

Enquiries: Development & Regulatory Services
Phone: (03) 6443 8333 Option 3
Our Ref: 7668361 & PSA 1/2026 & SD2224/2026

22 September 2026

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

Dear Tasmanian Planning Commission

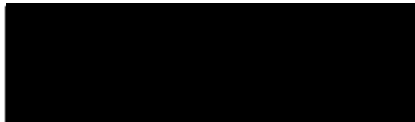
PLANNING SCHEME AMENDMENT/SUBDIVISION – 66 RIVER ROAD WYNYARD

Please find enclosed s40K & s42 report prepared by the planning authority in regard to the above planning scheme amendment and subdivision. Council did not receive any representations during the exhibition period.

The report was tabled at the general council meeting on 21 September 2026, please find the meeting minutes enclosed.

Should you have any further queries regarding this matter, please do not hesitate to contact Council's Town Planners on 6443 8305/ 6443 8308.

Yours faithfully



Alison Harriss
ACTING MANAGER DEVELOPMENT & REGULATORY SERVICES

6.3 APPLICATION FOR PLANNING SCHEME AMENDMENT (PSA 1/2026) AND COMBINED SUBDIVISION APPLICATION 1 LOT INTO 2 LOTS (SD 2224/2026) AT 66 RIVER ROAD, WYNYARD - SECTION 40K AND SECTION 42 REPORT

To: Council
Reporting Officer: Town Planner
Responsible Officer: Director Infrastructure and Development Services
Report Date: 26 August 2026
File Reference: 7668361
Supporting Documents:

1. TasWater Submission to a Planning Authority Notice
2. Statement of Opinion
3. Draft Permit Conditions

RECOMMENDATION

That Council in its role as planning authority:

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.
2. In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993*, advise that no representations were received during the exhibition period of PSA 1/2026 and SD 2224/2026.
3. In accordance with s40K(2)(b) of the *Land Use Planning and Approvals Act 1993*, advise that no representations were received after the end of the exhibition period of PSA 1/2026 and SD 2224/2026.
4. In accordance with s40K(2)(c) and s42(b) of the *Land Use Planning and Approvals Act 1993*, the report accepted by the Planning Authority is of the opinion that the draft amendment ought not be modified, and is of the opinion that the draft permit ought not be modified nor does it impact the draft amendment application as a whole.
5. 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 1/2026 meets the LPS Criteria.
6. 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 SD 2224/2026 shown in the attachments to this report.

PURPOSE

The purpose of this report is for Council to consider any representations received under s40J of the *Land Use Planning and Approvals Act 1993* (LUPAA), during the exhibition period of Planning Scheme Amendment PSA 1/2026 and associated subdivision application SD 2224/2026 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 of LUPAA.

BACKGROUND

On 20 July 2026, the Planning Authority determined to initiate and certify a joint amendment to the Waratah Wynyard LPS and approve an associated draft subdivision application.

The draft amendment seeks to:

- Rezone land at 66 River Road (CT 40412/1), Wynyard from Rural under the *Tasmanian Planning Scheme – Waratah-Wynyard* to Rural Living A; and
- A concurrent subdivision for 2 lots, SD 2224/2026.

