

Meander Valley Council

W O R K I N G T O G E T H E R

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 8 December 2015

COUNCIL MEETING VISITORS

Visitors are most welcome to attend Council meetings.

Visitors attending a Council Meeting agree to abide by the following rules:-

- Visitors are required to sign the Visitor Book and provide their name and full residential address before entering the meeting room.
- Visitors are only allowed to address Council with the permission of the Chairperson.
- When addressing Council the speaker is asked not to swear or use threatening language.
- Visitors who refuse to abide by these rules will be asked to leave the meeting by the Chairperson.

SECURITY PROCEDURES

- Council staff will ensure that all visitors have signed the Visitor Book.
- A visitor who continually interjects during the meeting or uses threatening language to Councillors or staff, will be asked by the Chairperson to cease immediately.
- If the visitor fails to abide by the request of the Chairperson, the Chairperson shall suspend the meeting and ask the visitor to leave the meeting immediately.
- If the visitor fails to leave the meeting immediately, the General Manager is to contact Tasmania Police to come and remove the visitor from the building.
- Once the visitor has left the building the Chairperson may resume the meeting.
- In the case of extreme emergency caused by a visitor, the Chairperson is to activate the Distress Button immediately and Tasmania Police will be called.





PO Box 102, Westbury,
Tasmania, 7303

Dear Councillors

I wish to advise that an ordinary meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 8 December 2015 at 1.30pm.**

Greg Preece
GENERAL MANAGER



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Evacuation and Safety:

At the commencement of the meeting the Mayor will advise that,

- Evacuation details and information are located on the wall to his right;
- In the unlikelyhood of an emergency evacuation an alarm will sound and evacuation wardens will assist with the evacuation. When directed, everyone will be required to exit in an orderly fashion through the front doors and go directly to the evacuation point which is in the car-park at the side of the Town Hall.

Agenda for an ordinary meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 8 December 2015 at 1.30pm.

PRESENT:**APOLOGIES:****IN ATTENDANCE:****CONFIRMATION OF MINUTES:**

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 10 November, 2015, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
24 November 2015	<ul style="list-style-type: none"> • Capital Works Programme • Deloraine ODP Consultant Introduction • Trevallyn Dam Valve Replacement • Great Western Tiers Tourism Association Presentation • Proposed Planning Scheme Amendment – Rural Living • Audit Panel • Notice of Motion – Ashley Detention Centre • Great Western Tiers Project Concept Plan • Review of Policy No 63 – Environmental Compliance & Enforcement • Review of Policy No 1 – Risk Management • Draft Waste Management Strategy • Dry Street & Nutt Street, Deloraine – Subdivision Contributions • Hadspen Footway over South Esk River, Meander Valley Road Bridge • Prospect Vale Park – Stage 1 Carpark



ANNOUNCEMENTS BY THE MAYOR:

11 November 2015

Launch of Education Ambassadors Tasmania (Government House)

12 November 2015

TasWater General Meeting (Riverside)
Meandering Art Exhibition Opening

18 November 2015

Official Reception, Beacon Foundation (Government House)

21 November 2015

Deloraine Show

24 November 2015

Meander Valley Council Workshop

25 November 2015

"Middle Tea", Deloraine Online Access Centre
Citizenship Ceremony (Westbury)

26 November 2015

Community Achievement Awards announcements (Hobart)

2 December 2015

Official Opening, Entally House (Hadspen)

4 December 2015

NTD Local Government Committee meeting (George Town)
Tasmanian Building Regulatory Framework overview with State Treasurer & Building Control Director (Launceston)

DECLARATIONS OF INTEREST:

TABLING OF PETITIONS:



PUBLIC QUESTION TIME

General Rules for Question Time:

Public question time will continue for no more than thirty minutes for 'questions on notice' and 'questions without notice'.

At the beginning of public question time, the Chairperson will firstly refer to the questions on notice. The Chairperson will ask each person who has a question on notice to come forward and state their name and where they are from (suburb or town) before asking their question(s).

The Chairperson will then ask anyone else with a question without notice to come forward and give their name and where they are from (suburb or town) before asking their question.

If called upon by the Chairperson, a person asking a question without notice may need to submit a written copy of their question to the Chairperson in order to clarify the content of the question.

A member of the public may ask a Council officer to read their question for them.

If accepted by the Chairperson, the question will be responded to, or, it may be taken on notice as a 'question on notice' for the next Council meeting. Questions will usually be taken on notice in cases where the questions raised at the meeting require further research or clarification. These questions will need to be submitted as a written copy to the Chairperson prior to the end of public question time.

The Chairperson may direct a Councillor or Council officer to provide a response.

All questions and answers must be kept as brief as possible.

There will be no debate on any questions or answers.

In the event that the same or similar question is raised by more than one person, an answer may be given as a combined response.

Questions on notice and their responses will be minuted.

Questions without notice raised during public question time and the responses to them will not be minuted or recorded in any way with exception to those questions taken on notice for the next Council meeting.

Once the allocated time period of thirty minutes has ended, the Chairperson will declare public question time ended. At this time, any person who has not had the opportunity to put forward a question will be invited to submit their question in writing for the next meeting.

Notes

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, depending on the complexity of the issue, and on how many questions are asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.



- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to local government, and any statements or discussion in the Council Chamber or any document, produced are subject to the laws of defamation.

For further information please telephone 6393 5300 or visit www.meander.tas.gov.au

PUBLIC QUESTION TIME

1. QUESTIONS TAKEN ON NOTICE – NOVEMBER 2015

2.1 Sandra Pearn, Westbury

- a) Mr Mackenzie, have you received the police report in regards to the continued issues and unruly behaviour by Number 88 and 68 Reid Street, and Veterans Row residents. Who was the police officer, and their number, that attended this, as 68 Reid Street is a police officer herself, who has lived here for approximately 10 or 11 years?

Response by Cr Ian Mackenzie

Police have not responded to my first request but on returning my call with a correction in the timeline Constable Sydes informed me they only keep these records for seven (7) years.

- b) Mr Mackenzie, did you gather all information in regards to the ditch that was supposed to have been dug out by the 68 year old man, at the time with a heart condition and managed to dig this 4 foot trench, from one side of the road to the other and fill it in again?

Response by Cr Ian Mackenzie

My information was that he was a 30 year old man who dug it with a tractor.

- c) Did Council read the letter that was written by Mr Craig Broomhall (Intensive Care Paramedic of the Deloraine branch), station officer for the last 20 years plus who states: He still becomes lost in this area. He asks that Council consider looking at opening all obstructions before a tragedy occurs?

Response by Greg Preece, General Manager

Yes Council has read the letter.

- d) Did Council know that the time frame to come into Reid Street, reverse and go back to Marriott Street, then along Moore Street right into Ritchie Street, into Reid Street, and into Veterans Row is approximately 4 minutes and 20 seconds. Travelling at the same speed from Meander Valley Road to Veterans Row, (if this small section of road was opened), it would save at least 3-4 minutes. This could be life and death situation?

Response by Greg Preece, General Manager



Council does now.

e) I ask Council was there a more accurate quote estimate for the cost of this section of road as we only asked for a gravel road. I feel that \$200,000 seems an extreme cost for approximately 150 to 200 metres?

Response by Greg Preece, General Manager

Only preliminary costings have been undertaken.

f) Has Council checked how long it would take before the new signage would be recognised on new Tas. Maps. I believe it can take years for this to happen?

Response by Greg Preece, General Manager

No, but it is not anticipated to take that long.

g) Mr Mackenzie, where is any of the information (about digging up the ditches) relevant to the situation that I have put to Council? The reason that I ask for this other access is because if Veterans Row hadn't been sold off I wouldn't need to use Reid Street at all.

Response by Cr Ian Mackenzie

Information was provided in the Agenda for other Councillors at their request.

2. QUESTIONS WITHOUT NOTICE – DECEMBER 2015

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2015

1.1 Cr Bob Richardson

a) The question relating to funding of the Meander Valley Gazette indicates that I, Cr Richardson, have inferred that there is a disproportionate representation of Deloraine in content compared with Westbury. Will Council acknowledge that my (Cr Richardson) concern is with the rest of the Meander Valley Municipality (which includes Blackstone Heights, Prospect Vale, Hadspen Carrick, Westbury, and so on).

In terms of composition of ERAG, would it not be fairer to assign ERAG's secretary, Richard Millen, to Deloraine, as almost certainly his position is due to his role with MVEC, which according to its own reports, is predominantly Deloraine-centric. Basing a count on this, of the 14 members, at least 9 are from the former Deloraine municipality. Can I not rest my case?

Response by Mayor Craig Perkins

Yes Council acknowledges Cr Richardson's concern is with the whole of the Meander Valley Municipality.



b) Development No. 3 in this agenda addresses the issue of pesticide spraying in plantation forests, where compelling evidence exists suggest 2 pesticides, in particular represent significant potential to do harm.

In the Tasmanian Country (Friday Nov 6, 2015), Forestry Tasmania lodged an advertisement (copy attached).

The advertisement stated that "all chemicals used by Forestry Tasmania are approved by the Australian Pesticide and Veterinary Medicines Authority, and the way they are applied complies with all relevant Tasmanian codes of practice?"

Further, stakeholders wanting more information or wishing to register their interest - -- are encouraged to contact our Stakeholder Engagement Coordinator as early as possible".

Several questions arise, which are highly relevant to Meander Valley Council's responsibilities in relation to its ratepayers:-

Will Council obtain details of the poisons to be applied, their materials data sheets, and any relevant documentation regarding these poisons in USA and Europe?

Response by Martin Gill, Director Development Services

Yes if required. At this point Forestry Tasmania is undertaking an Insect Monitoring programme in coupes in the Golden Valley area and in a coupe south of Dunorlan. No decision has been made about whether Forestry Tasmania will apply insecticide this summer.

Will Council determine whether these chemicals are approved by FSC?

Response by Martin Gill, Director Development Services

The insecticide that may be applied, that is not 'approved', will be an alpha cypermethrin based product. The FSC will not currently certify timber from forests that have had this chemical applied. The data sheets for alpha cypermethrin have been previously provided to Councillors.

Will Council register its interest in the matter, as a matter of urgency – as intimated by the advertisement?

Response by Martin Gill, Director Development Services

Council Officers contacted Forestry Tasmania during the preparation of the November Council report. Council Officers continue to speak to Forestry Tasmania and Forico regarding the potential spraying programme this summer and the current derogation application for:

- alpha cypermethrin
- fipronil



Will Council determine funding of Australian Pesticides and Veterinary Medicines Authority?

Response by Martin Gill, Director Development Services

Council officers have investigated on behalf of Council and can provide the following response.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) is an Australian government authority under the Department of Agriculture, responsible for the assessment and registration of pesticides and veterinary medicines. It was established under the Agricultural and Veterinary Chemicals (Administration) Act 1992.

In 2010–11 the Australian Government announced funding for APVMA of \$8.8 million over four years to support reforms to the regulation of agricultural and veterinary chemicals in Australia.

The APVMA has the following programme deliverables:

- **conduct robust, risk-based, scientific evaluations to support sound regulatory decisions**
- **identify and reconsider existing chemicals of regulatory concern**
- **identify and resolve non-compliance**
- **identify and manage emerging regulatory issues**

In addition to this budgetary appropriation, the APVMA's activities are funded through cost recovery. This is in accordance with the agreement which established the National Registration Scheme.

Most of the APVMA's operational income is collected from registrants of pesticides and veterinary medicines. Registrants pay application fees to register products, and an annual fee to maintain product registrations. Registrants also pay levies based on the annual wholesale sales value of registered products. These levies account for about 75% of the programmes budget.

c) May I cite a hypothetical case study:- A partially-made public thoroughfare has been used by local, and other, residents for many years. One of those other residents has been a postal mail delivery contractor. Using a motor vehicle (not a motorcycle) that contract has traversed that thoroughfare for at least a decade – probably more.

Suddenly, without notice, a section of that thoroughfare is blocked from through traffic, permanently.



Would it be usual for such a closure to be authorised by Council at one of its monthly meetings?

- i. Would it be expected that such a closure would be the subject of public advertisement and an opportunity for public comment?
- ii. If not, why not? It would seem, at least to me, that the removal of a long-standing public amenity should be the subject of a full Council decision, should it not?

Response by Dino De Paoli, Director Infrastructure Services

a) A permanent closure of a Council owned and maintained public road would need to be approved by Council in accordance with Division 2, Section 14 of the Local Government (Highways) Act 1982, unless delegation had been approved for the General Manager to make a determination under this Section on behalf of the Council.

b) It is a requirement of subsection 1 of Section 14 for the Council to undertake certain actions following a decision to close a Council owned and maintained public road, including advertising the proposed closure.

1.2 Cr Andrew Connor

Mayor

Thank you for the answer to my query about the meeting held on July 21st with neighbouring councils which was intended to be about amalgamations.

You answered that "scope of the meeting had changed and that there was no interest from the meeting to discuss amalgamation."

At what stage did you advise council of this CHANGE OF SCOPE or seek authority from us to deviate from the motion passed at a previous council meeting directing you to discuss the specific topic of council amalgamations at this meeting?

What confidence can we have in you as a mayor in following directions of council in future?

Response by Mayor Craig Perkins

It is unclear to me what decisions of Council Councillor Connor is referring to when he states "deviate from the motion passed at a previous council meeting directing you to discuss the specific topic of council amalgamations".

2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2015

Nil



3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2015

DEPUTATIONS BY MEMBERS OF THE PUBLIC

NOTICE OF MOTIONS BY COUNCILLORS


DEV 3 FUTURE USE OF ASHLEY DETENTION CENTRE – CR BOB RICHARDSON



CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

1. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and
2. where any advice is given directly to Council by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person."



Greg Preece
GENERAL MANAGER

"Notes: S65(1) of the Local Government Act requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advises that for item DEV 1 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.



DEV 1 AMENDMENT TO THE MEANDER VALLEY INTERIM PLANNING SCHEME 2013 – RURAL LIVING ZONE

1) Introduction

This purpose of this report is to amend the Meander Valley Interim Planning Scheme 2013 to finalise Council's strategy for rural living. The amendment includes the rezoning of land to the Rural living Zone in several locations and the inclusion of provisions in the Interim Planning Scheme to provide for subdivision in specific locations.

2) Background

Through the process of preparation of a new planning scheme, Meander Valley Council has sought to implement a comprehensive rural residential strategy as an integral part of the broader strategic goal to provide for a sustainable rural population and support Meander Valley's rural settlements.

The implementation of the Regional Planning Initiatives and the statutory requirements of the resulting Regional Land Use Strategy of Northern Tasmania introduced additional considerations for the inclusion of Rural Living and Environmental Living Zones in Interim Planning Schemes. In addition, legal complications in moving to an Interim Planning Scheme created complexities for proposed zoning changes as these would come into effect prior to public notification.

As such, the declaration of the Meander Valley Interim Planning Scheme 2013 did not provide for the full strategic program of changes that Meander Valley Council has openly consulted with its community, for which it has general, broad support.

Public representations to the notification of the Interim Planning Scheme were submitted relating to matters concerning the Rural Living and Environmental Living Zones. Council's position in response to those representations was provided in a report to the Tasmanian Planning Commission, as required under section 30J of the Land Use Planning & Approvals Act (LUPAA) 1993. These matters are carried through to this amendment.



This amendment seeks to finalise Council's strategy in regard to the provision of rural residential opportunities into the future across the Meander Valley Local Government Area.

The detailed report relating to the proposed amendment is included as an attachment.

Statutory Timeframes

Decision – Initiation and Certification:	8 December 2015
Advertising:	Saturday 12, Saturday 19 December 2015 and 16 January 2016
Closing date for representations:	Friday 5 February 2016

3) Strategic/Annual Plan Conformance

The amendment supports the listed Future Directions under Council's Community Strategic Plan 2014 - 2014:

- 1 A sustainable natural and built environment**
- 2 A thriving local economy**
- 4 Innovative leadership and community governance**

4) Policy Implications

Not applicable

5) Statutory Requirements

Under Section 34(1) of the Land Use Planning and Approvals Act 1993, Council may initiate and certify an amendment to the planning scheme.

In certifying an amendment to the planning scheme, Council must demonstrate that the amendment is in accordance with Sections 32 and 30(O) of the Act. To do this Council must:

- Provide the strategic rationale for the proposed amendment;
- Describe the site and the surrounding uses;
- Provide a full description of the proposed rezoning of land and any



- provisions to be inserted into the Scheme;
- Demonstrate that the application does not revoke or amend overriding local provisions or common provision of the Scheme;
 - Determine that the proposal is in accordance with the State Policies made under section 11 of the State Policies and Projects Act 1993;
 - Establish that the proposal is in accordance with the Regional Land Use Strategy of Northern Tasmania;
 - Demonstrate that the amendment furthers the objectives set out in Schedule 1 of the Act; and
 - Consider the safety requirements set out in the standards prescribed under the Gas Pipe lines Act 2000.

Upon initiation and certification of the amendment, Council is required to forward the amendment to the Tasmanian Planning Commission (the Commission), who will assess the proposal and determine whether to approve or reject the amendment. The Commission may also request additional information.

Public notification is a part of this process, whereby upon initiation and certification of an amendment, Council is required to advertise the amendment in two Saturday newspapers and provide for public comment for a period of 28 days, plus any days that the Council office is closed over the Christmas period. Council must consider any public representations and provide a report to the Commission, who may hold hearings into representations received prior to making a decision on the amendment.

6) Risk Management

Risk is managed through the appropriate consideration of future development controls for the Rural Living Zone.

7) Consultation with State Government and other Authorities

As part of the strategic process, consultation has been undertaken with the following agencies:

- Taswater
- Department of State Growth (formerly DIER)
- TasFire

8) Community Consultation

Community consultation has been undertaken informally over the course of



the development of a new planning scheme. The declared Meander Valley Interim Planning Scheme 2013 was formally notified through the statutory process, with Council's response to representations documented in a report under section 30J of LUPAA.

Community input can be further submitted upon the initiation and certification of this amendment through the formal public notification process. At that time, the public will have an opportunity to comment on the proposed changes. Any comments received will be reported to Council at the conclusion of the exhibition period, where any potential modifications will be considered and forwarded to the Tasmanian Planning Commission.

9) Financial Impact

Not Applicable

10) Alternative Options

Council can modify the amendment prior to initiation and certification or not initiate the amendment.

