From: Joanna Potter [redacted]
Sent: Wednesday, 19 August 2026 10:29 AM
To: TPC Enquiry
Subject: Planning Scheme Amendment/Development - s40K & s42 Report & Associated documents - PSA 2/2026 & DA 46/2026 - 1 Mackenzie Drive Somerset
Attachments: Letter to TPC - PSA 2-2026.pdf; s40k & s42 Report - PSA 2-2026 & DA 46-2026.pdf; Letter of Support - Correspondence from Homes Tasmania CEO - PSA 2-2026.msg; TasWater Submission to Planning Authority Notice, TWDA 2026-00453-WWC, for Council permit PSA 2/2026 & DA 46/2026; 17.08.2026 - Council meeting minutes - PSA 2-2026.pdf

Good afternoon,

Following on from previous correspondence, please find attached section 40k report and associated documents in relation to planning scheme amendment/development at 1 Mackenzie Drive Somerset (PSA 2/2026 & DA 46/2026).

Please don't hesitate in contacting this office if you have any further enquiries.

Kind regards,
Joanna

Joanna Potter
Administrative Officer (Town Planning)
Waratah-Wynyard Council
21 Saunders Street (PO Box 168)
Wynyard, TAS, 7325
P: [redacted]
E: [redacted]

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WARATAH WYNYARD COUNCIL

Enquiries: Development & Regulatory Services
Phone: (03) 6443 8333 Option 3
Our Ref: 7343401 & PSA 2/2026 & DA 46/2026

19 August 2026

Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001
tpc@planning.tas.gov.au

Dear Tasmanian Planning Commission

PLANNING SCHEME AMENDMENT/DEVELOPMENT – 1 MACKENZIE DRIVE SOMERSET – CREATE A SITE SPECIFIC QUALIFICATION & DEVELOPMENT OF STORAGE AREA AND CAR PARK

Please find enclosed s40K & s42 report prepared by the planning authority in regard to the above planning scheme amendment and development. Council received one (1) representation during the exhibition period, which is a letter of support and included in the report.

The report was tabled at the general council meeting on 17 August 2026, please find the meeting minutes enclosed.

Representors contact details:
Homes Tasmania - exec.services@homes.tas.gov.au / housingprojects@homes.tas.gov.au
Phone numbers: [redacted]

Should you have any further queries regarding this matter, please do not hesitate to contact Council's Town Planners on [redacted].

Yours faithfully

[redacted]

Alison Harriss
ACTING MANAGER DEVELOPMENT & REGULATORY SERVICES

6.3 APPLICATION FOR PLANNING SCHEME AMENDMENT (PSA 2/2026) FOR 1 MACKENZIE DRIVE, SOMERSET AND PROPOSED SOTRAGE AND VEHICLE PARKING AREA (DA 46/2026) - SECTION 40K AND SECTION 42 REPORT

To:	Council
Reporting Officer:	Town Planner
Responsible Officer:	Director Infrastructure and Development Services
Report Date:	29 July 2026
File Reference:	7343401
Supporting Documents:	1. Representation 2. Statement of opinion 3. DA 46/2026 recommended permit conditions 4. TasWater SPAN

RECOMMENDATION

That Council:-

1. **In accordance with s40K(1) and s42(a) of the *Land Use Planning and Approvals Act 1993*, forwards a copy of this report to the Tasmanian Planning Commission and advises that one (1) representation was received during the public advertising of PSA 2/2026 and DA 46/2026.**
2. **In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993*, Council provides the Tasmanian Planning Commission a copy of the representation received during the public advertising of PSA 2/2026 and DA 46/2026.**
3. **In accordance with s40K(2)(c) of the *Land Use Planning and Approvals Act 1993*, the report accepted by the Planning Authority is of the opinion that after consideration of the merit of the representation that the draft amendment ought not be modified nor does it impact the draft amendment application as a whole.**
4. **In accordance with s40K(2)(d) of the *Land Use Planning and Approvals Act 1993*, Council advises the Tasmanian Planning Commission that it is satisfied that planning scheme amendment PSA 2/2025 meets the LPS Criteria.**
5. **In accordance with s42(c) of the *Land Use Planning and Approvals Act 1993*, Council provides the Tasmanian Planning Commission a copy of the recommended permit conditions for DA 46/2026 shown in the attachments to this report.**
6. **Confirms that the details and conclusions included in the Planning Report be endorsed as the reasons for Council's decision in respect of these matters.**

PURPOSE

The purpose of this report is to consider representations received under s40J *Land Use Planning and Approvals Act 1993* (LUPAA) during the notification process of Planning Scheme Amendment PSA 2/2026 and associated development application DA 46/2026 and to seek the Planning Authority's endorsement to provide the Tasmanian Planning Commission (TPC) with a Statement of Opinion, in accordance with s40K and s42 LUPAA.