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

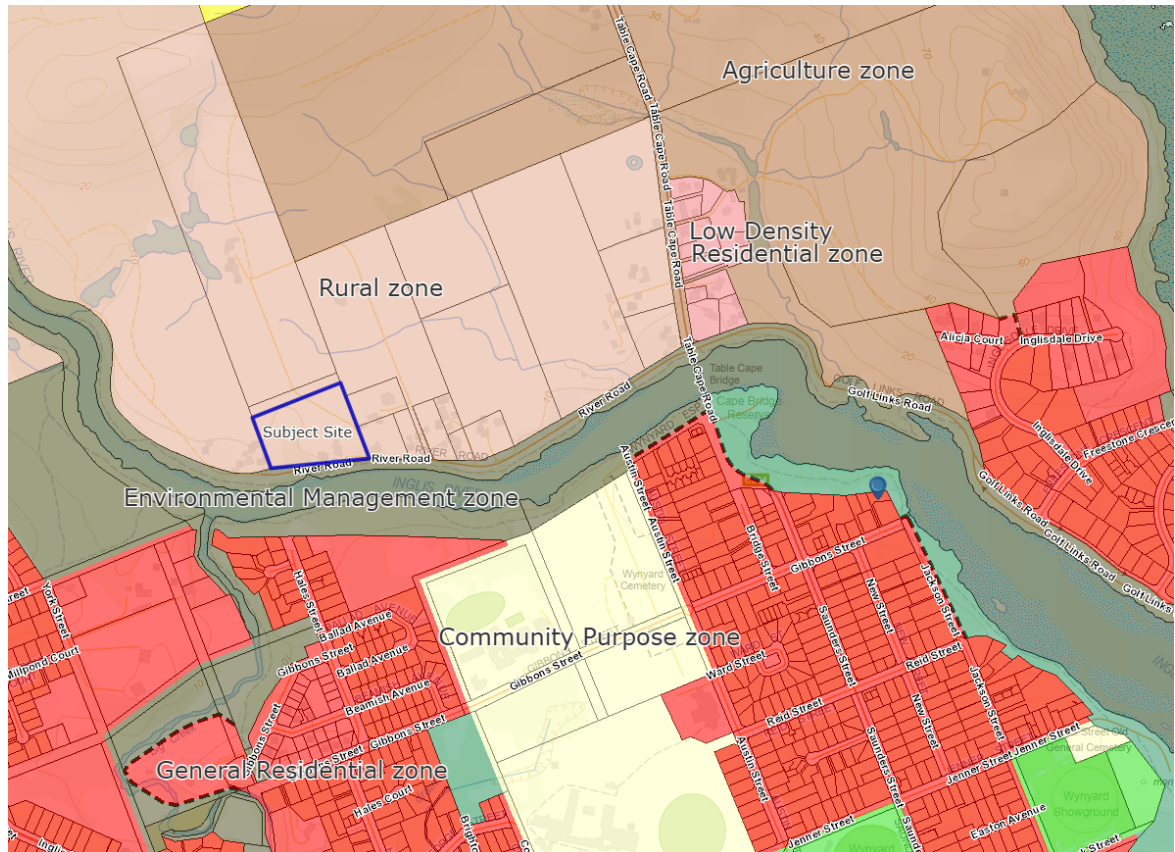


Figure 1: Current zoning of 66 River Road and surrounds

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 1/2026 and SD 2224/2026 were advertised in accordance with Section 40H from Saturday 25 July to Monday 24 August 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 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*
- 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*
- 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 must therefore be provided by the 28th September 2026.

NOTICE TO CERTAIN AGENCIES AND STATE AUTHORITIES

In accordance with s40FA(1)(a)&(b) of the *Land Use Planning and Approvals Act 1993*, Council is required to notify any relevant agencies.

As part of this assessment there were no relevant agencies identified.

CONSULTATION PROCESS

Representation

Council advertised the Draft Amendment from 25 July 2026 to 24 August 2026, with two separate advertisements placed in the local paper on 25 July 2026 and 5 August 2026.

No representations were received regarding the application.

In accordance with s40K(2)(a) and s42(b) of the *Land Use Planning and Approvals Act 1993*, Council acknowledges that there were no representations received during the exhibition period.

In accordance with s40K(2)(b) of the *Land Use Planning and Approvals Act 1993*, Council acknowledges that there were no representations received after the end of the exhibition period.

Statement of Opinion

Taking into consideration that no representations were received during the exhibition period, there has not been any matters raised that would require the modification of the draft amendment or require the modification of the draft permit or impact the draft amendment as a whole. Therefore, the Planning Authority's view is unchanged from the previous decision on 20 July 2026.

Council, as the Planning Authority, is of the opinion that the proposal is consistent with all relevant State Policies and statutory requirements, is generally in accordance with the Tasmanian Planning Scheme-Waratah-Wynyard and meets the LPS Criteria.

