

SECTION 51 LAND USE PLANNING & APPROVALS ACT 1993

PERMITTED APPLICATION - Assessment and determination of permit application under <i>S58 Land Use Planning and Approvals Act 1993</i>	\$295.00 plus \$1.45 per \$1,000 of value for use or development
DISCRETIONARY APPLICATION - Assessment and determination of a permit application under <i>S57 Land Use Planning and Approvals Act 1993</i>	\$475.00 plus \$1.85 per \$1,000 of value for use or development + advertising fee
RETROSPECTIVE APPROVAL – DISCRETIONARY APPLICATION – Assessment and determination of a retrospective permit application under <i>s57 Land Use Planning and Approvals Act 1993</i>	\$950.00 plus \$3.70 per \$2,000 of value for use or development + advertising fee
SUBDIVISION APPLICATION – Assessment and determination of a subdivision application for 1 to 5 lots under <i>s57 or s58 Land Use Planning & Approvals Act 1993</i>	\$475.00 plus \$1.85 per \$1,000 of value for use or development + advertising fee
SUBDIVISION APPLICATION – Assessment and determination of a subdivision application for more than 5 lots under <i>s57 or s58 Land Use Planning & Approvals Act 1993</i>	\$860.00 plus \$185 per lot + advertising fee
ADVERTISING FEE - added to fees for applications under <i>s57 Land Use Planning and Approvals Act 1993</i>	\$280.00
Level 2 Environmental Activity – Additional charge to permit application	\$565.00 + advertising fee by quote
Please refer to www.warwyn.tas.gov.au (Council Services – Planning Services – Planning Fees) for all other fees	

- Value of work (inc GST) \$ Nil Contract Price Estimate
 - Development Address 66 River Road, Wynyard
 - Full Name of Applicant(s) Paul and Teresa WEST
- Contact Details: Address:
 Email Address Telephone

All correspondence will be via email.

- Would you like the contact address recorded above to be applied for all future Council correspondence? (including rates/animal control etc)? Yes.X...No.....
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Where the Applicant is not the Owner

In accordance with Section 52 of the *Land Use Planning and Approvals Act 1993* if the applicant for the permit is not the owner of the land in respect of which the permit is required, the applicant must include in the application for the permit, a declaration that the applicant has notified the owner of the intention to make the application.
 In the event that the property is owned or managed by the Crown or Council, this application is to be signed by the relevant Crown Minister responsible, or General Manager of the Council, and accompanied by written permission of the Minister/General Manager to the making of this application.

Owners Full Name

Address Telephone.....

Crown Minister/Chief Executive Officer Signature.....

Applicant's Notification to Owner

I
 Full Name of Applicant(s)

of
 Applicant's Address

Declare that I/we have notified the owner(s) of the property(ies) of the intention to make this application.
 I/We understand that in accordance with Section 52(2) of the *Land Use Planning and Approvals Act 1993* a person must not obtain or attempt to obtain a permit by wilfully making, or causing to be made, any false representation or declaration either orally or in writing.

Applicant's Signature(s)

6. Proposed Development (Fully describe intended use of land or premises)

Rezone from Rural to Rural Living A and a 2 lot subdivision

7. Supporting Information if necessary to explain special features of the proposal.
(Attach separate sheet if required)

Application attached

To include –

a. One Copy (electronic copy if available) of any plan(s) and/or specification(s) for the proposed development, showing where applicable:

- ☒ i. Sufficient information to demonstrate compliance with all applicable standards, purpose statements in applicable zones and codes, any relevant local area objectives or desired future character statements;
- ☒ ii. a full description of the proposed use or development;
- ☒ iii. a full description of the manner in which the use or development will operate;
- ☒ iv. a site analysis and site plan at an acceptable scale;
- ☐ v. a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200;
- ☐ vi. a plan of the proposed landscaping;
- ☐ vii. car parking facilities and capacity;
- ☐ viii. area of clearing of trees and bushland;
- ☐ ix. size, position, colour, illumination, fixing or support and other design details of advertising sign(s).

b. A full copy of your titles shall also accompany the application.