11) Officers Comments

The report included as Attachment A - ***Meander Valley Interim Planning Scheme 2013 Amendment 04/2015 – Rural Living Zone***, describes the amendment in detail and addresses the requirements of the Land Use Planning & Approvals Act 1993. The report is the principal document for Council's consideration of the amendment.

The draft amendment complies with requirements of the Act.

The amendment certification documents are included at Attachment B.

AUTHOR: Jo Oliver
SENIOR TOWN PLANNER

12) Recommendation

That under Section 34 of the Land Use Planning and Approvals Act 1993, the following amendments to the Meander Valley Interim Planning Scheme 2013 are initiated and in accordance with Section 35 are certified as being in accordance with Sections 30(O) and 32 of the Act:



1. Rezone Certificates of Title:

108465/12	47363/3	234151/1	30741/1	104210/4	28201/1
108465/13	160577/1	228500/1	33998/1	104210/5	244816/1
111029/1	52649/1	30687/2	33998/3	119176/1	209172/1
117289/2	26794/2	238999/1	119176/1	31386/1	239587/1
157021/1	244608/1	221511/1	104210/1	33911/1	49076/1
110499/0	205072/1	201339/1	49290/1	51852/1	43678/1
110499/1	229522/1	204944/1	33998/2	47575/1	103144/1
110499/2	84943/1	213324/1	49290/2	39199/1	103144/2
23008/1	222169/1	213323/1	110151/8	38825/1	112434/1
136153/1	222363/1	110438/1	104210/2	231614/1	112434/2
136153/2 (partial)	26794/1	28355/1	104210/3	231615/1	112434/3
160576/1	30687/1	36190/3	165031/1	244473/1	237776/1
240731/1	9213/2	206012/1			

to the Rural Living Zone in accordance with the attached certification documents;

2. **Rezone Certificates of Title 221507/1 and 136832/4 to the Rural Resources Zone in accordance with the attached certification documents;**
3. **Amend the planning scheme map to add a scenic protection overlay to the Rural Living Zone to the north of Mole Creek Road at Chudleigh and insert into the ordinance, the corresponding Character Statement and Scenic Management objectives into Table E7.1 – Local Scenic Management Areas, in accordance with the attached certification documents;**
4. **Insert Section 13.4.2.2 – Lot Area, Building Envelopes and Frontage into the ordinance, in accordance with the attached certification documents;**
5. **Amend the planning scheme map to add the outline and notation for Lower and Upper Golden Valley, in accordance with the attached certification document;**
6. **Insert F3 – Carrick Rural Living Specific Area Plan into Part F of the Planning Scheme, in accordance with the attached certification documents;**
7. **Amend the planning scheme map to add the outline and notation of the area contained in Specific Area Plan (SAP F3) in accordance**



with the attached certification document;

- 8. *Insert a qualification into the ordinance at section 13.2 - Use Table for Certificate of Title 160576/1 to provide for the harvesting of the existing timber plantation, in accordance with the attached certification document.***

DECISION:



Attachment A
Supporting Report



Meander Valley Interim Planning Scheme Amendment 4/2015



Rural Living Zone

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1. Introduction

The Meander Valley Council seeks to amend the Meander Valley Interim Planning Scheme 2013 (the Scheme) to complete its strategic program for the provision of rural living opportunities.

Specifically, this amendment seeks to:

- finalise the preferred zoning of land to be included in the Rural Living Zone;
- provide subdivision opportunity to create additional lots in particular localities;
- include planning scheme provisions that provide a finer grain of development control through a Specific Area Plan over land at Carrick and a Scenic Management Area at Chudleigh.

This amendment constitutes the conclusion of a significant process to determine the strategic approach to rural residential land use.

Pursuant to section 34 of the *Land Use Planning and Approvals Act* (LUPAA) 1993, Council may initiate and certify an amendment to the Scheme. In accordance with the requirements of LUPAA, this report is prepared to:

- Provide the strategic rationale for the proposed amendment;
- Detail the nature of the location and land uses;
- Provide a full description of the proposed amendments to be made to the Scheme;
- Demonstrate that the application does not revoke or amend overriding local provisions or common provisions of the Scheme;
- Demonstrate that the proposal is in accordance with State Policies made under section 11 of the *State Policies and Projects Act 1993*;
- Demonstrate that the proposal is in accordance with the Regional Land Use Strategy of Northern Tasmania;
- Demonstrate that the application furthers the objectives set out in Schedule 1 of the LUPAA; and
- Consider the safety standards prescribed under the *Gas Pipe lines Act 2000*.

2. Background

2.1 Planning Directive 1 and the Regional Planning Initiatives

In the preparation of a new planning scheme, Planning Directive 1 – Planning Scheme Template for Tasmania, provided a suite of zones from which planning authorities could choose and allocate those zones for the preferred future use of land. As the zone purpose is a mandatory component of the planning directive, in effect, the prescribed

zone purpose for each zone introduces a fundamental basis in policy that guides the direction for the application of the zone. The planning authority must then balance aspirational goals for the future with the requirements of the Act to determine the 'best fit' for the zoning of land.

Integral to this were the Regional Planning Initiatives. These projects commenced in 2008 and were a partnership between the State Government and the Councils of the Northern, Cradle Coast and Southern Regions to each develop a Regional Land Use Strategy (RLUS) and subsequently, Interim Planning Schemes. The purpose of the Regional Planning Initiatives was to create a higher degree of consistency in the way future land use was considered across the region and also in the structure of planning schemes, together with the 'rules' that would be incorporated. The RLUS is a statutory document which all planning schemes must comply with to meet the requirements of the Act.

The first iteration of the Northern Region's RLUS was declared by the Minister in September 2011. A regional model planning scheme template was prepared based on PD1, which was to provide the principal framework for the objectives, classification of uses and the use and development standards to be incorporated into the Interim Planning Schemes. The RLUS provided the policy basis to guide the application of zones and the 'rules' to be applied in those zones.

Ideally, this process would result in a good degree of consistency amongst the planning schemes of the northern region and equity in regard to the opportunity or constraint applied to land.

It is notable that the Councils of the Northern Region conducted informal public consultation of their draft Interim Planning Schemes prior to submission to the Minister, which informed the final content.

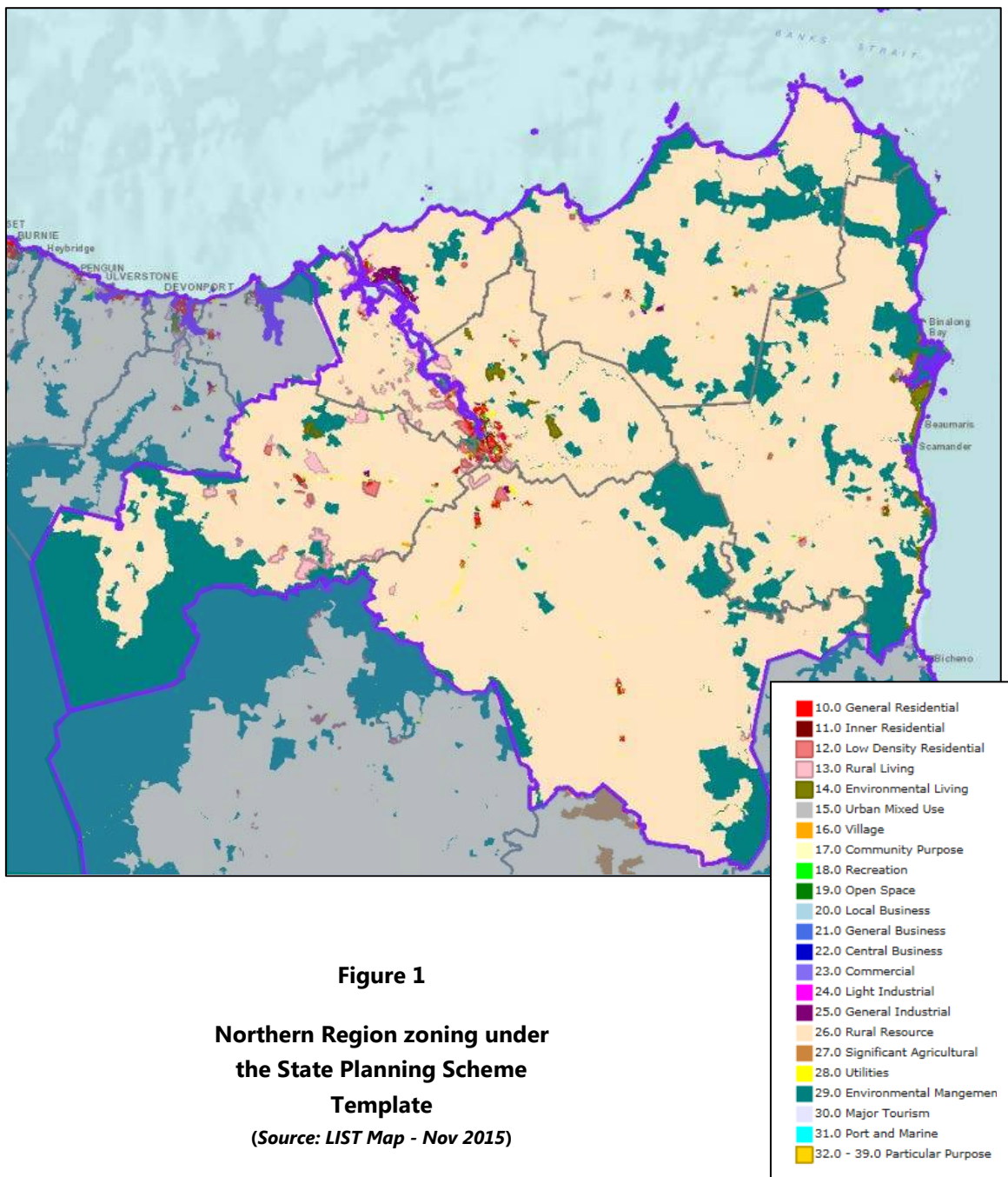
2.2 Regional Context

The Interim Planning Schemes for the local government areas of the Northern Region were not declared at the same time. The Schemes were variously declared as follows:

October 2012	Launceston Interim Planning Scheme
June 2013	Northern Midlands Interim Planning Scheme Break O Day Interim Planning Scheme
October 2013	West Tamar Interim Planning Scheme Meander Valley Interim Planning Scheme Dorset Interim Planning Scheme George Town Interim Planning Scheme

During the process for consideration of the draft Interim Planning Schemes of the Northern Region for declaration by the Minister, the Northern RLUS was revised and amended to clarify the policy and strategy around the application of the Rural Living and Environmental Living zones.

The application of the Rural Living and Environmental Living zones and the associated standards contained within the declared Interim Planning Schemes of the Northern Region produced variable results described in the map and table below:



Local Government Area	Planning Scheme Subdivision Outcomes
Launceston City	Rural Living Zone: Subdivision allowed – Minimum lot size 4ha, 1ha under performance criteria. Environmental Living Zone: Subdivision allowed – Minimum lot size 20ha, no minimum specified under performance criteria.
Northern Midlands	Rural Living Zone: Subdivision allowed – Minimum lot size 2ha and 10ha, 1ha under performance criteria. <i>Note: NMC have lodged for an amendment to remove the 1ha and include a 1/10ha density control – decision pending.</i>
Break O Day	Rural Living Zone: 3ha, 1ha under performance criteria. Environmental Living Zone: Subdivision allowed – Minimum lot size 20ha with additional density controls, prohibition within 1 km of the coast.
West Tamar	Rural Living Zone: No subdivision allowed
Meander Valley	Rural Living Zone: No subdivision allowed Environmental Living Zone: Subdivision allowed – Minimum lot size 20ha
Dorset	Rural Living Zone: No subdivision allowed Environmental Living Zone: No subdivision allowed
George Town	Rural Living Zone: Subdivision allowed – Minimum lot size 2ha with additional density controls

As a result of these inconsistencies, the available supply of land for 'rural residential' housing choice is distorted across the region, providing economic opportunity in some local government areas, yet not others. This is despite land bearing common characteristics when analysed under criteria stipulated by the RLUS.

A particular example of this inconsistency is the Rural Living zoning to either side of the Northern Midlands Council and Meander Valley Council boundary, in the Travellers Rest locality (Refer Figure 2 below).

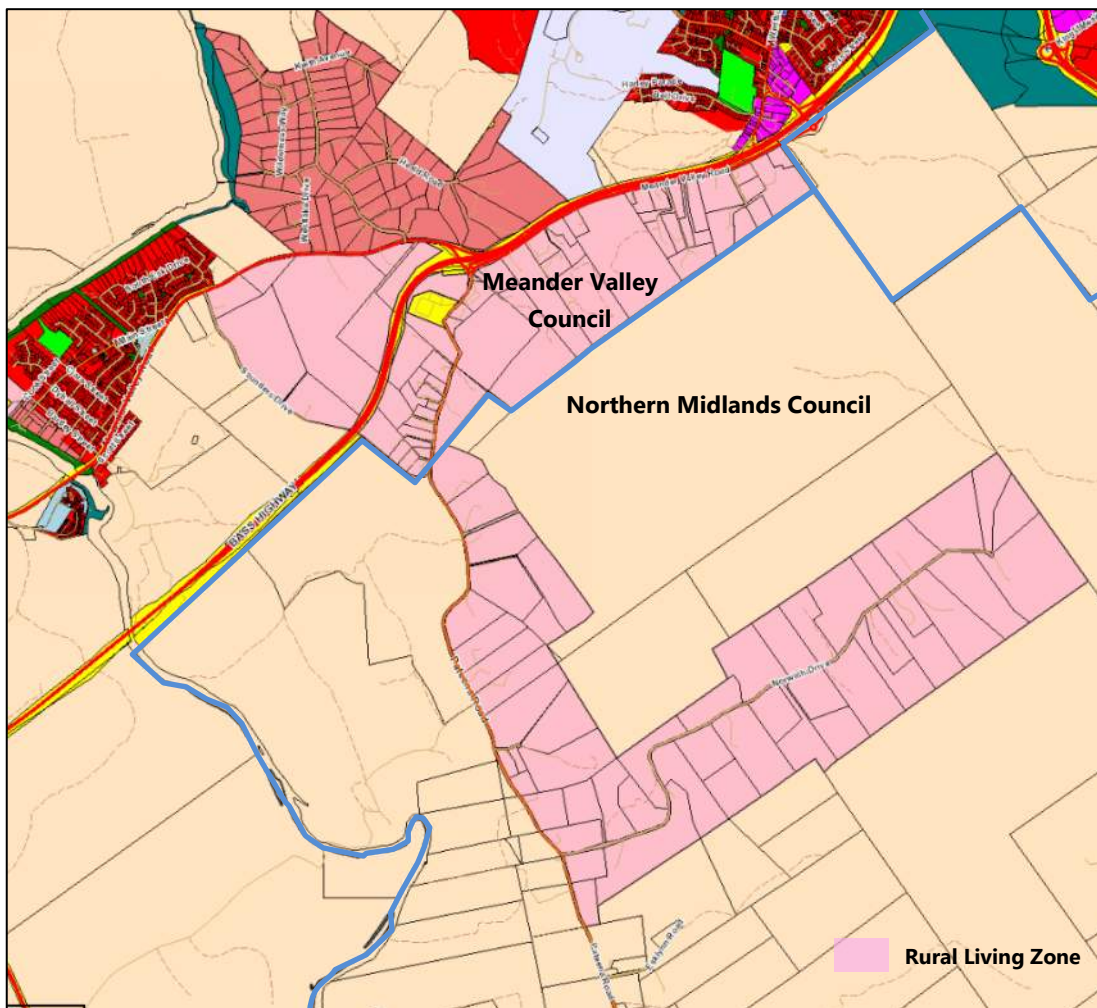


Figure 2 – Rural Living Zoning across Northern Midlands and Meander Valley Council boundary at Pateena Road (Source: LIST Map Nov 2015)

These zones are alike in character, evident in the distribution of lots and single dwellings along the topography of around the base of Mt Arnon. Both areas share the same location advantages being close to major transport routes and proximity to the activity centre of Prospect Vale. However, the provision of additional opportunities for rural residential lots is only available in the Northern Midlands zone and not the Meander Valley zone.

This is clearly an inconsistent, inequitable outcome that is contrary to the intent of the Regional Land Use Strategy for Northern Tasmania.

3. Regional Land Use Strategy for Northern Tasmania 2013

The RLUS was amended in September 2013 to provide greater clarity and guidance around the policy and strategy to identify land that was suitable to be included in the Rural Living and Environmental Living zones and the criteria for the provision of additional opportunities for 'rural residential' housing.

It is important to note that the RLUS recognises the legitimacy of this form of lifestyle choice and its role in supporting rural-regional settlements and the rural economy.

The RLUS sought to reconcile the historic, disparate planning controls that have operated throughout region over many years. The report supporting the proposed amendments to the RLUS at the time stated ... *"Accordingly, it is an extremely flawed assumption that allocation of land in current planning schemes provides a land stock benchmark against which future changes can be assessed using a supply and demand model. To do so would be to compound any shortcomings in the existing arrangements"* and that *"The Regional Strategy seeks to develop an approach that delivers consistency of purpose and outcome such that the zoning of land manifests in land use patterns that can be readily compared throughout the region, delivering regulatory consistency, development opportunity and equity through the Interim Planning Schemes."*¹

This was to be achieved through the development of strategic policy and criteria that would objectively analyse and compare current land use patterns and then determine the most suitable locations for growth. The purpose of this clarification was to better define that an 'existing area' was not only a translation of pre-existing 'rural residential' type zoning, but also the inclusion of land use patterns that demonstrated the same character, irrespective of the zoning that was in place at the time.

The methodology occurred in two stages:

Stage1 – Identify 'established rural residential areas' as the basis for Rural Living and Environmental Living zoning. An 'established rural residential area' is defined in the RLUS as...

¹ Report to Consider Revisions to the Regional Land Use Strategy of Northern Tasmania - March 2013, Working Group of the Northern Region Planning Initiative Management Committee – p8.