TasWater

The application was referred to TasWater on 13 April 2026. TasWater requested additional information on 17 April 2026. This request was satisfied and TasWater issued a Submission to Planning Authority Notice on 5 May 2026 (typographical error dated on the SPAN as 5 April 2026).

TasWater advised that:

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56S(2) TasWater makes the following submission(s):

1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

A copy of TasWater's Submission to Planning Authority Notice is attached.

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

There have been no representations received during the exhibition period or after the end of the exhibition period. There have not been any matters raised that would require the modification of the draft amendment or require the modification of the draft permit or impact the draft amendment as a whole. Therefore, the Planning Authority's view is unchanged from the previous decision on 20 July 2026.

Submission to Planning Authority Notice

Application details

Council Planning Permit No. PSA 1/2026 & SD2224
Council notice date 13/04/2026
TasWater Reference No. TWDA 2026/00372-WWC
Date of response 5/04/2026
TasWater Contact David Boyle
Phone No. [REDACTED]

Response issued to

Council name WARATAH WYNYARD COUNCIL
Contact details council@warwyn.tas.gov.au
Development details
Address 66 RIVER RD, WYNYARD
Property ID (PID) 7668361
Description of development Combined Application for PSA rezoning and 2 lot subdivision

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
PLA Design	26028-03	B	28/04/2026

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56S(2) TasWater makes the following submission(s):

1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connection to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.

3. Prior to commencing construction of the subdivision, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

ASSET CREATION & INFRASTRUCTURE WORKS

4. Prior to applying for a Engineering Design Approval, the developer must physically locate all existing infrastructure to provide sufficient information for accurate design and physical works to be undertaken.
5. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
6. Prior to undertaking any works related to water physical markers must be in place that clearly identify where water and/or sewer connections are to be made in accordance with any approved plan to TasWater's satisfaction.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

7. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.

DEVELOPER CHARGES

8. Prior to TasWater issuing a Consent to Register a Legal Document the applicant or landowner as the case may be, must pay a developer charge totalling \$1,757.00 to TasWater for water infrastructure for 1 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

DEVELOPMENT ASSESSMENT FEES

9. The applicant or landowner as the case may be, must pay a development assessment fee of \$251.35 and a Consent to Register a Legal Document fee of \$265.98 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit

<https://www.taswater.com.au/building-and-development/application-information/application-for-development-services-form>

Important Notice Regarding Plumbing Plans and Associated Costs

The SPAN includes references to documents submitted as part of the application. These plans are acceptable for planning purposes only and are subject to further detailed assessment and review during the next stage of the development proposal.

TasWater's assessment staff will ensure that the design contains sufficient detail to assess compliance with relevant codes and regulations. Additionally, the plans must be clear enough for a TasWater contractor to carry out any water or sewerage-related work.

Depending on the nature of the project, your application may require Building and/or Plumbing permits or could be exempt from these requirements. Regardless, TasWater's assessment process and associated time are recoverable through an assessment fee. Please be aware that your consultant may need to make revisions to their documentation to ensure the details are fit for construction. Any costs associated with updating these plans should be discussed directly with your consultant.

Developer Charges

For information on Developer Charges please visit the following webpage – <https://www.taswater.com.au/building-and-development/developer-charges>

Water Submetering

As of July 1 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website (www.taswater.com.au) within our Sub-Metering Policy and Water Metering Guidelines.

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the lots on the plan.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Enquiries: Development & Regulatory Services
Phone: (03) 6443 8333 option 3
Our Ref: 7668361 & PSA 1/2026 & SD 2224/2026

26 August 2026

Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Dear Sir/Madam

STATEMENT OF OPINION - PLANNING SCHEME AMENDMENT – REZONING AND ASSOCIATED SUBDIVISION OF 1 LOT INTO 2 LOTS – 66 RIVER ROAD, WYNYARD

I am writing to advise you that the request for the Draft Amendment and combined permit application for subdivision at 66 River Road, Wynyard (CT 40412/1) has completed the exhibition period and Council in its role as Planning Authority is now providing you with its Statement of Opinion.

