Tasmanian Planning Commission within seven (7) days;
7. That, in accordance with Section 40FA(1) of the Land Use Planning and Approvals Act 1993, Council 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
8. That in accordance with Section 40G and Section 40Z of the Land Use Planning and Approvals Act 1993, Council publicly exhibits the draft amendment PSA 1/2024 and draft planning permit SD 2191 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