“Land that has no real potential for efficient or practical agricultural or rural resource use on a commercial basis where the land use pattern is characterised by:

- predominantly residential land use i.e. lifestyle blocks, hobby farms or low density residential subdivisions; and*
- fragmentation of the cadastral base and property ownership; and may also include*
- topographical constraint resulting in physical impediments to rural resource use or connectivity, which may include bio-diversity protection and/or conservation.”²*

Stage 2 – Prioritise additional opportunity, or ‘growth’, firstly to the identified ‘established rural residential areas’ that meet criteria for sustainability, through consolidation and intensification. Where additional supply of rural residential land is proposed outside of an ‘established rural residential area’ it must be demonstrated that this approach better meets the objectives for sustainability under the Act.

The criteria for sustainability to be considered are:

- impact on the agricultural and environmental values of the land and surrounding areas;*
- proximity to existing settlements containing social services;*
- improving land use efficiency by consolidating gaps in established rural residential land use patterns;*
- access to road infrastructure with capacity;*
- onsite waste water system suitability;*
- consideration of the impact on natural values or the potential land use limitations as a result of natural values;*
- minimising impacts on agricultural land and land conversion;*
- impacts on water resources required for agricultural and environmental purposes;*
- consideration of natural hazard management;*
- existing supply within the region;*
- potential for future requirement for the land for urban purposes; and*
- the ability to achieve positive environmental outcomes through the rezoning.³*

² *Regional Land Use Strategy of Northern Tasmania – September 2013, Northern Tasmania Development, p.33*

³ *ibid, p.34*

The RLUS states that through this process “*subdivision options will therefore be controlled and respond to the criteria for sustainability and the context of individual localities, based on strategic preference*”.⁴

The RLUS strategies for the *Implementation of Regional Rural, Natural Productive Resources and Rural Living Areas* are:

1. *Consolidate future rural population growth within existing rural settlements and Rural and Environmental Living areas. Ensure Rural and Environmental Living areas are generally constrained to existing areas and do not fragment productive rural land.*
2. *Ensure land use and water management policies and regulations do not unreasonably constrain the development of agriculture, agribusiness, and appropriate ecotourism and recreation opportunities in rural areas.*
3. *Protect quality agricultural land from incompatible development and provide for the expansion of agricultural production.*
4. *Recognise Rural and Environmental Living development as a legitimate residential lifestyle subject to appropriate location criteria.*
5. *In areas of high development suitability the clustering of residences, development envelopes and asset protection zones is encouraged in order to protect those areas of lower development suitability.*
6. *Identify and protect natural productive (mineral) resources from inappropriate development.*
7. *Allow consideration of secondary or non-agricultural land uses where water quality, scenic rural landscapes, agricultural activities and the natural environment are not adversely affected and the strategic purpose of rural zoning is not undermined, and if possible where the land is in close proximity to an existing settlement.*⁵

The regional methodology, reflected in the policies and actions, implements these strategies. The Meander Valley response to the policies and actions is discussed below.

4. Rural Living and Environmental Living Zoning in Meander Valley and the Regional Strategy

The Meander Valley Interim Planning Scheme 2013 submitted for Rural Living and Environmental Living zones in locations that were determined through the application of

⁴ *Regional Land Use Strategy of Northern Tasmania* – September 2013, Northern Tasmania Development, p34

⁵ *ibid*, p35

the methodology required by the RLUS. However, the declared Interim Planning Scheme did not include all of Meander Valley Council's submitted zoning. Figure 3 shows the current distribution of zoning across the Meander Valley Local Government Area.

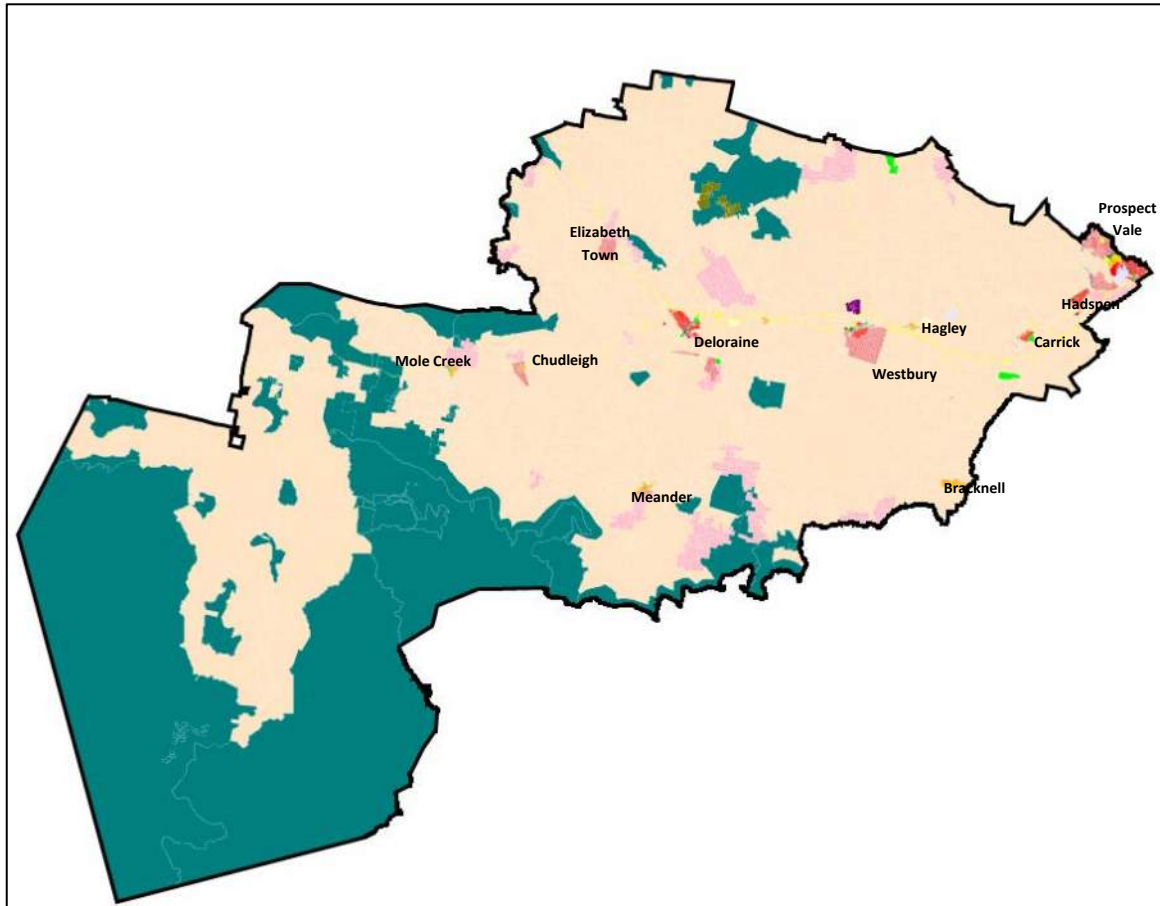


Figure 3 – Zoning distribution across the Meander Valley Local Government Area as declared in the Meander Valley Interim Planning Scheme 2013

Further to this, through the public notification process for the Interim Planning Scheme (after it was declared and operational), public representations were submitted relating to the Rural Living and Environmental Living zones which required Council's consideration. Council's report under section 30J of LUPAA, provided to the Tasmanian Planning Commission for the process to consider the Interim Planning Schemes, outlines Council's position in regard to the Rural Living and Environmental Living zones and the matters raised. This is discussed below where relevant to particular areas.

This amendment constitutes the finalisation of Council's 'rural living strategy' and describes Council's comprehensive position in the regional context and in the context of the current zoning within the Meander Valley Local Government Area.

The Meander Valley Council strategy for rural residential land use is the regional strategy for rural and environmental living areas.

Council's strategic intention to better identify and define land to be zoned for rural residential land use has evolved over a considerable period of time and was incorporated into the Regional Planning Initiative due to that project's stated intention to

"Prepare a suite of regional strategies and desired outcomes to guide land use and development within the region, including policies for ...

*f. Housing – provide for a mix in housing type, location and affordability, including opportunity for rural residential and coastal development;..."*⁶

The RLUS responded to the strategic matters that Council had considered as part of its overall strategy in moving to prepare a new planning scheme. As described above, the processes for a State Planning Scheme Template and the preparation and declaration of the RLUS as legislated, mandatory elements, significantly influence the refinement of land use policy at a local level.

Matters that have been particularly influential on strategy development include:

- Federal and State policy on regulation, seeking to reduce 'red tape' by applying regulation that is appropriate to the land use type and minimising unnecessary 'catches', thereby seeking to better identify the existing and preferred land use types in a contemporary setting;
- State Policies, such as the need to protect land resources for agriculture;
- Planning principles describing goals for certainty and simplification where possible, as one mechanism to assist opportunity for economic development;
- The planning principle underpinning the State Planning Scheme Template (PD1) that zoning is the primary mechanism for expressing the spatial strategy.

4.1 Meander Valley Response

Meander Valley's rural living strategy submits that in accordance with the RLUS requirements described above:

- all current and proposed Rural Living and Environmental Living zones are applied only to 'Established Rural Residential Areas' ; and
- additional opportunity for rural living through the creation of lots by subdivision, is provided within those 'Established Rural Residential Areas' that are considered to meet the criteria for sustainability.

The strategy does not propose to expand the spatial extent of rural residential land use by converting agricultural land or land for other resources.

⁶ *Regional Planning Initiative - Memorandum of Understanding – State Government and Councils of the Northern Region, Appendix 3, 2008.*

The process for determining the appropriate application of the Rural Living and Environmental Living zones followed the direction set down in the RLUS and included:

- 1/ Analysis of land use patterns that indicate likelihood that the area was an 'established rural residential area', the combination of factors being:
 - clusters of dwellings within relatively close proximity (dwellings located within a nominal 200 metre buffer),
 - fragmented land ownership and the relative size of lots;
 - the potential effect of constraints on resource activities including:
 - land capability;
 - topographical factors that act as a physical impediment to operations or connectivity such as steep slopes, significant rivers, significant road infrastructure;
 - environmental values that prevent resource expansion and connectivity such as threatened vegetation or private conservation covenants;
 - public land use and classification which may act as an impediment to resource expansion and connectivity.

This process was assisted by work undertaken for the Northern Region by AK Consultants through a GIS methodology 'Constraints Analysis' which reviewed constraint due to development on titles and in the '*Discussion Paper – Clarification of the Tools and Methodologies and Their Limitations*' 2012. Table 4 (Refer Figure 4 extract below) guided the consideration of what could reasonably be expected on areas of land subject to the above listed characteristics.

- 2/ Determination of the extent of land that is an 'established rural residential area' to be included in a Rural Living Zone or Environmental Living Zone.

Rural land – land use and characteristics					
<i>Definitions, planning objectives & responses.</i>					
Landuse	Definition	Resources (general characteristics)*	Connectivity	Objectives for planning	Planning responses
Viable Farms	Capacity to produce sufficient profit for a family and full-time employment for one person	Land area comprising a number of titles farmed together. Total land area for mixed farming is likely to be 200ha – 500ha or more, depending on Land Capability, water resources and enterprise mix. Water available for irrigation Land Capability class mostly 2-5	Few constraints; Constraints Class A or B Well connected to other unconstrained titles. Expansion and/or intensification likely in the future	Retain current and future agricultural productive potential	If all indicators are present, Rural Resource zoning is preferred.
Hobby Farms	Land used for some agriculture Unable to produce sufficient profit to demonstrate viability Occupant/family needs to be supported by off-farm income	Generally 8-40 ha in area and a single title Water for irrigation less likely, but possible, depending on location and cost of supply Land Capability class generally 4-5. The land and/or water resources associated with the title may have the capacity to contribute to a viable farm depending on the degree of constraint	Constraints Class B or C Residence on the title Residences in close proximity Low connectivity to unconstrained titles	Allow hobby farms where the land cannot be used for viable farming enterprises as a recognised rural lifestyle choice Can contribute to buffers at the Rural/residential interface to provide for gradational impacts Provide opportunities for small scale enterprises without risking loss of the agricultural resource.	If agricultural use potential is good; ie if it has all or some of the following characteristics; Constraints Class B, LC 1-3, water available, well connected, currently no house, currently supporting high value agriculture then consider treating as for "Viable farm". If listed factors indicate a cluster of lots with Hobby Farm characteristics where potential is lower the land area is in effect already converted from viable agriculture and would be considered an established rural living area.
Lifestyle blocks	Little or no use for agriculture	Generally 1-8 ha in area Land Capability variable Water for irrigation unlikely	Constraints Class C Residence on the title Residences in close proximity Little or no connectivity to unconstrained titles	Provide opportunities for rural residential lifestyle choice without risking loss of the agricultural resource. May contribute to buffering at the rural/residential interface	If listed factors indicate a cluster of lots with Lifestyle Block characteristics where potential is negligible, the land area is in effect already converted from viable agriculture and would be considered an established rural living or environmental living area. Ag use potential is always low however subdivision and intensification of residential use needs to consider the context of nearby viable farms and the potential to achieve appropriate buffering

Figure 4

Table 4 - Rural Land – land use and characteristics, *Discussion Paper – Clarification of the Tools and Methodologies and Their Limitations*, 2012

- 3/ The identified 'established rural residential areas' were then reviewed against the criteria listed in RSN-A25 to determine suitability for intensification and the preferred density determined through analysis under the RLUS criteria.

RLUS - Regional Policies and Actions⁷

Policy	Actions
Regional Settlement Networks	
<p>RSN-P2 <i>Ensure existing settlements can support local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those urban and rural settlements.</i></p>	<p>RSN-A4 <i>Ensure a diverse housing choice that is affordable and accessible in the right locations reflecting the changes in the population and its composition, especially ageing populations and single lone persons and to enable people to remain within their communities as their housing needs change, including ageing in home options.</i></p> <p>RSN-A6 <i>Ensure all Rural and Environmental Living occurs outside the urban growth boundary areas.</i></p>
<p>Comment:</p> <p>Strategies for rural and environmental living recognise that these areas play an important role in supporting rural settlements and that opportunities for rural residential housing choice should be available. The proposed location and additional opportunities in the submitted Rural Living and Environmental Living zones are distributed across Meander Valley, based on historical patterns of land use, but have a dispersed effect on maintaining and supporting services in the rural settlements of Meander Valley.</p> <p>A particular example is the district centre of Deloraine. Census data shows that the township is comprised of approximately 1200 dwellings. Surrounding Rural and Environmental Living zones that form this district centre catchment comprise approximately 300 dwellings. Together with dwellings throughout the broader agricultural area, the 'rural residential' component is a significant proportion of the economic catchment that supports this rural settlement with population. Attracting population to regional rural areas, critically requires diversity in housing choice.</p> <p>The Rural Living and Environmental Living zones are located outside of the urban growth boundary areas of settlements.</p>	

⁷ *Regional Land Use Strategy of Northern Tasmania* – September 2013, Northern Tasmania Development, p59-61

Rural and Environmental Living Development

RSN-P21

Rural and environmental lifestyle opportunities will be provided outside urban areas.

RSN-P22

Rural and environmental lifestyle opportunities will reflect established rural residential areas.

RSN-P23

Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.

RSN-P24

Growth opportunities for rural living and environmental living will maximise the efficiency of existing services and infrastructure.

RSN-A19

Rural living land use patterns will be identified based on a predominance of residential use on large lots in rural settings with limited service capacity that are outside urban areas.

RSN-A20

Planning schemes should prioritise the consolidation of established rural residential areas over the creation of new rural residential areas.

RSN-A21

Target growth to preferred areas based on local strategy and consolidation of existing land use patterns.

RSN-A22

Planning scheme provisions must specifically enable subdivision opportunity to preferred areas by setting minimum lot sizes based on locality.

RSN-A23

Ensure future locations of the Rural Living zone will not require extension of the Urban Growth Boundary Areas, compromise productivity of agricultural lands and natural productive resources.

RSN-A24

Ensure future locations of the Environmental Living zone do not compromise environmental values.

	<p>RSN-A25</p> <p><i>Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):</i></p> <ul style="list-style-type: none"> • <i>proximity to existing settlements containing social services;</i> • <i>access to road infrastructure with capacity;</i> • <i>onsite waste water system suitability;</i> • <i>consideration of the impact on natural values or the potential land use limitations as a result of natural values;</i> • <i>minimising impacts on agricultural land and land conversion;</i> • <i>minimising impacts on water supply required for agricultural and environmental purposes;</i> • <i>consideration of natural hazard management;</i> • <i>existing supply within the region;</i> • <i>potential for future requirement for the land for urban purposes; and</i> • <i>the ability to achieve positive environmental outcomes through the rezoning.</i>
<p>Comment:</p> <p>In accordance with RSN-P21, RSN-P22 and RSN-A19, the result of the objective application of the rural residential analysis methodology across the Meander Valley was that it highlighted and affirmed ‘established rural residential areas’ that had been subject to long term rural residential development, some dating back to 19th Century settlement, that were subject to disparate zoning and did not reflect the contemporary planning principles described above.</p> <p>Analysis of the ‘established rural residential areas’ in accordance with the criteria listed under RSN-A25, indicated that there were good opportunities to consolidate and intensify some of these areas to provide additional rural residential lots. These areas are the preferred locations for ‘growth’ through additional lots.</p>	

In addition to the RLUS criteria, public consultation of the draft Meander Valley Interim Planning Scheme and the formal notification of the Meander Valley Interim Planning Scheme 2013 provided community input that was taken into consideration in regard to the future character of these areas.