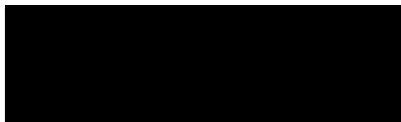
Council advertised the Draft Amendment from 25 July 2026 to 24 August 2026, with two separate advertisements placed in the local paper on Saturday 25 July 2026 and Wednesday 5 August 2026. No representations were received during or after the end of the exhibition period.

Taking into consideration that no representations were received during the exhibition period, there have not been any matters raised that would require the modification of the draft amendment or require the modification of the draft permit or impact the draft amendment as a whole. Therefore, the Planning Authority's view is unchanged from the previous decision on 20 July 2026. This view is expressed in the attached Council Resolution.

Council, as the Planning Authority, is of the opinion that the proposal is consistent with all relevant State Policies and statutory requirements, is generally in accordance with the Tasmanian Planning Scheme-Waratah-Wynyard and meets the LPS Criteria.

Should you have any further queries regarding this matter, please do not hesitate to contact Council's Town Planners on 6443 8305.

Yours faithfully



Alison Harriss
ACTING MANAGER DEVELOPMENT & REGULATORY SERVICES

Permit Number	SD 2224/2026
Applicant Name	Waratah-Wynyard Council
Property Number	PID 7668361
Property Address	66 RIVER ROAD, WYNYARD

Pursuant to a decision of Council, in accordance with Section 51 and Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme - Waratah-Wynyard* grant approval for a Two (2) Lot Subdivision at 66 River Road, WYNYARD subject to the following conditions: -

PART A CONDITIONS:

- (1) The development is to be generally in accordance with the application as submitted and endorsed plans as listed:
 - a. Proposal Subdivision Plan. Prepared by PLA Design, Drawing Number 26028-03, Rev. C, dated 18 June 2026 and Drawing Number 26028-04, Rev. B, dated 19 May 2026 and Drawing Number 26028-05, Rev. A, dated 28 April 2026.
 - b. Planning Report, titled 'Section 37(1) and 40(T)', prepared by the applicant (not dated).
 - c. Written additional information in the form of a letter, prepared by Paul and Teresa West and dated 15 June 2026.
 - d. Bushfire Hazard Report and Bushfire Hazard Management Plan for 66 River Road, Wynyard, prepared by Jayne Newman of Planning4Bushfire, Reference Number 26028-B and dated 26 March 2026.
 - e. Preliminary Onsite Wastewater Disposal Site Evaluation for 66 River Road, Wynyard, prepared by GeoTon Pty Ltd, Reference Number GL26303Ab and dated 11 June 2026.
 - f. Agricultural Assessment for 66 River Road, Wynyard, prepared by Lisa Abblitt of Lisa Abblitt Ag and dated June 2026.
- (2) Stormwater from the development is to be fully contained within the boundaries of the property.
- (3) In the course of undertaking the development/use there is to be no damage caused to any Council owned infrastructure or property.
- (4) 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.

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

PART B CONDITIONS:

- (1) The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B which the Regulated Entity (trading as TasWater) has required the planning authority to include in the permit, pursuant to *section 56Q* of the *Water and Sewerage Industry Act 2008*, reference TWDA 2026/00372-WWC (attached).

Notes: -

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

- An “Activity in Road Reservation” permit must be obtained from Council for all activity within the Road Reservation.
- This project must be substantially commenced within two years of the issue of this permit.
- This permit is based on information and particulars set out in Development Application S D 2224/2026. Any variation requires an application for further planning approval of Council.
- The development/use is not to result in the generation of environmental harm or nuisance as defined in the *Environmental Management and Pollution Control Act 1994*.
- Attention is drawn to existing or proposed electricity infrastructure, please be sure to contact TasNetworks on 1300 137 008 to ensure these works do not impede on existing electricity easements and are at a safe distance from powerlines. Failure to do so could result in the relocation of electricity assets at your cost.