BACKGROUND

On 22 June 2026, the Planning Authority determined to initiate and certify a joint amendment to the Waratah Wynyard LPS and approve an associated planning application.

The draft planning scheme amendment seeks to create a site specific qualification under s37(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA) for the purpose of including additional discretionary uses at 1 Mackenzie Drive, Somerset. The additional discretionary uses include storage, vehicle parking and manufacturing and processing use, with the latter restricted to storage or vehicle parking associated with adjacent Manufacturing and Processing. Currently these uses are prohibited in the General Residential zone.

The associated development application DA 46/2026 for development of a storage and vehicle parking area on the site is made under s40T(1) LUPAA.

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

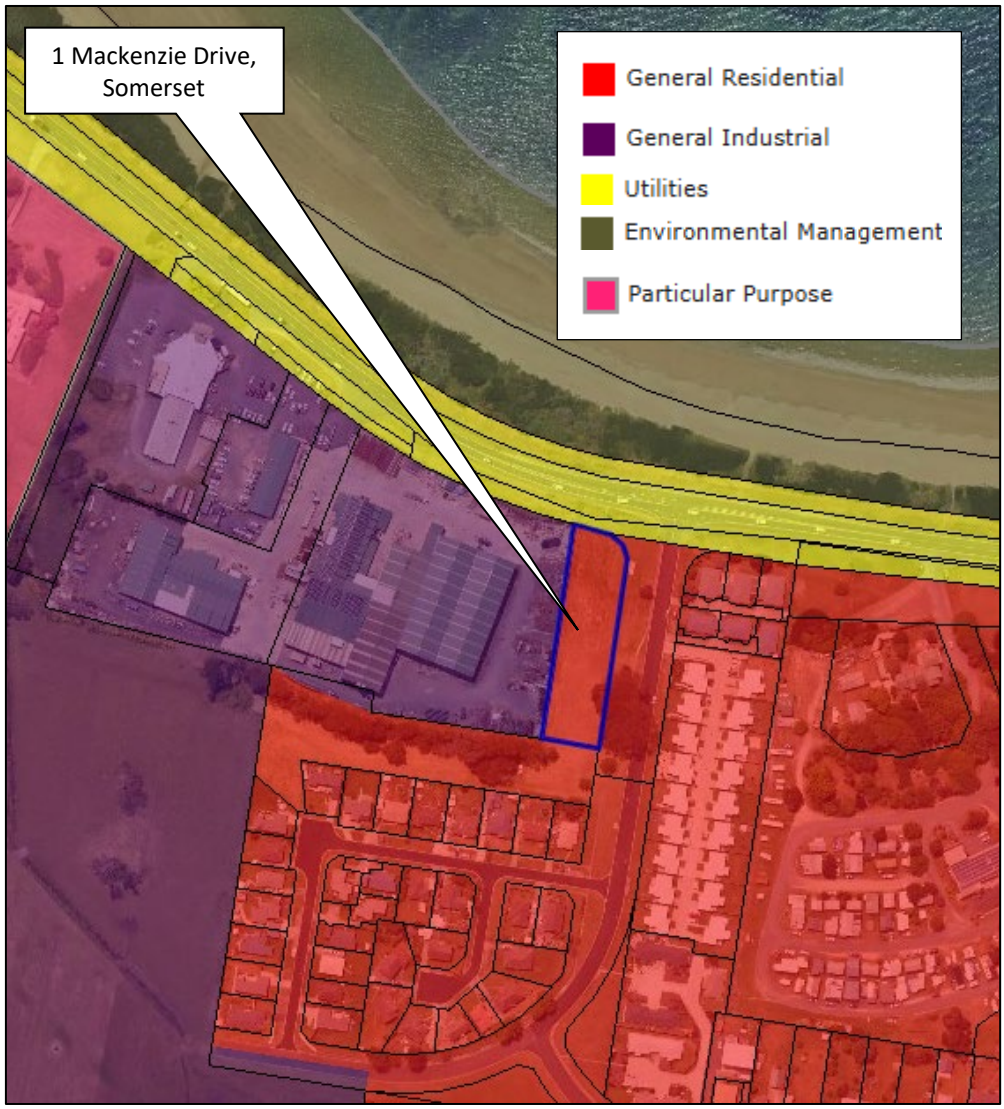


Figure 1: Current zoning of 1 Mackenzie Drive (PID 7343401) & surrounds

LEGISLATIVE REQUIREMENTS

In accordance with Section 40G and Section 40Z of LUPAA Council must publicly exhibit a draft amendment and associated draft planning permit for a period of 28 days. PSA 2/2026 and DA 46/2026 were advertised in accordance with s40H from 27 June 2026 to 27 July 2026.