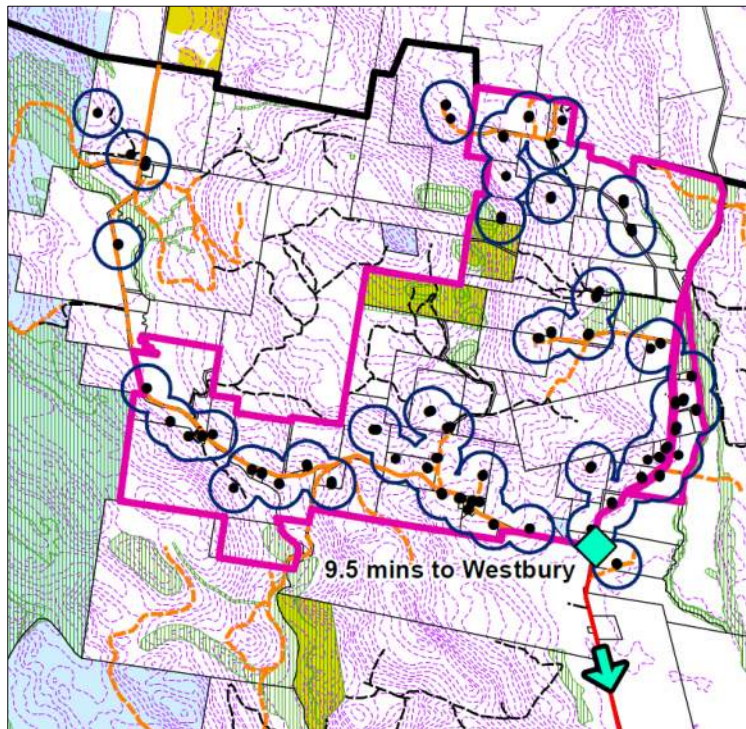
Each of the 'established rural residential areas' in Meander Valley is discussed below, describing the attributes relevant under RSN-A25 and Council's strategic position. *(Note: This information was also provided in the supporting report to the Meander Valley Interim Planning Scheme 2103 when submitted to the Minister, however additional areas are discussed following formal notification of the Interim Planning Scheme)*

4.2 Established Rural Residential Areas Analysis

Excerpt diagrams are provided from a municipal wide attributes map in the following analysis. Attributes are noted in the legend below.



Birralee

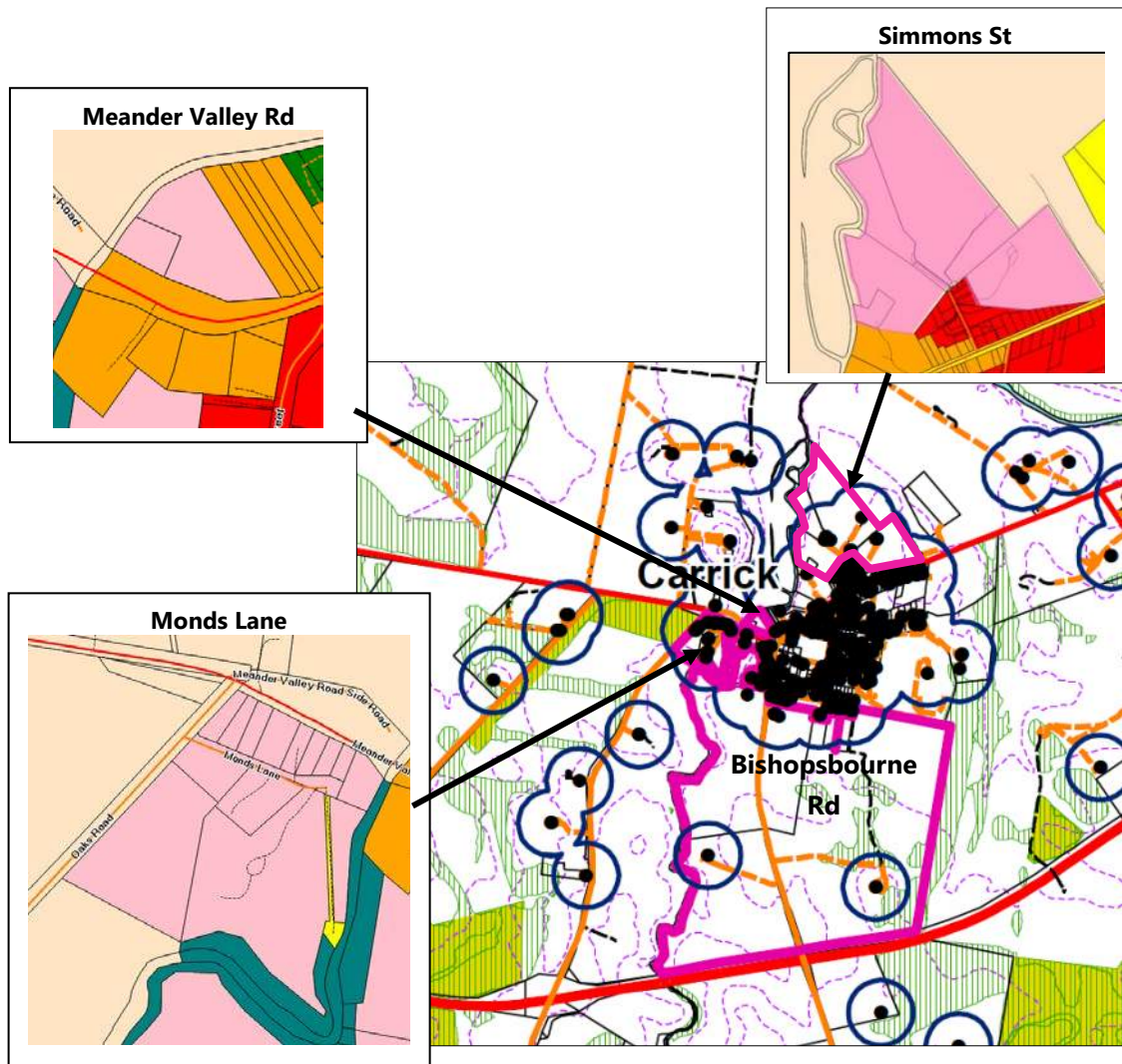


The current Birralee zone reflects the historic settlement of the area which dates back to the late 1800's. The proposed zone consists of 68 lots and currently contains 59 houses. The topography is mostly steep, rocky and heavily vegetated to the upper slopes. This is reflected in the lower land capability classes of Class 5 and 6. Lot sizes range from 1ha to 70 ha, with an average lot size of 15.5 hectares with houses clustered in relation to access provided by Birralee Road, Priestleys Lane, Denmans Rd, Delanty's Rd and Ginns Road, with Ginns Road accessed via the West Tamar Municipality. It is noted that a residential pattern follows Ginns Road into the West Tamar Municipality, which correlates with Rural Living Zoning in that municipality. The pattern of clustering on small lots, together with conservation covenants and priority habitat effectively curtails any ability for the larger lots toward the central area to achieve connectivity to surrounding farm lands or plantation land. There is no irrigation water available to support commercial agriculture. Within the proposed area there is no evidence of commercial rural resource operations.

Large forestry plantations adjoin the area to the west and south on private land and State forest, with low level grazing on class 4 land occurring along the northern end of Priestleys Lane. This land is proposed to be retained in the Rural resources Zone. The southern-most lot proposed to be included in the Rural Living zone is subject to a recent conservation covenant to the lower half of the lot over the priority habitat, such that any connectivity or possibility of inclusion with the adjoining plantation is not feasible. The land is best utilised as the logical extent of the Birralee rural living area.

The zone is considered suitable for intensification to provide for some additional land supply. The area has proximity to the settlement of Westbury, at approximately 10 minutes driving time, which is well serviced with a supermarket and other retail, health services, school, hospitality, bank, post office and recreation facilities. Public roads service the extent of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks to surrounding rural resource land and accommodate on site wastewater. The area contains patches of priority vegetation, however is considered capable of accommodating clearance areas for bushfire hazard management. The proposed minimum lot size of 10ha reflects a density to enable setbacks to Rural Resource Zoning, achieve discrete bushfire management zones without erosion of the vegetated character of the area. Given road frontage requirements for any new lots, it is anticipated that approximately 12 new lots could be created.

Carrick



The current and proposed Carrick zoning reflects a cluster of rural residential uses which adjoins the northern, southern and western edges of the Carrick township. The proposed Rural Living zones adjoin the urban zones, however are located in areas that are not expected to be required for future urban development. Carrick experiences very low demand for urban development, at less than 1 dwelling per year. Land that is currently within the General Residential Zone has development capacity at the historical demand rate for 180 years. Any future urban expansion of the town would likely occur eastwards to make gravity connection to the sewerage treatment plant. Expansion to the south of the township for urban purposes will require a pump station, making urban development infeasible due to the carrying costs of the infrastructure for little urban lot demand. Any future extension of Simmons Street can take future change into account and protect future road corridors for potential re-development for urban purposes.

The current, Rural Living zoned land to the west takes in existing developed lots to either side of the Liffey River. This area consists of 15 lots and currently contains 8 houses, noting that some properties are developed over multiple lots. In effect, only 4 vacant lots are available, one of which is associated with the heritage Carrick Mill complex.

The northern area to the end of Simmons Street was the subject of representation to the Interim Planning Scheme. The area was reviewed and Council's position that the area does have the characteristics of an established rural residential area is outlined in Council's report under section 30J of LUPAA. The area is largely constrained in being able to connect with surrounding farmland by the Liffey River and its corridor of lower land capability. The area consists of 6 lots and currently contains 5 houses. The area adjoins a very large agricultural property to the east which contains the Carrick wastewater treatment plant. These two uses form the transition to the broader agricultural landscape.

Bishopsbourne Road

At face value, the proposed Rural Living Zone at Bishopsbourne Road is subject to the greatest degree of change. The area proposed for rezoning consists of 4 lots, each containing houses with a range in lot size from 1.8 hectares to 112 hectares, with an average lot size of 30.5 hectares.

The topography of the area is gently undulating hills, which are fully cleared between the Liffey River and Bishopsbourne Road. To the east of Bishopsbourne Road, stands of priority vegetation remain, which cover approximately 50% of the 112ha parcel, significantly reducing the capacity of the land for commercial scale agriculture. The topography is reflected in the combination Class 4 and 5 land capability.

Analysis in accordance with the criteria outlines in the RLUS indicated that this area of land to the south of Carrick is highly constrained for viable and practical rural resource use as it is bound in total by the Liffey River to the west, the Bass Highway to the south, the township to the north and a significant band of priority habitat to the east. All of these factors prevent connectivity to the broader Class 4 landscape for grazing type activities that are most prevalent. Further detailed analysis was sought through the commissioning of an agricultural assessment by AK Consultants. That assessment is included at Appendix A.

The AK assessment concludes that *"due to limitations of land capability, scale, significant natural values and the presence of existing dwellings, the titles are unlikely to contribute to commercial scale agriculture and are considered to be hobby farms"* and that *"this area is isolated from other primary industry activity due to connectivity barriers formed by the*

*township of Carrick to the north, threatened vegetation to the east, the Bass Highway to the south and the Liffey River to the west”.*⁸

The assessment confirms that internal connectivity is constrained as the land is bisected by Bishopsbourne Road. The assessment confirms that despite outward appearances, the area has been effectively converted to an ‘established rural residential area’ as each lot is predominantly residential in use.

The Rural Living Zone at Carrick is considered strategically suitable for intensification to provide for additional land supply. Carrick is currently the only substantial settlement that is not supported by proximate rural residential areas. Anecdotal evidence provided throughout community consultation in the development of the planning scheme, indicates that there is demand for rural residential use in this area, due to locational advantages associated with access to the broader rural resources sector, major regional transport links and commutable distance to Launceston at approximately 15 minutes driving time.

The location has the following sustainable attributes:

- adjoins the township, which is serviced by a convenience store, fuel station, hotel and community hall;
- the land contains established housing and is not subject to commercial scale agricultural use;
- the land is buffered from surrounding agricultural activity by the river, threatened native vegetation that will be retained, the Bass Highway and the township;
- there is sufficient area of land to achieve buffers to the sensitive environmental features of the Liffey River and the threatened native vegetation community;
- the land has direct access to a sealed, Council maintained road to the centre of the settlement;
- the land has sufficient area and buffers to accommodate on-site wastewater systems;
- irrigation water drawn from the Liffey River will not be affected due to setbacks and buffers that can be achieved;
- there is sufficient land to achieve bushfire hazard management and setbacks to potential flooding;
- the land will not be required for future urban purposes as full servicing is infeasible;
- a higher degree of land ownership would assist efficiencies and positive outcomes in land management where the tasks of weed management, bushfire hazard management and habitat/natural values management are distributed over greater resources, rather than relying upon a small number of landowners to maintain these values.

⁸ *Agricultural Report – Bishopsbourne Road, 2014, AK Consultants - S Moore and A Ketelaar, p.1*

The constraints that form the boundary of the area also influences the potential arrangement of any intensification of lots that could be achieved.

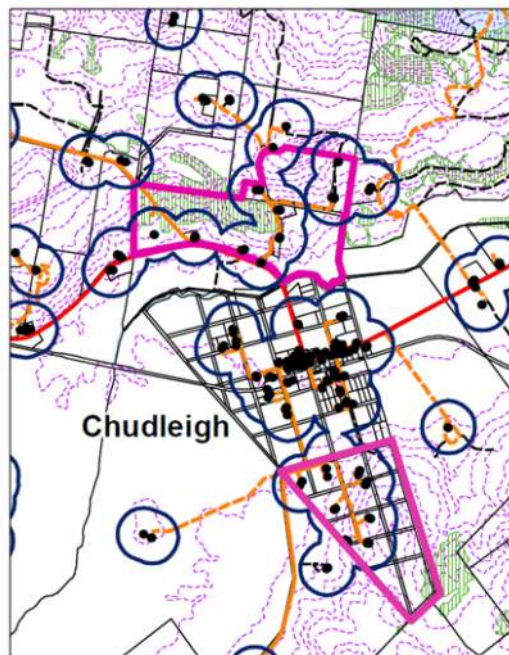
In considering the best outcomes for efficiencies in lot yield and diversity in choice, the spatial characteristics of the area indicate that a Specific Area Plan is appropriate to provide for an arrangement that:

- protects the natural values of the Liffey River through appropriate setbacks;
- protects the natural values of the threatened vegetation;
- provides appropriate bushfire hazard management, including the need for access across multiple titles and locating hazard management areas within the threatened native vegetation so as to minimise any need for vegetation clearance;
- provides for a graduation in lot density with higher densities at the periphery of the settlement potentially with connection to some services and lower densities toward elements that need buffers such as the Liffey River and Bass Highway;
- locates preferred additional road infrastructure;
- indicates preferred locations for accesses;
- allows for a range of activities, potentially enabling small scale enterprises.

A concept plan has been prepared as the baseline development plan for subdivision that takes into account the factors listed above. The development plan is included as Appendix B.

The Bushfire Hazard Assessment that was undertaken for the area and informed the concept plan is included as Appendix C.

Chudleigh



The current Chudleigh zone reflects a cluster of rural residential uses to the north side of Mole Creek Rd and around Mersey Hill Road, Coopers Road and Motton Lane, all publicly maintained. The current zone to the north consists of 10 lots and contains 9 houses. Lot sizes range from 1600m² to 45 hectares, with the 45ha lot bisected by Motton Lane and 3 small rural residential lots located at the end of Motton Lane (2 of which are included in the zone). The average lot size is 9.8 hectares. The topography is largely cleared land on relatively steep, south facing slopes with the zone being edged by and including a significant band of priority habitat to the north. This topography is reflected in a predominant Class 5 land capability with a narrow band of Class 4 along the shallower slopes that follow Mole Creek Road. Land to the east and north is characterised by grazing and plantation activities. The southern edge of the zone is defined by Mole Creek Road (State Road) and the Lobster Rivulet. Land to the west is characterised by grazing and very small patches of priority vegetation. Several lots in the locality have small dams.

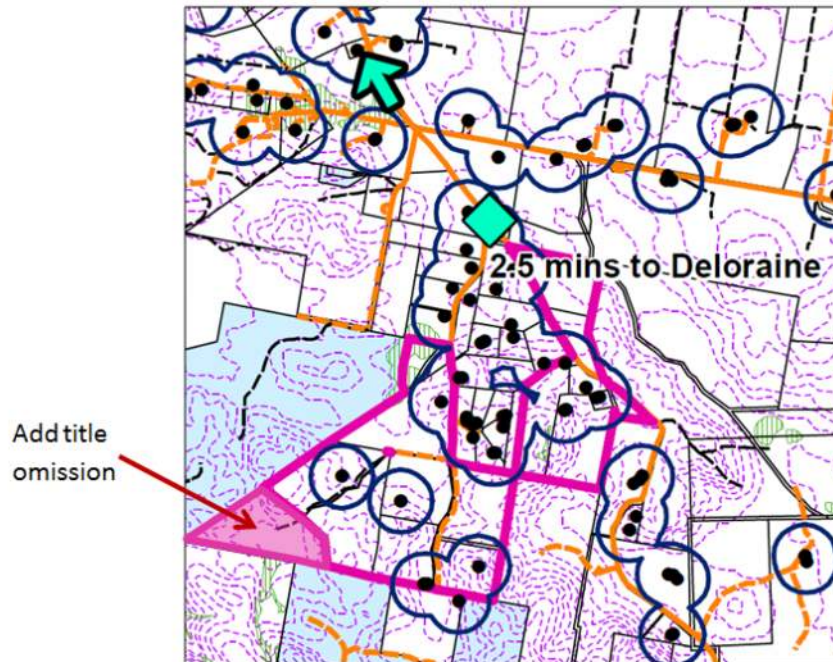
The zone is located within the karst area and the retention of vegetation is important for karst stability. Some connectivity exists in regard to the 45 hectare lot across Motton Lane to the flats along the Lobster Rivulet, however this land is constrained by a land use pattern where the larger, connected lots are interspersed with several small rural residential lots, roads and the Lobster Rivulet. Land to the east is more effectively connected to the large plantation titles with the land to the north better connected along the east/west plateau. This, coupled with lower land capability, suggests the 45ha lot is conducive to hobby farm activities for small scale enterprises and as such is included in the proposed zone boundaries.

Representations to the Interim Planning Scheme objected to the zone being applied to the hills to the north of Chudleigh, citing concerns regarding visual impact and the potential for proliferation of housing across the hill slope. The representations submitted that the northern hill slopes are a significant scenic landscape feature of the Chudleigh Valley. Council's response through its 30J report considered that applying a scenic management overlay to the zone would provide appropriate protection.

In addition, representations submitted that the hill to the south of Chudleigh, which consists of numerous smaller titles that were originally envisaged as within the 'town boundary', was more appropriately located in the Rural Living Zone as a conservative measure, rather than in the Low Density Residential and Rural Resource Zones. Council agreed with this proposition and considers that the zoning to the north and south of the settlement reflects a graduated density of rural residential use that acts as a transition to rural resource uses.