Folio Text

☒

Folio Plan

☒

Schedule of Easements

☒

c. Relevant engineering pre-lodgement approvals

Access ☐

Stormwater ☐

8. Present use of site and/or buildings – full description

Residential

9.

Car Parking		Floor Area	
Existing on site		Existing	
Total no. proposed		Proposed	
Site Area	m ²	Total	m ²

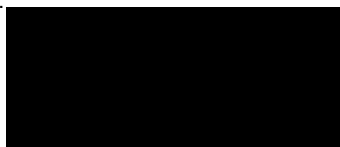
10.	What days and hours of operation are proposed?		
	Monday to Friday:	Froma.m. to p.m.	
	Saturday	Froma.m. top.m.	
	Sunday	Froma.m. top.m.	
11.	Number of Employees?		
	Existing.....		
	Proposed.....		
12.	Vehicles visiting or delivering to or from the site?		Trips per day
	Type	No.	
13.	What type of machinery is to be installed or used		
	Type	No.	

Declaration By Applicant (Mandatory)

I declare that the information given is a true and accurate representation of the proposed development. I understand that the information and materials provided with the development application may be made available to the public. I understand that the Council may make such copies of the information and materials as in its opinion are necessary to facilitate a thorough consideration of the Permit Application. I have obtained the relevant permission of the copyright owner for the communication and reproduction of the plans accompanying the development application for the purposes of assessment of that application. I indemnify the Waratah-Wynyard Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.

I/We hereby acknowledge that Section 20(a) of the *Local Government Act 1993* provides the power for persons authorised by the General Manager to enter land without notice in relation to an application by the owner or occupier for a licence, permit or other approval given by the council.

Signature(s)
(all applicants to sign)



Date 28 March 2026

Paul & Teresa West

[REDACTED]

WYNYARD TAS 7325

E: [REDACTED]

15 June 2026

Waratah-Wynyard Council

PO Box 168

WYNYARD TAS 7325

E: townplanner@warwyn.tas.gov.au

**COMBINED SCHEME AMENDMENT AND PERMIT APPLICATION - ADDITIONAL
INFORMATION REQUIRED - 66 RIVER ROAD WYNYARD**

We refer to your letter dated 30 April 2026 seeking additional information in relation to our application for a Combined Scheme Amendment and Permit at 66 River Road, Wynyard.

The following responds to each of the matters raised.

1. Form No. 1 Owners Consent

Please see attached the Form No. 1 of the Tasmanian Planning Commission required to be used for all amendment applications.

In making our application we did consider the necessity of completing Form No. 1 and identified the following:

Part 1 *“Requests for amendments of a planning scheme or Local Provisions Schedule and applications for combined permits require the owners’ consent. This form must be completed if the person making the request is not the owner, or sole owner”.*

As we are the ‘applicants and the owners’ of the land we did not believe this form was necessary.

In addition in relation to the Consent of registered landowner(s) we noted that:

Part 3 *“Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).”*

The land at 64 River Road, Wynyard has a right-of-way across 66 River Road and therefore at Annexure 6 of the application we attached a copy of a letter from the owners of 64 River Road, which advised they had no objection to our application.

However, despite our understanding our application did not require the completion of Form No. 1, we have now completed the Form and it is provided as part of our updated planning application as **Annexure 6A**.

2. Process of Outline Development Plan

It is requested that the Planning Report be revised to remove discussion on the process of the Outline Development Plan being adopted and subsequent response to concerns raised. With respect, this is a separate process, one of which is finalised and has no bearing or relevance on any application to amend the Waratah-Wynyard Local Provisions Schedule and combined permit application.

The planning authority is focussed on the application to amend the Waratah-Wynyard Local Provisions Schedule and combined permit application.

Your advice noted *“the Planning Report be revised to remove discussion on the process of the Outline Development Plan being adopted and subsequent response to concerns raised. With respect this is a separate process, one of which is finalised and has no bearing or relevance on any application to amend the Waratah-Wynyard Local Provisions Schedule and combined permit”*.