Per the requirements of s40K, following public exhibition Council as a planning authority must consider any representations and provide a report to the Tasmanian Planning Commission which includes:

(a) a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and

(b) a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and

(c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –

(i) whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and

(ii) the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and

(d) a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and

(e) any recommendations in relation to the draft amendment that the planning authority thinks fit.

This report is due 35 days after the public notification period is completed. For this proposal, the report is due to be provided by 31st August 2026.

CONSULTATION PROCESS

Council advertised the Draft Amendment from 27 June 2026 to 27 July 2026, with two separate advertisements placed in the local paper on 27 June 2026 and 8 July 2026. One (1) representation was received regarding the application. The representation took the form of a letter of support from the current landowner, Homes Tasmania, for both the proposed site specific qualification and associated development. The letter did not raise any other points or issues.

POLICY IMPLICATIONS

There are no policy implications for this portion of the planning scheme amendment process.

FINANCIAL IMPLICATIONS

There are no financial implications for this portion of the planning scheme amendment process.

RISK IMPLICATIONS

Risk is considered to be minimal, as the Statement of Opinion is a process driven requirement. Council has been directed that the Statement of Opinion must come from the Planning Authority. Should Council as a planning authority wish to make a decision against the professional advice provided, the reasons will need to be detailed.

COMMENT

The representation has been considered in full and has not raised any matters that require modification of the draft amendment or impact the draft amendment as a whole. The representation does not raise any matters that require modification of the planning permit conditions.

It is recommended that the Planning Authority provides a Statement of Opinion to the TPC that states that the Planning Authority's opinion has not differed from the decision made on 22 June 2026. A Statement of Opinion, as per that enclosed, is recommended.

EXCERPT COUNCIL MEETING 17 AUGUST 2026

6.3 APPLICATION FOR PLANNING SCHEME AMENDMENT (PSA 2/2026) FOR 1 MACKENZIE DRIVE, SOMERSET AND PROPOSED SOTRAGE AND VEHICLE PARKING AREA (DA 46/2026) - SECTION 40K AND SECTION 42 REPORT

To:	Council
Reporting Officer:	Town Planner
Responsible Officer:	Director Infrastructure and Development Services
Report Date:	29 July 2026
File Reference:	7343401
Supporting Documents:	1. Representation 2. Statement of opinion 3. DA 46/2026 recommended permit conditions 4. TasWater SPAN

MOVED BY	CR ROBERTS
SECONDED BY	CR COURTNEY

That Council:-

1. **In accordance with s40K(1) and s42(a) of the *Land Use Planning and Approvals Act 1993*, forwards a copy of this report to the Tasmanian Planning Commission and advises that one (1) representation was received during the public advertising of PSA 2/2026 and DA 46/2026.**
2. **In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993*, Council provides the Tasmanian Planning Commission a copy of the representation received during the public advertising of PSA 2/2026 and DA 46/2026.**
3. **In accordance with s40K(2)(c) of the *Land Use Planning and Approvals Act 1993*, the report accepted by the Planning Authority is of the opinion that after consideration of the merit of the representation that the draft amendment ought not be modified nor does it impact the draft amendment application as a whole.**
4. **In accordance with s40K(2)(d) of the *Land Use Planning and Approvals Act 1993*, Council advises the Tasmanian Planning Commission that it is satisfied that planning scheme amendment PSA 2/2025 meets the LPS Criteria.**
5. **In accordance with s42(c) of the *Land Use Planning and Approvals Act 1993*, Council provides the Tasmanian Planning Commission a copy of the recommended permit conditions for DA 46/2026 shown in the attachments to this report.**
6. **Confirms that the details and conclusions included in the Planning Report be endorsed as the reasons for Council's decision in respect of these matters.**

The MOTION was put and was CARRIED.

IN FAVOUR

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