Consistent with strategy, the zone provides opportunity that supports the rural settlement of Chudleigh. This area has close proximity to the settlement of Chudleigh. Chudleigh is serviced by a convenience store and some recreation/community and tourist facilities. It is considered a high amenity settlement by the local community. The area has good access to public roads and the northern area is located within the Low Sensitivity Karst area, meaning that there should be good soil coverage for on-site wastewater disposal. The minimum lot size is proposed at 10 hectares, reflecting the average lot size, however the potential degree of intensification would be the result of more detailed on ground analysis taking into account the vegetation to be retained, the potential presence of any unmapped karst features, setbacks to adjoining rural resource activities and the ability to achieve appropriate access (which would be constrained along Mole Creek Road). It is anticipated that approximately 5 new lots could be created.

Davis Road



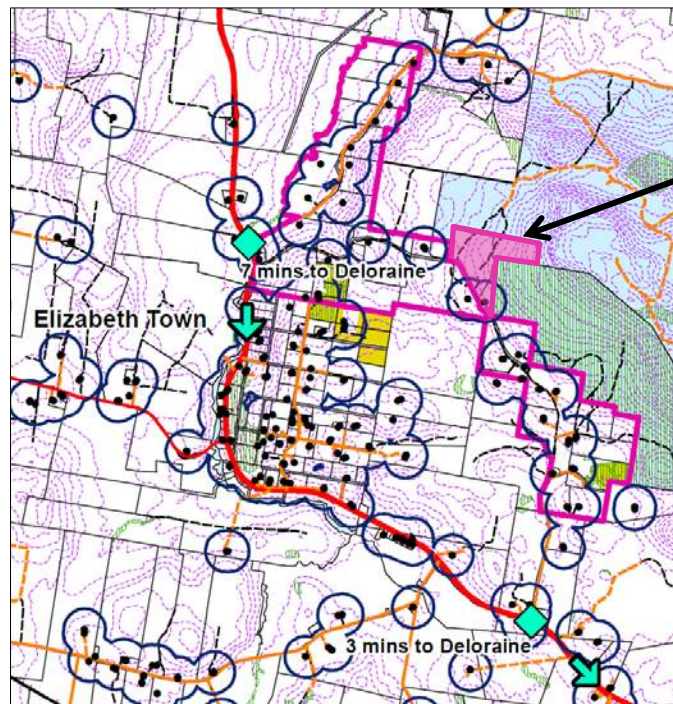
The current Davis Road zone reflects a cluster of rural residential uses which adjoin the southern edges of an existing low density residential zone located along Davis Road and Quamby Brook Road. The proposed zone consists of 18 lots and currently contains 13 houses. Lot sizes range from 1.3 hectares to 25 hectares with an average lot size of 11.6 hectares. The proposed zone reflects the extent of rural residential uses accessed by Davis Road, before the land transitions to production characteristics of plantation forestry and grazing. The topography of the land is undulating hills with a patchwork of remnant native vegetation. This is reflected in the Class 4 and 5 land capability. The land is bound to the west and south by State forest, and to the eastern side of Quamby Brook Road by a large tree plantation. The northern edge to the east of Quamby Brook Road is bound by the Deloraine golf course which constrains the two titles land to east of the road for connectivity, particularly given that the 6.4 hectare title is covered by native vegetation. Given their constraint, the titles to the east act as a transition to larger scale primary production beyond. The clustering of established dwellings within the area together with public roads, practically constrains the land between and the ability to make practical connection with surrounding primary production. This indicates that the land is conducive to small scale enterprises and as such, the proposed zone boundaries are drawn to reflect the extent of the constraint.

The zone is considered suitable for intensification to provide for additional land supply. The location is within very short distance to the township of Deloraine, which is a well serviced district centre. The minimum lot size of 4 hectares provides for the most efficient yields given the higher density land use character along Davis and Quamby Brook Road and will be able to achieve appropriate setbacks or mitigation to

surrounding primary industry and bushfire management zones. It is anticipated that approximately 11 new lots could be created.

One isolated title at the end of the Tomes Road cluster was initially omitted from the mapping in error. The title is bound to the south and east by large tracts of forestry use. This amendment seeks to correct this anomaly by rezoning the lot Rural Living Zone.

Elizabeth Town



30J Report – Area to be added to Rural Living Zone

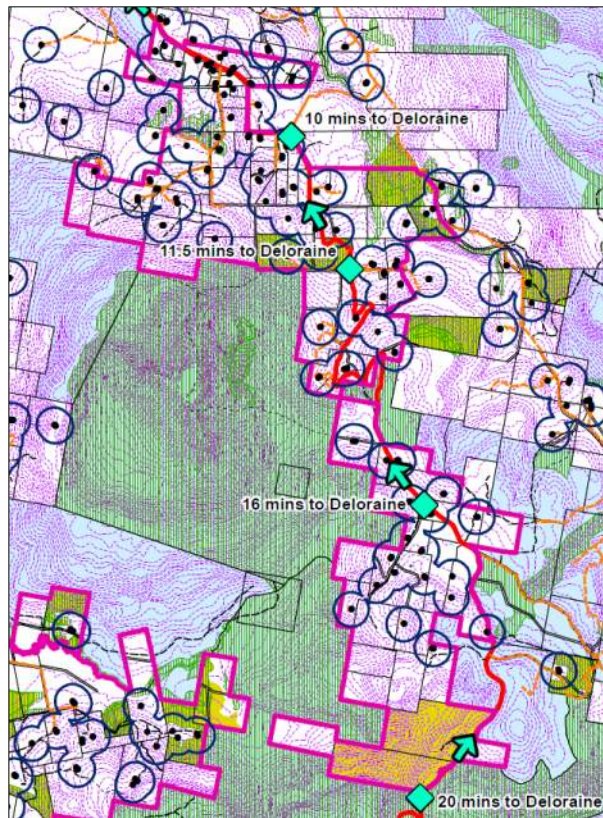
The current Elizabeth Town zone follows the contiguous settlement pattern clustered along Christmas Hills Road and a more recent cluster along Parkham Road. The proposed zone consists of 46 lots and currently contains 38 houses. The topography is mostly vegetated hills with the eastern side of Parkham Road being a steep vegetated slope and Christmas Hills Road located in a valley. This is reflected in the lower land capability of Class 5 along the east of Parkham Road with the balance being Class 4. Lot sizes range from .5ha to 30 ha, with an average lot size of 8 hectares. These areas have evolved around the historic settlement of Elizabeth Town and are bordered by reserves and State forest to the east. Land between the existing low density township and the Christmas Hills Road area contains some intensive cropping activities in the Christmas Hills Raspberry Farm, some tree plantations and some smaller areas of grazing. These agricultural activities are separated from the Christmas Hills Road area by a patchwork of native vegetation. The Parkham Rd area is contained by the escarpment along the eastern side and the Rubicon River to the western side, which forms the cadastral boundaries. Land to the west of the Rubicon River and the northern area of Parkham is well connected farmland, distinct from the land use patterns of the proposed zones.

The southern side meets the low density residential pattern of Elizabeth Town with the zone forming a transition to rural resource activities beyond.

Representation to the Interim Planning Scheme submitted that the zone should also include 2 small titles within the Christmas Hills Road strip (one containing a house) as they are isolated against a conservation reserve and State Forest. Council agreed with this proposition and considers that the land use pattern along Christmas Hills Road is one of an established rural residential area. The third title is one plantation on an 18ha lot that is an anomaly to this pattern, however the lot is subject to a Private Timber Reserve and as such, the forestry activities are exempt from the planning system.

The zone is considered suitable for intensification to provide for some additional land supply. The area has proximity to the settlement of Deloraine, at approximately 10 minutes maximum driving time, noting that part of the area is within 5-7 minutes driving time. Deloraine is a well serviced district centre with a full line supermarket and other retail, health services, primary and high schools, hospitality, banks, post office, recreation and cultural facilities. Public roads service the extent of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land and accommodate on site wastewater. The area contains a minimal occurrence of priority vegetation, some of which is under conservation covenant, however is considered capable of accommodating clearance areas for bushfire hazard management. The proposed minimum lot size of 10ha reflects a density to enable setbacks to Rural Resource Zoning and achieve discrete bushfire management zones without erosion of the character of the area. Given road frontage requirements for any new lots, it is anticipated that approximately 3 new lots could be created.

Golden Valley

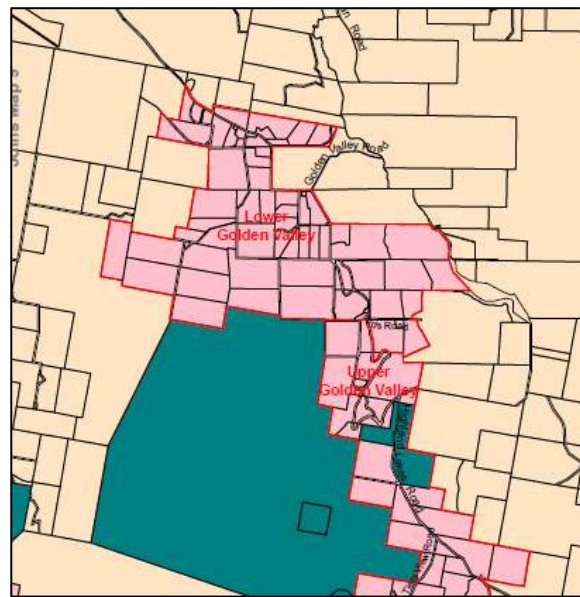


The current Golden Valley zone reflects a cluster of rural residential uses that has historically developed along the Lake Highway and surrounding Brodies Rd, Wattle Lea Lane, Youds Rd and Tiers View Rd. The zone consists of 101 lots and currently contains 75 houses. Lot sizes range from 2100m² to 60 hectares, with an average lot size of 12.6 hectares. The area has evolved as a ribbon of rural residential use due to the steep topography to either side of the Lake Highway and the single title depth under private tenure, bordered by the Great Western Tiers conservation reserve to the west and south and State forest to the south east. The recent World Heritage Area extension bounds the area to the north west, indicated by the yellow line in the diagram above.

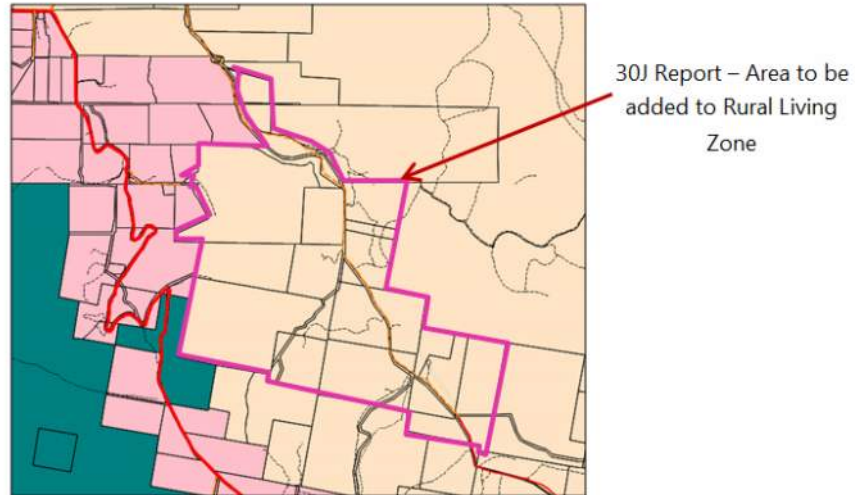
The topography of the areas along Brodies Rd, Wattle Lea Lane and Youds Rd is partially cleared slopes with patches of remnant vegetation and steeper slopes at the base of the Quamby Bluff. The area contains numerous conservation covenants which affects the connectivity of areas of private forest. This topography is reflected in the predominance of Class 5 and 6 land. To the northeast toward Quamby Brook, the land use pattern takes on agricultural production characteristics, including private forestry, and has potential for connectivity.

The zone is considered suitable for intensification to provide for some additional land supply, as the area has close proximity to the settlement of Deloraine, at approximately 10 minutes driving time at the junction of Golden Valley Road and the Lake Highway. However, the linear nature of the land use pattern means that the southern area

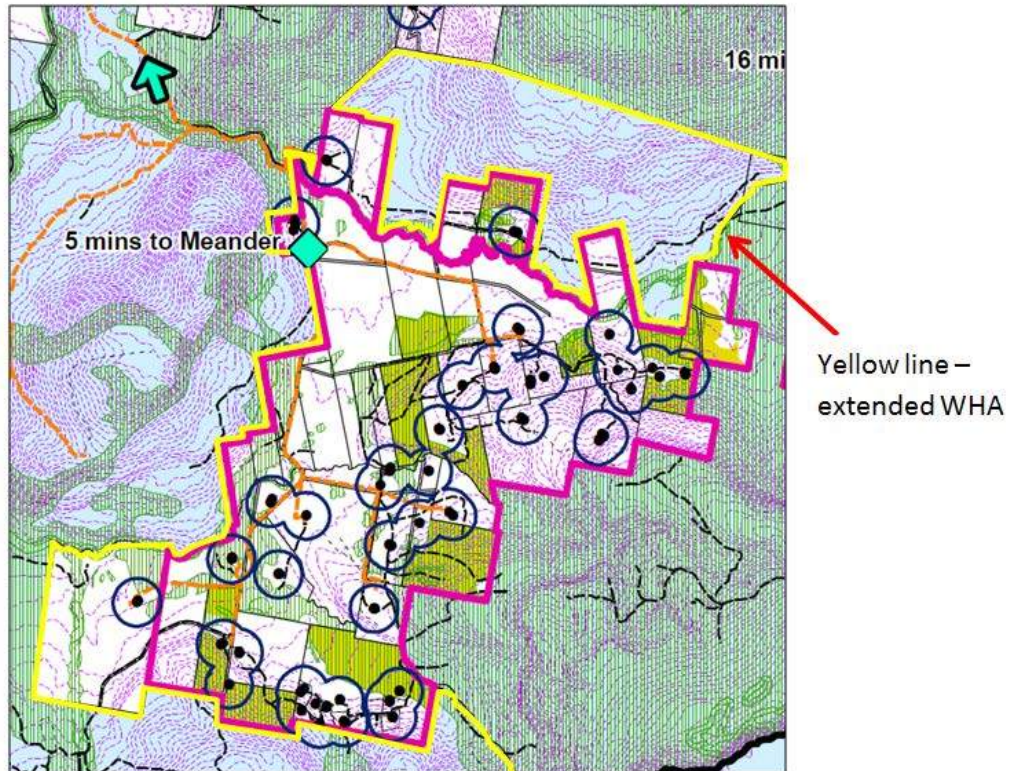
approaches a 15-20 minute drive time, which is in excess of the sustainability criteria. The zone has a natural division where Youds Road joins the Lake Highway with land to the north of this point being able to be accessed by Council maintained side roads within approximately 10 minutes drive time to Deloraine and the rural residential pattern being a broader cluster, as opposed to the more linear form along the Lake Highway to the south. Land accessing these side roads has the capacity to consolidate gaps between the clusters of existing dwellings whereas division of the linear pattern of titles along the Lake Highway would compound the ribbon nature of development with multiple new access points. As such, the proposed zone is divided into two localities 'Upper' and 'Lower' Golden Valley, where Lower Golden Valley is supported for intensification, with Upper Golden Valley subject to infill development only (refer diagram below). The average lot size for Lower Golden Valley is 9.9ha, reflecting the slightly higher density in this area and the proposed minimum lot size of 10ha reflects this character. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of wet areas. It is anticipated that 10 new lots could be created at Lower Golden Valley.



Representations to the Interim Planning Scheme from residents along Bogan Road, submitted that the zone should also include the Bogan Road area that effectively adjoins the Golden Valley Zone and has the same characteristics. Council reviewed the area and agreed with the submission that the area meets the definition of an 'established rural residential area'. The area along Bogan Road consists of 19 lots and contains 14 houses, however the area is not supported for intensification.



Jackey's Marsh



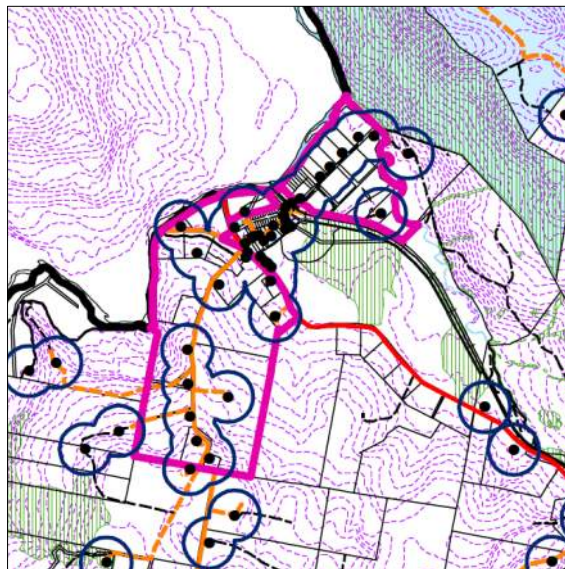
The current Jackey's Marsh zone reflects a cluster of rural residential uses contained within a discrete and dramatic valley. The proposed zone consists of 52 lots and currently contains 40 houses. Lot sizes range from 4500m² to 84 hectares, with the 84 hectare parcel located on the southern boundary containing the Wiiteena residential community, consisting of 12 dwellings. The average lot size is 22.2 hectares. The topography of the area is striking, being a discrete valley within the foothills of the Great

Western Tiers bordered to the eastern and northern sides by the escarpment of the Great Western Tiers Conservation Area and Quamby Bluff. The valley has large areas of cleared land with patches of remnant vegetation and marsh, reflected in numerous conservation covenants and priority habitat. The steeper slopes to the edges of the proposed zone retain native forest. This topography is reflected in Class 4 land along the valley floor and Classes 5-7 to the steeper slopes.

The area is currently bound by State and informal forest reserves to the eastern side and to the southwest corner. However, the recent World Heritage Area extension, taking in previously operational State Forest that bounds the area to the south, west and north, effectively surrounds the valley entirely with public land having a conservation focus. The clustering of established dwellings within the valley, together with public roads, conservation covenants and priority vegetation, practically constrains the land between, making viable connectivity of the class 4 land infeasible. This indicates that the land is conducive to hobby farm activities for small scale enterprises and as such is included in the proposed zone boundaries.

The zone is not considered suitable for intensification due to the prevailing bushfire risk. The area has been assessed through the Fire Management Area Committee process and cannot achieve a 'Nearby Safer Place'. The area has only one access through Jackey's Marsh Road which is not at an appropriate standard to service the risk of intensification in the event of a bushfire.