With respect, we do not agree as it is our view the Outline Development Plan process is extremely relevant to our application.

We have however reluctantly deleted the comments which were critical of the Council and its processes relating to the ODP from the introduction section of the Planning Report.

3. Section 34 LUPAA – Local Planning Schedule Criteria

In accordance with the LPS Criteria s34(2)(d) please provide evidence from a suitably qualified person, that the proposed conversion of rural land, being agricultural land to residential use is consistent with the State Policy on the Protection of Agricultural Land 2009.

A report prepared by Lisa Abblitt Ag is provided as **new Annexure 7**.

This report identifies *“the property does not hold the resources that allow it to meet the definition of ‘agricultural land’ as outlined by the Protection of Agricultural Land 2009”*

4. Tasmanian Planning Policies (TPP)

In accordance with the LPS Criteria s34(2)(da) please demonstrate how the proposed rezoning meets the draft TPPs.

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.

In accordance with the LPS Criteria s34(2)(da) please take into consideration how the proposed rezoning meets the draft TPPs, as they will likely be in effect prior to this application being finalised through the Commission process.

We have reviewed the Tasmanian Planning Policies (TPPs) and have provided an assessment against each - refer to the Planning Report Part 1 new **section 5**.

5. Clause 11.5.1 – Lot design

The proposed lot 2 does not have a frontage of not less than 40m and cannot meet the acceptable solution for clause 11.5.1, A2.

Please revise the proposed subdivision plan to include a right of carriage way over lot 2 benefiting lot 1 for vehicular access and address clause 11.5.1, P2.

As a result of the further information request, the subdivision plan was reviewed by the designer PLA Designs.

This review identified the original aerial plan submitted with the application included a misalignment with the cadasta. PLA Designs have updated the site plan (aerial view) (**refer new Annexure 2A**) which has the correct cadasta included, demonstrating that Lot 1 has sufficient frontage to River Road without requiring a right-of-way over Lot 2.

6. Clause 11.5.2 – Roads

This clause is not applicable as there is no new public road proposed. Please update this section to reflect this.

The Planning Report has been updated to remove reference to clause 11.5.2.

7. Clause 11.5.3 – Services

Each lot on a proposed plan of subdivision cannot be connected to a reticulated sewerage system; and is not within 30m of a reticulated sewerage system and cannot be connected by gravity feed, therefore cannot meet the acceptable solution for clause 11.5.3, A2.

It is a requirement of clause 11.5.3, P2 that each lot, including the new lot proposed, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

Please provide, by a suitably qualified person, an on-site wastewater disposal report confirming that lot two is capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land as required to evidence achievement of clause 11.5.3, P2.

An on-site wastewater disposal report has been prepared by GeoTon Pty Ltd. This report demonstrates that proposed Lot 2 is capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land (**refer new Annexure 8**).

8. 4.6 Development Standards for Subdivision

The Planning Report – Part 2 page 41 onwards includes an assessment against 30.5 Development Standards for Subdivision. This clause is not applicable to the permit application. Please update the Planning Report to reflect this.

This section has been removed from the Planning Report.

9. C7.0 Natural Assets Code

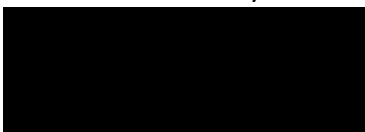
The site has some identified areas of priority vegetation as mapped and identified as Priority Vegetation area. C7.0 Natural Assets Code applies where there is development within a priority vegetation area within the Rural Living zone.

Your application will need to address clause C7.7.2, A1 or P1.1 and P1.2. Please update the Planning Report to reflect this.

The Planning Report has been amended to include assessment against C7.7.2 A1 (e) (**refer pages 60-61**)

We trust having now addressed each of the *‘further information request items’* there will be no further delay in progressing our application.

Yours sincerely



Paul West



Teresa West