Kimberley



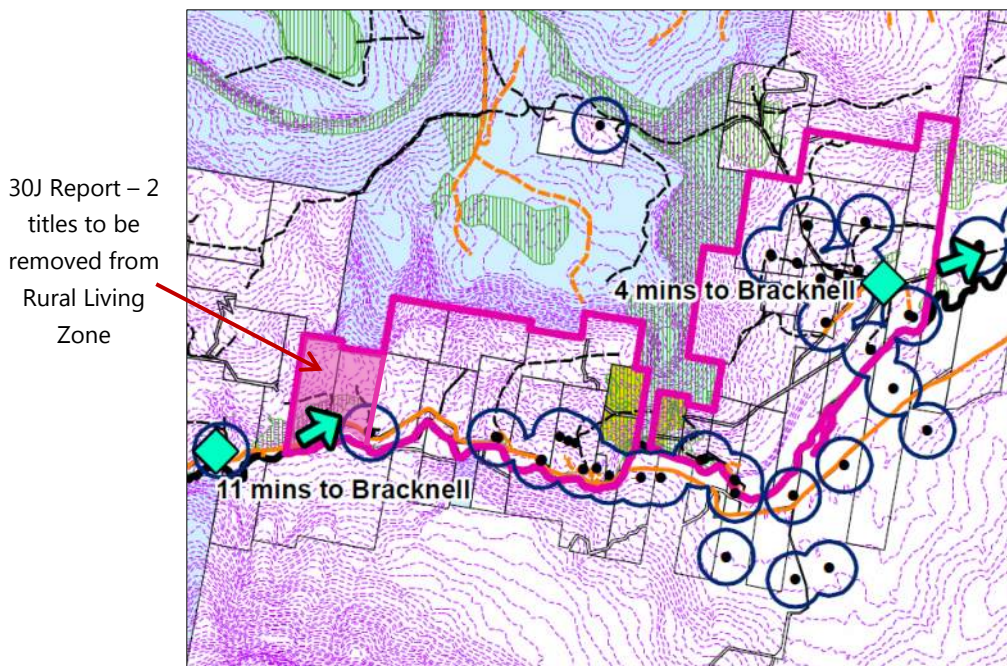
The current Kimberley zone reflects a cluster of rural residential uses that have evolved around the historic settlement of Kimberley, which is located on Railton Road, the main route through to the Kentish Municipality and has also historically been a rail siding. The

settlement is located on the municipal boundary with Kentish Municipality which is defined by the Mersey River. The proposed zone consists of 49 lots and currently contains 31 houses. Lot sizes range from 2100m² to 40 hectares, with an average lot size of 4.7 hectares. However, the high variability in these numbers is due to a pre-1900 survey which has created small titles that cannot necessarily be developed due to wastewater or flooding constraints. The topography of the area is cleared, undulating hills with patches of remnant vegetation. The surrounding area is characterised by grazing and plantation forestry activities. This is reflected in the predominantly Class 4 and 5 land capability.

The proposed zone reflects the extent of rural residential land use, before it transitions to a production agriculture environment. The clustering of established dwellings within the area, together with public roads, practically constrains the land between and the ability to make practical connection with surrounding primary production. This indicates that the land is conducive to small scale enterprises and as such, the proposed zone boundaries are drawn to reflect the extent of the land use pattern and consolidate gaps through infill development.

The Kimberley settlement does not contain any services area has a relationship with the township of Deloraine and possibly Sheffield. However it is located at a distance in excess of 15 minutes driving time to those settlements. This distance does not comfortably meet the 'proximity to a settlement test' and as such is not recommended for intensification through additional lot creation. There are currently 18 vacant lots within the proposed zone that would be available for infill development, however it is noted that several of these small lots adjacent to the river would not likely be singularly suitable for development due to wastewater requirements. Combining parcels however, could create larger lots suitable for development and with this in mind it is considered that the real potential for infill development is approximately 10 dwellings.

Liffey



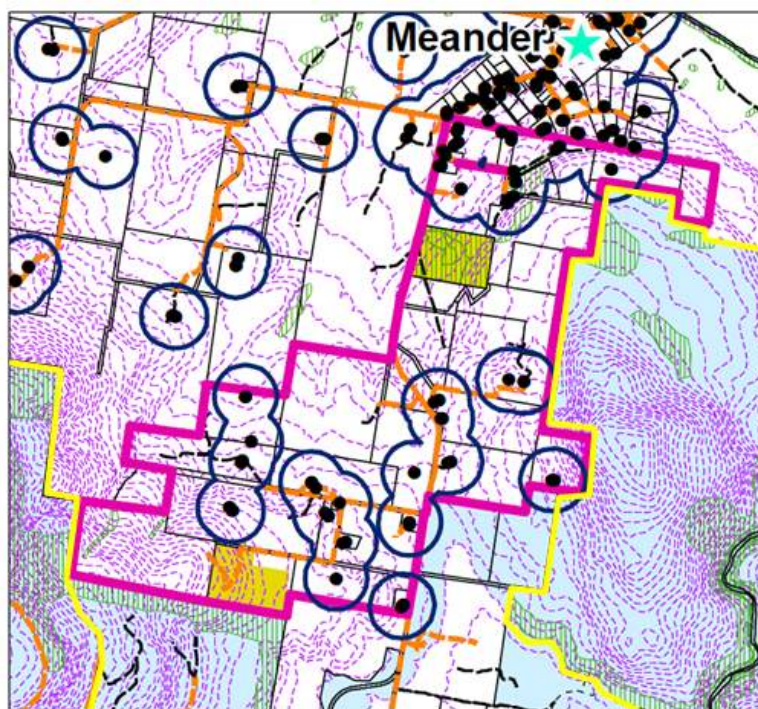
The current Liffey zone reflects a cluster of rural residential uses which have developed along Gulf Road and Myrtle Creek Road. Apart from a cluster surrounding Myrtle Creek Road, the area has evolved in a linear form following Gulf Road which mostly runs alongside the Liffey River. The proposed zone consists of 36 lots and currently contains 30 houses. Lot sizes range from 1 hectare to 52 hectares, with an average lot size of 15.9 hectares. The area is located on the boundary with the Northern Midlands Municipality, where the land use has some similar characteristics in parts, of houses on smaller lots. The topography of the area is steep, vegetated slopes to either side of the Liffey River valley, graduating to more undulating, cleared land surrounding Myrtle Creek Road. The northern edge of the zone is contiguous native vegetation on the steeper slopes where it meets State forest. This is reflected in the predominant Class 5 and 6 land capability with some Class 4 land surrounding Myrtle Creek Road. The area is bound on all sides by steep land, some containing priority habitat. To the west the land use pattern takes on production characteristics with plantation forestry established over multiple titles and to the east, grazing occurs on larger titles along the Liffey River plains.

The zone is considered suitable for intensification to provide for some additional land supply, as the area has close proximity to the township of Bracknell, at approximately 10 - 11 minutes driving time from the western edge and approximately 4 minutes from the junction of Myrtle Creek Road with Bracknell Road. Bracknell is serviced by a convenience store, fuel station, post office and hotel. Public roads service a large portion of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural

resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of flood hazard. The proposed minimum lot size of 10 ha reflects a density to achieve appropriate setbacks and bushfire management zones without erosion of the character of the area, considering the high topographical limitation on rural type uses. It is anticipated that 11 new lots could be created. It is considered likely however that the determinant of eventual yields will likely be the combined consideration of road frontage availability, bushfire protection and flood hazard protection.

Representations to the Interim Planning Scheme from residents on Gulf Road, submitted that the two titles to the western end of the zone were actually used in conjunction with the adjoining farming property, which is made up of numerous titles, and should be zoned I conjunction with that farm. Council agreed with the submission and responded in its response in its 30J report that the titles were identified for rezoning to Rural Resources Zone.

Meander

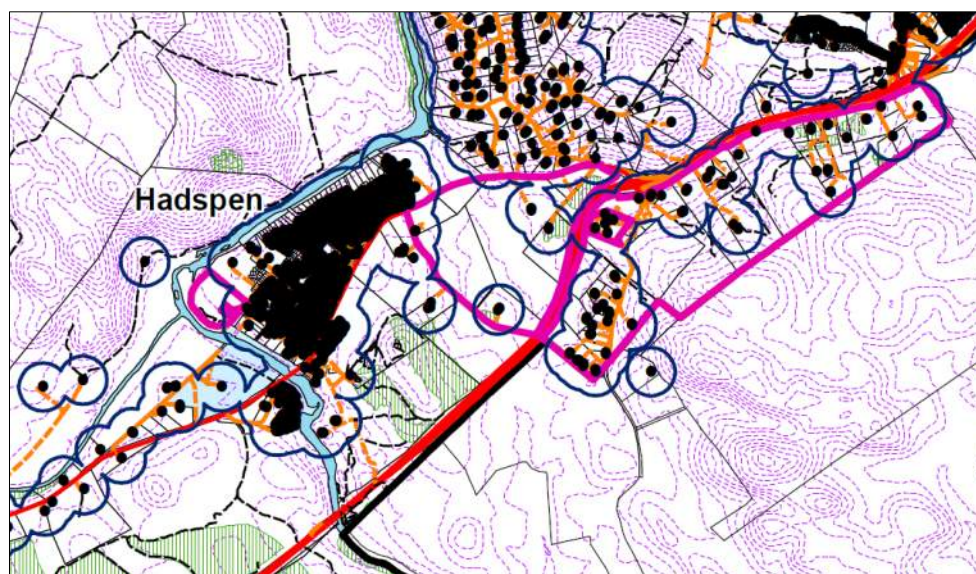


The current Meander zone reflects a cluster of rural residential uses which have developed adjacent to the southern edge of the township and further south surrounding Hamptons Road and Huntsman Road. The proposed zone consists of 34 lots and currently contains 26 houses. Lot sizes range from 3700m² to 45 hectares, with an average lot size of 14.9 hectares. The proposed zone reflects the extent of rural residential uses accessed by Hamptons Road and Huntsman Road, before the land

transitions to production characteristics of plantation forestry and grazing to the west. The topography of the land is partly cleared, part native vegetated hills rising to steeper slopes to southwest and east. This is reflected in the Class 4, 5 and 6 land capability. There are two conservation covenants within the area. The land is bound to the south and east by State forest, however the recent World Heritage Area extension takes in surrounding State Forest, indicated by the yellow line in the diagram above. The clustering of established dwellings within the area, together with public roads and biodiversity values, practically constrains the land between and the ability to make practical connection with surrounding primary production. This indicates that the land is conducive to small scale enterprises and as such, the proposed zone boundaries are drawn to reflect the extent of the constraint and consolidating the gaps in the land use pattern.

The zone is considered suitable for intensification to provide for additional land supply. The location is within very short distance to the township of Meander which is serviced by a convenience store and some recreation/community facilities. Public roads service the extent of the area and can provide access to the larger lots that have the capacity to consolidate gaps between the existing dwellings. The minimum lot size of 5 hectares provides for the most efficient yields however, it is considered likely that the determinant of eventual yields will likely be the combined consideration of road frontage availability and bushfire protection. 5 hectare lots will be able to achieve appropriate setbacks or mitigation to surrounding primary industry and bushfire management zones. It is anticipated that approximately 13 new lots could be created.

Meander Valley Road/Pateena Road & Hadspen



The current zones located in this area reflect historic development patterns that evolved

in the Travellers Rest and Hadspen localities. This land use pattern has also been significantly influenced by the construction of the Bass Highway, which has effectively isolated land between Hadspen and the Highway that was previously connected to the south. The zone is located at the municipal boundary with both Launceston City to the eastern end and Northern Midlands to the south.

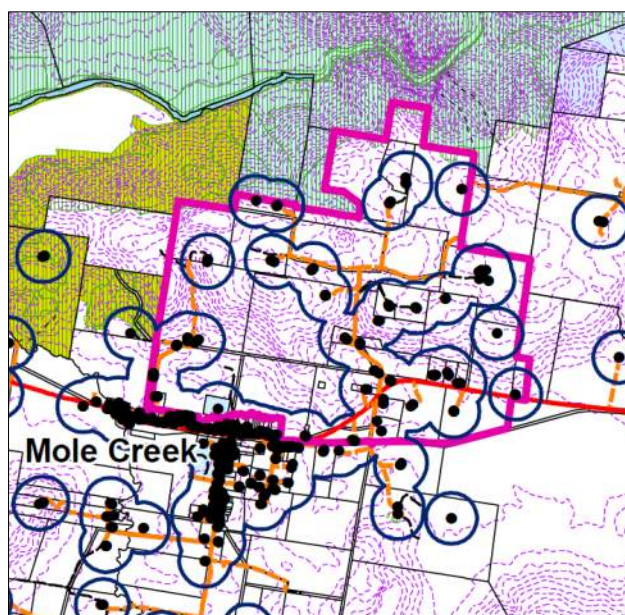
The zone takes in three areas:

- The previous Rural B Zone under the 1995 Scheme to the south of Meander Valley Road - This area has been extended westward to include the dense cluster of dwellings along Pateena Road and reflects the extent of the residential land use pattern before entering the Northern Midlands Municipality. In this area there are 57 lots containing 44 houses.
- The wedge of land between the Bass Highway and Meander Valley Road – This land consists of 8 lots and contains 5 houses. The area reflects the rural living area identified in the Hadspen ODP whereby titles are not individually, nor in combination, large enough to sustain practical agriculture. The area is constrained on all sides preventing connectivity to surrounding agriculture.

The land is identified in the Hadspen Specific Area Plan as being suitable for subdivision as part of the comprehensive strategic planning undertaken for the expansion of Hadspen. The Hadspen SAP is currently a separate amendment under consideration by the TPC.

- 30 Cook Street, Hadspen – This is a single lot located at the most north western corner of urban Hadspen, with an area of 18.3 hectares. The lot is bordered by the South Esk River and is highly constrained for development due to flood risk. There is a small portion of the land just off Cook Street that can meet requirements for flood protection, which means that the land can sustain 1 house on the 18 hectare parcel. The balance area could be utilised for low level rural activities and as such meets the required attributes for Rural Living zoning consistent with the NTRLUS.

Mole Creek



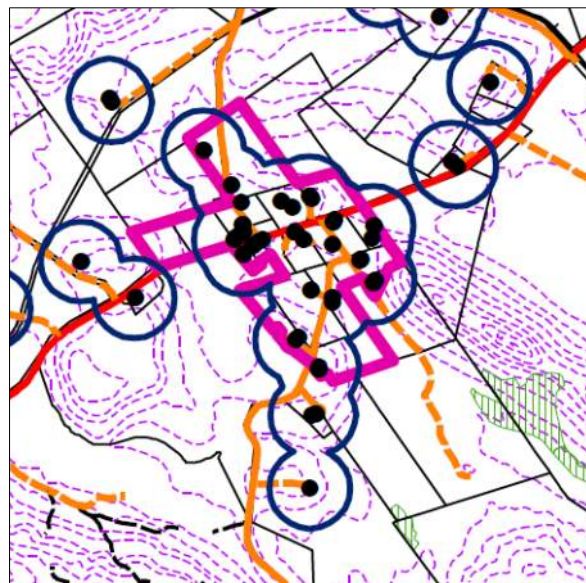
The current Mole Creek zone reflects a cluster of rural residential uses to the north side of Mole Creek Rd and around Mersey Hill Road, Baldocks Road, Miles Road, Alum Cliffs Rd and Walters Road, all publicly maintained. The proposed zone consists of 40 lots and currently contains 39 houses. Lot sizes range from 1200m² to 51 hectares, with the 51ha lot divided in several places by Mersey Hill Rd, Alum Cliffs Rd and Miles Rd. The average lot size is 12.7 hectares. The topography is largely cleared land on relatively steep, south facing slopes which plateau in the northern part of the zone. This topography is reflected in a predominant Class 5 land capability with a narrow band of Class 4 along the shallower slopes that follow Mole Creek Road and on the plateau to the north. There are patches of remnant vegetation remaining throughout the area.

The area is bounded to the south by the township of Mole Creek, to the north and west by private and public reserves and to the east by farmland and tree plantation made up of well-connected titles across larger areas of Class 4 land. The clustering of established dwellings along the existing roads, practically constrains the land between, as the lots are both singularly and in combination, not large enough to achieve a feasible commercial scale given the slope, vegetation and karst values, the lower land capability and the proximity of residential uses. This indicates that the land is conducive to hobby farm activities for small scale enterprises and as such is included in the proposed zone boundaries. Consistent with strategy, the zone provides opportunity that supports the rural settlement of Mole Creek.

This area is adjacent to the settlement of Mole Creek. Mole Creek is serviced by a convenience store, post office, recreation/community facilities, primary school, hospitality and tourist facilities. It is considered a high amenity settlement by the local community. The area has good access to public roads. The area is located within the

High Sensitivity Karst area (as is the Mole Creek township) meaning that there is evidence of outcropping limestone on the slopes and also identifies Limestone Creek, which runs within the length of the township, as a karst feature. This sensitivity classification does not mean that good soil coverage for on-site wastewater disposal is not available, however that on-site investigations will be required to establish appropriate sites and densities of development. The minimum lot size is proposed at 10 hectares, reflecting the average lot size and potential efficiencies, however the potential degree of intensification would be the result of more detailed on ground analysis taking into account the vegetation to be retained, the presence and sensitivity of karst features, setbacks to adjoining rural resource activities and the ability to achieve appropriate access.

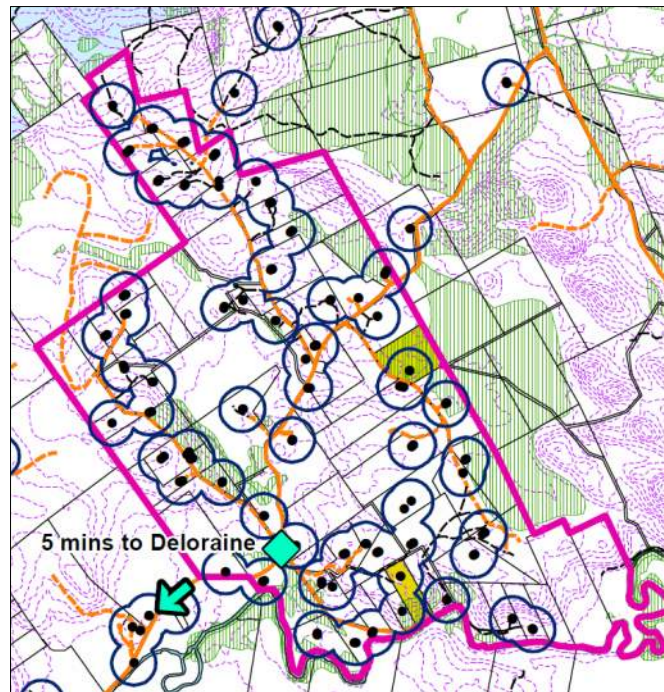
Red Hills



The current Red Hills zone reflects a small cluster of rural residential uses in an historic settlement which has developed around the junction of Mole Creek Road and Montana Road. There are remaining heritage buildings which are remnants of the settlement and the community sports ground located within the zone remains in public use. The proposed zone consists of 24 lots and currently contains 23 houses. Lot sizes range from 3700m² to 10.8 hectares, with an average lot size of 3 hectares. The topography of the area is cleared, undulating hills with very small patches of remnant vegetation, some of a historic European character. The surrounding area is characterised by cropping, horticulture and broad areas of improved pasture. This is reflected in the predominantly Class 3 and 4 land capability. The proposed zone reflects the extent of the higher density of the historic settlement, before it transitions to a production agriculture environment.

Due to the more intensive nature of the surrounding agricultural land use and the lack of buffering on existing small lot sizes, the area is not supported for intensification due to potential conflict and constraint of surrounding agriculture. The area is supported for infill of one vacant lot only, located on the corner of Mole Creek Road and Bengo Road. This lot is completely surrounded by other rural residential uses.

Reedy Marsh



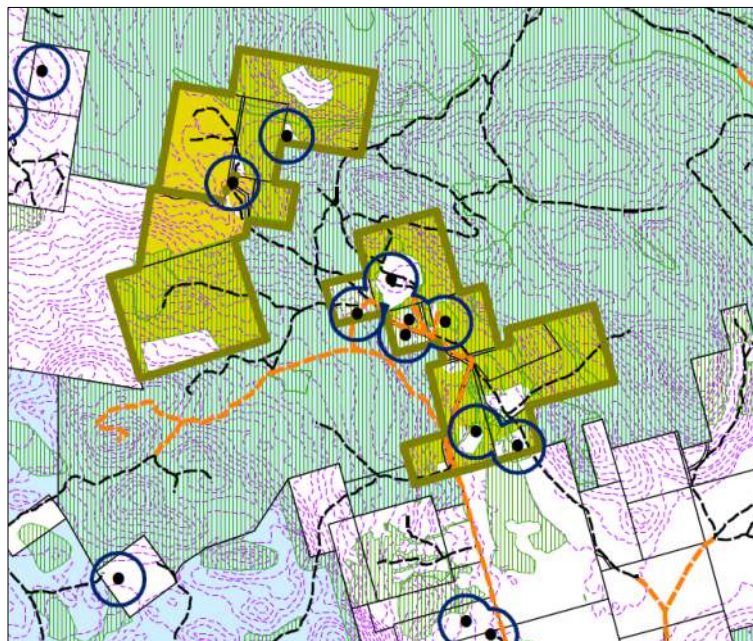
The current Reedy Marsh Rural Living zone reflects a cluster of rural residential uses surrounding River Rd, Wadley's Rd, Johns Rd, Farrels Rd and Saddlers Run Rd. The proposed zone consists of 86 lots and currently contains 76 houses. Lot sizes range from 7900m² to 75 hectares, with the 75 hectare parcel centrally located. The average lot size is 15.7 hectares. The topography of the area is predominantly native vegetated, undulating hills with the larger titles to the centre being cleared. The area contains 2 conservation covenants and patches of known priority habitat, both mapped and unmapped. The southern edge of the zone has steeper slopes and is bound by the Meander River. This topography is reflected in the predominance of Class 5 and 6 land with some Class 4 land to the larger central titles. The area is bound to the east by a large multi-use property subject to plantation forestry and grazing activities, which also has significant stands of priority habitat. To the west is the prime agricultural plateau of Weetah. The northern edge is bordered by State forest and some private tree plantation mixed with priority habitat.

The clustering of established dwellings within the area in a pattern that surrounds the class 4 land in the centre, together with public roads and priority vegetation, practically

constrains the land between, making viable connectivity of the class 4 land infeasible. This indicates that the land is conducive to hobby farm activities for small scale enterprises and as such the proposed zone boundaries are drawn around the clear ring of rural residential uses.

The zone is considered suitable for intensification to provide for some additional land supply. The area has close proximity to the settlement of Deloraine, at approximately 10 minutes maximum driving time. Deloraine is a well serviced district centre with a full line supermarket and other retail, health services, primary and high schools, hospitality, banks, post office, recreation and cultural facilities. Public roads service the extent of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of wet areas. The proposed minimum lot size of 15 ha reflects a density to achieve discrete bushfire management zones without erosion of the character of the area though is a slightly higher density than the average. It is considered likely however that the determinant of eventual yields will likely be the combined consideration of road frontage availability, bushfire protection and water quality protection. It is anticipated that approximately 27 new lots could be created.

Larcombes Road - Environmental Living Zone

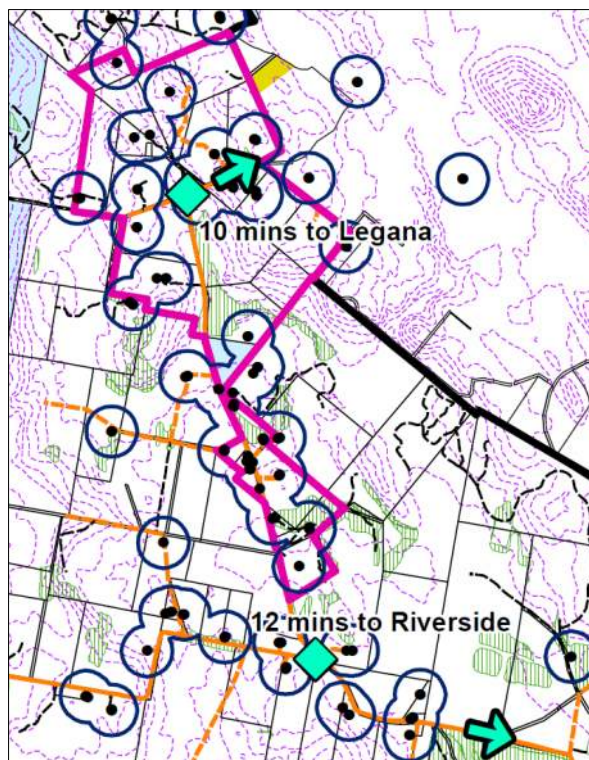


The Larcombes Road area to the northern end of Reedy Marsh is a distinct cluster of lots, all containing conservation covenants. There are 15 lots in total, containing 9 houses. Each of the covenants has a development area set aside for a dwelling and other

uses. The covenanted lots are contiguous to the Reedy Marsh Forest Reserve.

The aggregation of conservation covenants is more closely aligned with the purpose of the current Environmental Living Zone. Whilst the minimum lot size is 20 hectares, generally reflecting existing character, in reality any subdivision of the land would be principally determined by the conservation covenants. As such, environmental values are protected.

Rosevale

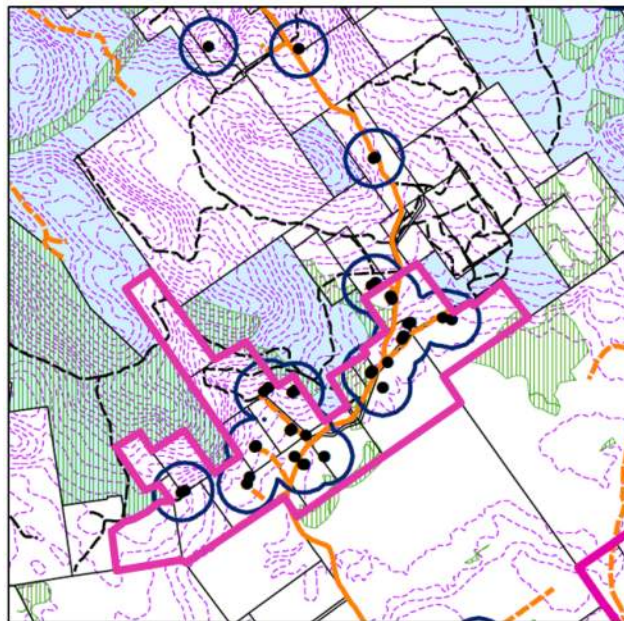


The current Rosevale zone reflects a cluster of rural residential uses in an historic settlement which has developed along Bridgenorth Rd, Hodgetts Rd and Lorikeet Lane. The area previously contained a church and community hall which have now been converted to residences. The proposed zone consists of 31 lots and currently contains 25 houses. Lot sizes range from 4700m² to 32 hectares, with an average lot size of 12.2 hectares. The area is located on the boundary with the West Tamar Municipality, where the land use continues a similar pattern of houses on smaller lots. The topography of the area is primarily cleared, undulating hills punctuated by areas of remnant priority vegetation. This is reflected in the predominantly Class 4 and some Class 5 and 6 land capability. To the west and southeast, the land use pattern takes on agricultural production characteristics including private forestry and has potential for connectivity. However land to the eastern side of Bridgenorth Road is constrained by several houses on smaller lots in the West Tamar Municipality and a cluster of houses to the south

which practically constrains the land between, making viable connectivity of the class 4 land infeasible. This indicates that the land is conducive to hobby farm activities for small scale enterprises and as such the proposed zone boundaries are drawn to the municipal boundary where it meets correlating Rural Living zoning in the West Tamar Municipality.

The zone is considered suitable for intensification to provide for some additional land supply, as the area has close proximity to the service centre at Legana, at approximately 10 - 11 minutes driving time. Legana is well serviced with a shopping centre including full line supermarket and educational and health services are available at Riverside approximately 12 minutes drive time. Public roads service the extent of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of wet areas. The proposed minimum lot size of 10 ha reflects a density to achieve appropriate setbacks and bushfire management zones without erosion of the character of the area.

Weetah



The proposed Weetah Rural Living Zone follows from Council's response in the 30J Report to representations to the Interim Planning Scheme, whereby Council agreed to review the area.

The extent of the zone reflects a cluster of rural residential uses which have developed along Weetah Road to the edge of the agricultural plateau. The area has evolved in a

somewhat linear form due to the constraints of public land in conservation reserve and informal forest reserve to the north on the steeper slopes, and large titles under agricultural production to the south. The land capability of the area is mapped as class 4 to the south of Weetah and classes 5/6 to the north, generally reflected in the steepening topography with remnant vegetation. There are remnant areas of priority habitat mapped through and adjoining the proposed zone.

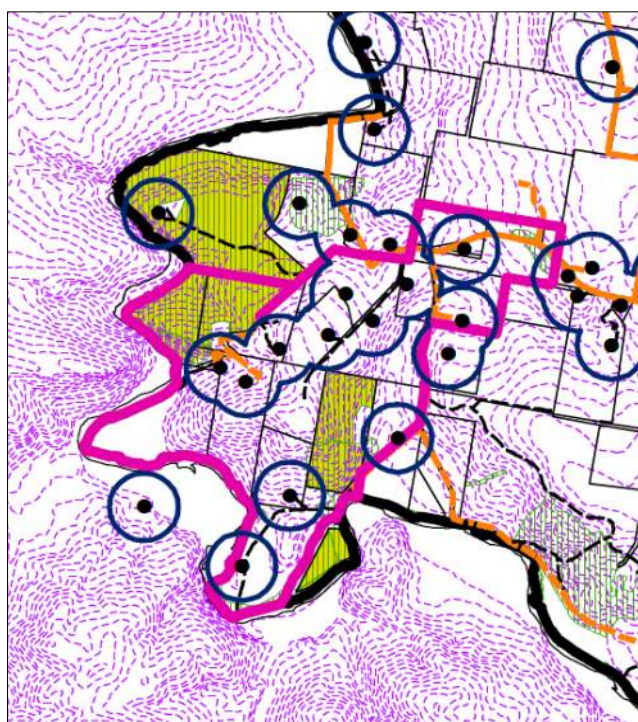
The 35 ha property to the end of Eynans Road has approximately 12 hectares of timber plantation associated with a dwelling. This property is bound by State forest (with priority habitat between) and a large agricultural holding. Current industry advice suggests that small, domestic scale timber plantations will face efficiency challenges in the future. Given constraints to connectivity associated with this property, it is considered that it forms the natural boundary to the Rural Living Zone, which will provide opportunity for future development. As the lot is not under a Private Timber Reserve, the planning scheme will need to provide a site specific qualification to enable commercial harvesting of the existing plantation.

The proposed zone consists of 24 lots and currently contains 17 houses. Lot sizes range from 700m² to 35 hectares, with an average lot size of 10 ha.

The zone is considered suitable for intensification to provide for some additional land supply. Weetah is in close proximity to the district centre of Deloraine at approximately 5 minutes driving time. Weetah Road, Eynans Road, Whitchurch Lane and Asendorpfs Road are Council maintained roads. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of wet areas. The proposed minimum lot size of 10 ha reflects a density to achieve appropriate setbacks and bushfire management zones without erosion of the character of the area.

It is anticipated that 5 new lots could be created.

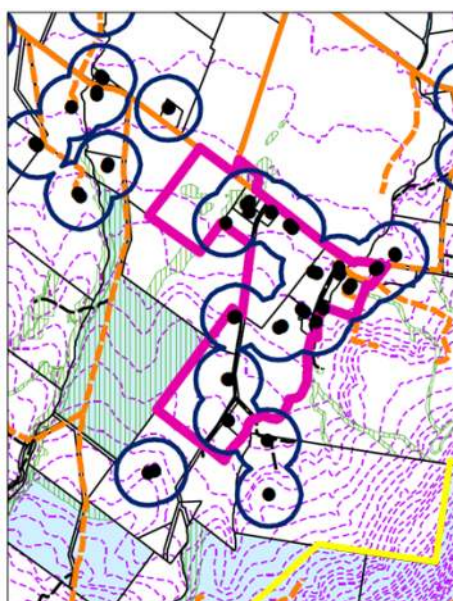
Weegen



The current Weegen zone reflects a cluster of rural residential uses located at the western extent of the municipality, bordered by the Mersey River. The area has evolved around Dynans Bridge Road, Grundy's Road and Kelly's Cage Road where it crosses into the Kentish Municipality. The proposed zone consists of 19 lots and currently contains 16 houses. Lot sizes range from 1.2 hectares to 29 hectares, with an average lot size of 13.7 hectares. The topography of the area is largely steep, vegetated slopes with some cleared flood plains in the Mersey River valley and amongst the hills. The area contains three conservation covenants. The surrounding area is characterised by forestry activities on both private land and State forest with agricultural activities increasing to the north as the land form plateaus. This is reflected in the predominantly Class 5 and 6 land capability with some Class 4 land on the river plains. The proposed zone reflects the extent of rural residential land use, before it transitions to a production agriculture or forestry environment. The clustering of established dwellings within the area, together with public roads and biodiversity values, practically constrains the land between and the ability to make practical connection with surrounding primary production.

The Weegen area has a relationship with the township of Deloraine, however is at a distance in excess of 15 minutes driving time to that settlement. This distance does not comfortably meet the 'proximity to a settlement test' and as such is not recommended for intensification through additional lot creation. There are currently 3 vacant lots within the proposed zone that would be available for infill development.

Western Creek



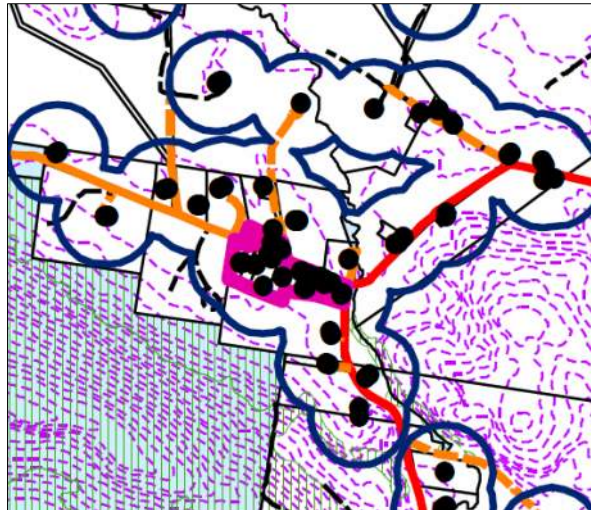
The current Western Creek zone reflects the historic settlement clustered around the junction of Western Creek Road and Cunningham's Road, evident in the older building stock and the historic cemetery at the junction. The proposed zone consists of 19 lots and currently contains 17 houses (1 cemetery lot). Lot sizes range from 1700m² to 24 hectares with an average lot size of 5.7 hectares. The locality sits at the base of the escarpment of the Great Western Tiers and is mostly vegetated slopes characterised by plantation and native forest. The western boundary is bordered by native forest reserve and a tree plantation with the eastern boundary bordered by Western Creek and a large tree plantation. The southern edge is bordered by an intensive fruit orchard which also contains a large balance area of native vegetation which provides a good transition buffer to large areas of tree plantation to the southern slopes. The small 1.4ha lot to the north of Western Creek Road contains a mixture of priority native vegetation and some remnant exotic vegetation. This lot was originally part of the settlement core, however is now vacant. It cannot feasibly be utilised as part of the adjoining large grazing property due to vegetation clearance constraints, however could accommodate a residential use with appropriate siting and buffering.

The recent World Heritage Area extension takes in land was previously operational State Forest, however this does not affect current stands of private and some State plantation resources that are established between the proposed zone boundaries and the new reserves. The proposed new reserve boundary is the yellow line in the diagram above. The cluster of smaller lots with houses is distinctly contained by surrounding larger lots under plantation and orchard uses with a limited ability to achieve connectivity to extend those uses and maintain appropriate setbacks to rural residential uses.

The Western Creek area has a relationship with the township of Meander, however is at a distance of approximately 15 minutes driving time to that settlement. This distance does not

comfortably meet the 'proximity to a settlement test' and as such is not recommended for intensification through additional lot creation. There are currently 2 vacant lots within the proposed zone that would be available for infill development.

Ugbrook



The current Ugbrook zone reflects a small cluster of rural residential uses which have historically developed around the junction of Mole Creek Road and Union Bridge Road. There is currently a privately operated caravan park adjacent. The proposed zone consists of 21 lots and currently contains 14 houses. Lot sizes range from 600m² to 1.2 hectares, with an average lot size of 3200m². The topography of the area is flat, cleared land with very small patches of remnant vegetation remaining. Ugbrook is located within the High Sensitivity Karst Area with known features in close proximity. The surrounding area is characterised by broad acre grazing and plantation forestry. This is reflected in the Class 4 land capability. The proposed zone reflects the extent of the higher density of the historic settlement, before it transitions to a production agriculture environment.

The cluster was formerly zoned Village, however the settlement does not contain any services and is not supported by the NTRLUS for out of settlement commercial functions, as the township of Mole Creek is located just 3 kilometres to the east. Due to the lack of buffering on existing small lot sizes, the area is not supported for intensification due to potential conflict and constraint of surrounding agriculture and also the potential impact on karst values. The area is supported for infill of vacant lots only.

5. Amendment Description

The amendment is comprised of the following components:

1. Land proposed to be rezoned to the Rural Living Zone at:
 - Carrick;
 - Chudleigh;
 - Davis Road/Tomes Road
 - Elizabeth Town;
 - Golden Valley; and
 - Weetah

2. Subdivision opportunity provided in the Rural Living Zone at:
 - Birralee
 - Carrick
 - Chudleigh
 - Davis Road
 - Elizabeth Town/Parkham
 - Liffey
 - Lower Golden Valley
 - Meander
 - Mole Creek
 - Reedy Marsh
 - Rosevale
 - Weetah

3. Land to be rezoned from Rural Living Zone to Rural Resources Zone at Liffey;

4. Scenic Management overlay over Rural Living zoned land at Chudleigh North;

5. Specific Area Plan to be included for subdivision of the Bishopsbourne Road – Rural Living Zone area at Carrick;

6. Local Area Objective and Desired Future Character Statement for Weetah;

7. Qualification for Certificate of Title 160576/1 to provide for the harvesting of the existing timber plantation.

5.1 Proposed Rural Living Zone

5.1.1 Carrick

The amendment proposes to rezone 6 titles to the northern end of Simns Street and 4 titles to the southern end of Carrick along Bishopsbourne Rd, from Rural Resources Zone to Rural Living Zone. Figure 5 below shows the land proposed to be rezoned in the context of surrounding zoning.

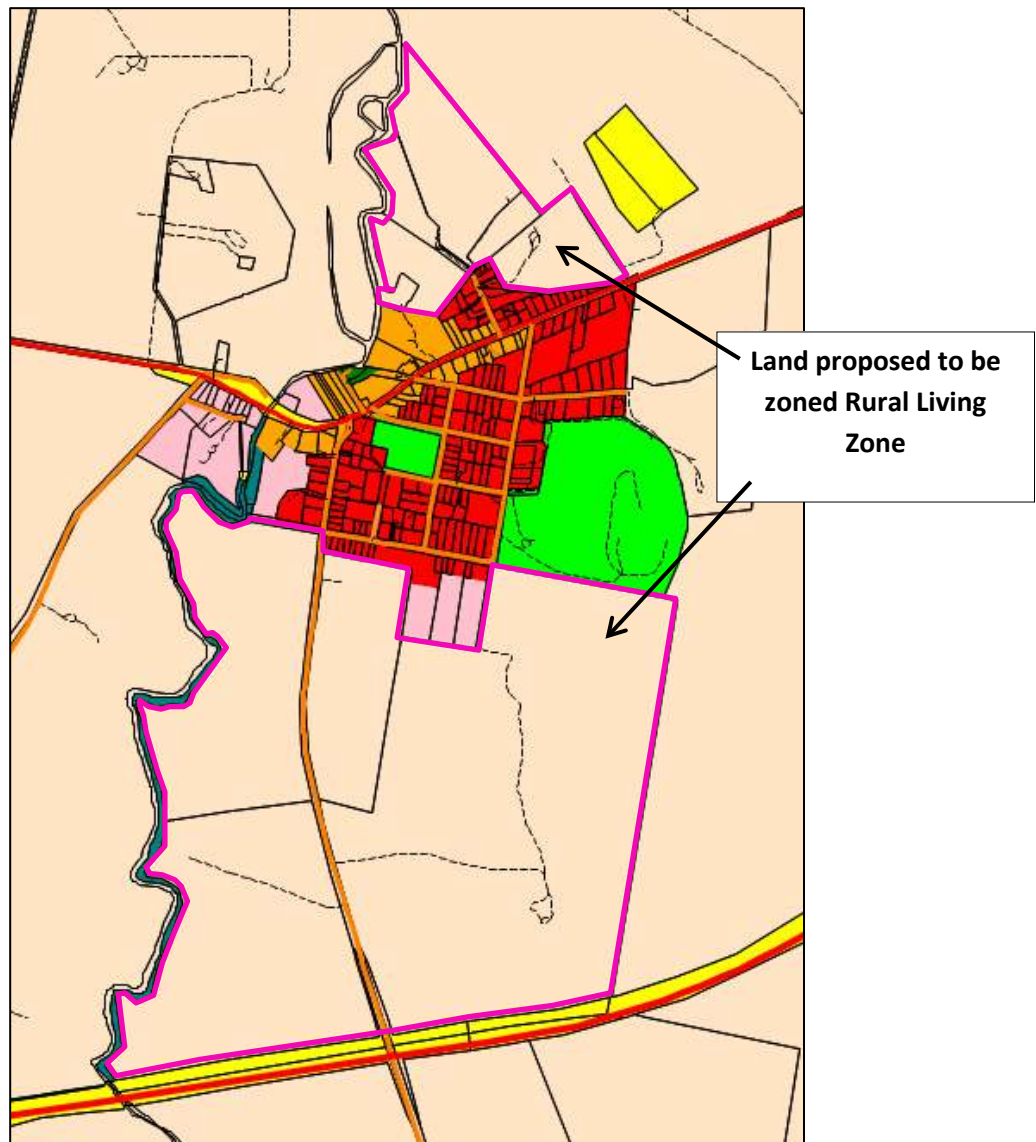


Figure 5 – Current zoning of Carrick and surrounds

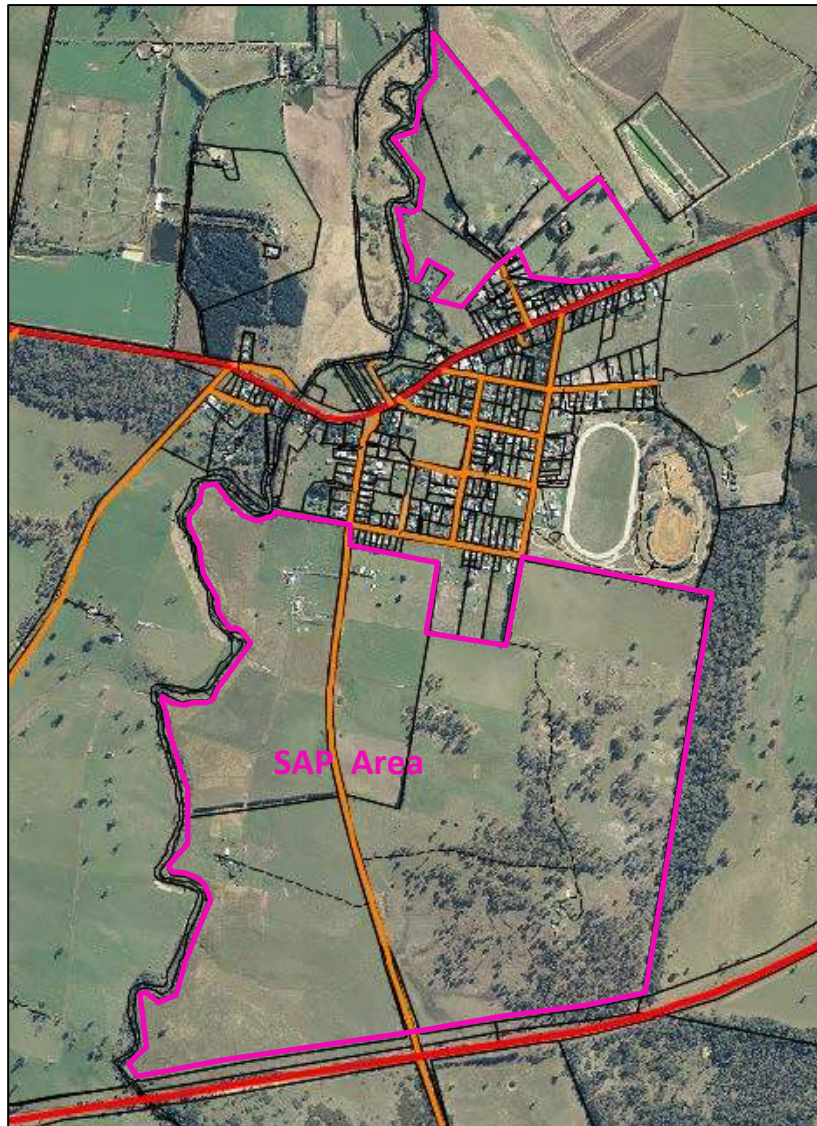


Figure 6 – Aerial photo of land proposed to be rezoned from Rural Resource Zone to Rural Living Zone

Bishopsbourne Road Specific Area Plan

The area located on Bishopsbourne Road is proposed to be included in a Specific Area Plan (SAP) due to the particular spatial considerations associated with the remnant Threatened Native Vegetation Community, bushfire protection, access to infrastructure and setbacks to the Liffey River and the Bass Highway. The SAP will provide for the preferred layout of subdivision and has been designed to appropriately reconcile the above listed matters by:

- designing a lot layout that locates dwelling envelopes with hazard management areas that do not require the removal of the threatened vegetation community;
- incorporating a 'through road' by future public road and right of way to meet the requirements of the Bushfire Prone Areas Code;
- designing a lot layout that provides appropriate buffers to the Liffey River and

- the Bass Highway;
- providing diversity in the size of lots and preferable yield by graduating the density of lot yield through smaller lots that can connect to reticulated water and access a new public road located at the settlement periphery, moving to larger lots where protection of threatened vegetation and larger setbacks to the Liffey River and Bass Highway are preferred;
- aggregating accesses in optimum locations for road safety.

The subdivision development plan is attached at Appendix B and will form the baseline Specific Area Plan with some flexibility in lot layout able to be considered through performance criteria. All other standards in the underlying Rural Living Zone will apply to the area.

The Specific Area Plan is proposed to include the following:

F3.1 Purpose of Specific Area Plan

F3.1.1 The purpose of this specific area plan is to:

- provide for the co-ordinated subdivision of land;
- provide for the subdivision of land consistent with the local area objectives;

F3.2 Application of Specific Area Plan

The specific area plan applies to the area of land designated as SAP 3 on the Planning Scheme maps and in Figure 3.1.

F3.3 Local Area Objectives

- To provide diversity in the size of lots and optimising lot yield by graduating the density of lots through smaller lots located at the settlement periphery, moving to larger lots where protection of threatened vegetation and larger setbacks to the Liffey River, Bass Highway or other features are preferred.

F3.3 Development Standards

F3.3.1 Subdivision

F3.3.1.1 General Suitability

Objective:

The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Specific Area Plan.

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the purpose of the Specific Area Plan, having regard to the combination of:</p> <ul style="list-style-type: none"> a) slope, shape, orientation and topography of land; b) any established pattern of use and development and the efficient use of land for infill; c) connection to the road network; d) availability of or likely requirements for utilities; e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and f) potential exposure to natural hazards.

F3.3.1.2 Lot Requirements

<p>Objective:</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> a) locates lots in an arrangement that is consistent with the local area objective; b) provides area and dimensions of lots that are appropriate for the purpose of the Rural Living Zone and is consistent with the local area objective; c) provides for appropriate wastewater disposal and stormwater management in consideration of the characteristics of the land; and d) provides frontage and access to a road in locations that do not adversely affect the function of Bishopsbourne Road, in particular aggregating access points or establishing a new road and junction appropriate for the degree of use. 	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be in accordance with the Subdivision Development Plan in Figure 3.1.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) provide for each lot, sufficient useable area and dimensions to allow for:

	<ul style="list-style-type: none"> i) a dwelling to be erected in a convenient, appropriate and hazard free location; and ii) appropriate disposal of wastewater; and iii) on-site parking and manoeuvrability; and iv) adequate private open space; and v) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and <p>c) be consistent with the local area objective having regard to:</p> <ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) the ability of vegetation to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards.
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Figure F3.1 – Subdivision Development Plan



5.1.2 Chudleigh

The amendment proposes to rezone 14 titles to the southern end of Chudleigh township from Rural Resources Zone and Low Density Residential Zone to Rural Living Zone. Figure 7 below shows the land proposed to be rezoned in the context of surrounding zoning.

A scenic management area is proposed to be included over the existing rural living zoning to the north of Chudleigh. An additional clause is proposed to be added to Table E7.1 – Local Scenic Management Areas as follows:

2 Chudleigh	
Character Statement	
The hill slopes are prominent when viewed from the Chudleigh settlement and on approach to Chudleigh along the Mole Creek Road from the east and west. The hill is characterised by undulating pasture and a significant stand of remnant native vegetation. Existing development is set into the landscape or screened by vegetation and there are no intrusions into the skyline when viewed from public vantage points.	
Scenic Management Objectives	
<ul style="list-style-type: none"> a) To ensure that visually prominent areas on the hill slope avoid adverse or significant landscape change; b) To ensure that use and development is carefully sited and designed to be unobtrusive in the landscape through one or a combination of the following measures: <ul style="list-style-type: none"> i) Siting development at lower elevations; ii) Siting development behind topographic features so as to be obscured when viewed from public vantage points; iii) Minimising excavation and earthworks; iv) Retention of vegetation; v) Planting of vegetation. 	
Scenic Management Criteria	
No local criteria	No local standards

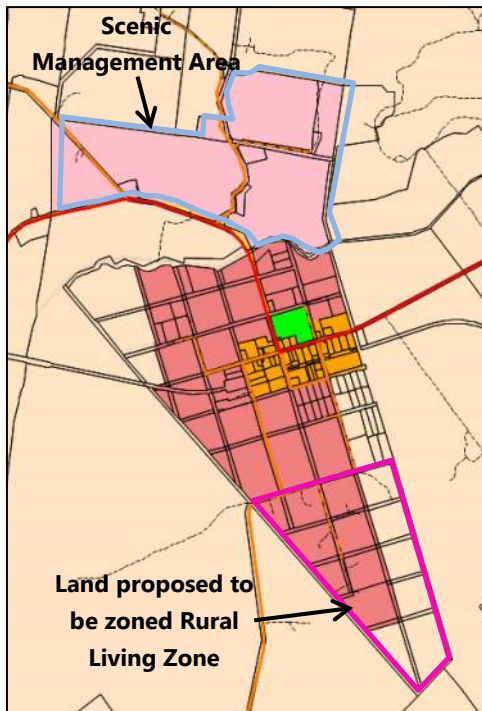


Figure 7 – current zoning of Chudleigh and surrounds

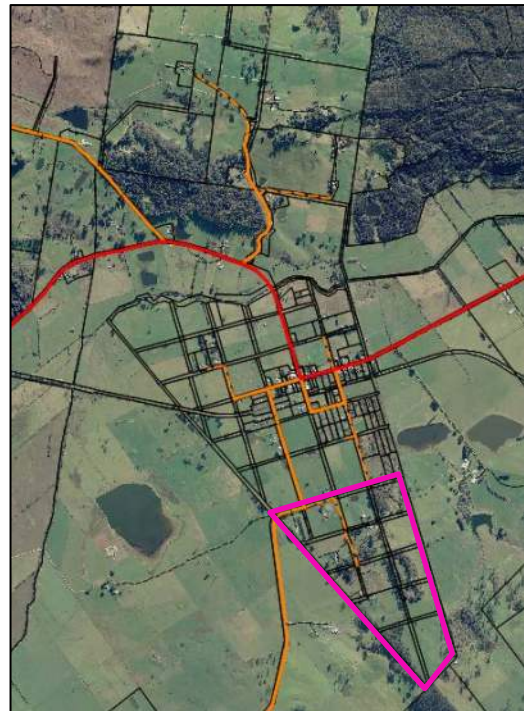


Figure 8 – aerial photo of land proposed to be rezoned to Rural Living Zone

5.1.3 Golden Valley

The amendment proposes to rezone 23 titles along Bogan Road from Rural Resources Zone to Rural Living Zone. Figure 9 below shows the land proposed to be rezoned in the context of surrounding zoning.

The area indicated as 'Lower Golden Valley' is that part of the Rural Living Zone considered suitable for subdivision. The planning scheme map will differentiate this area from 'Upper Golden Valley', which is the balance area of the zone.

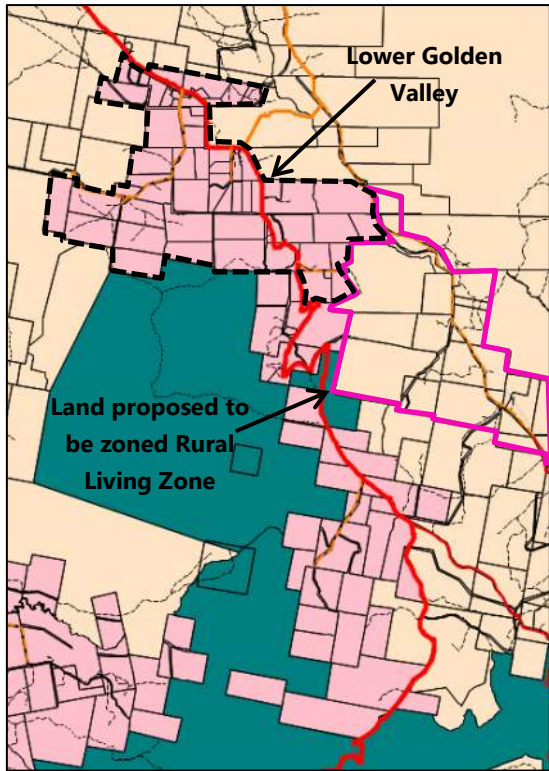


Figure 9 – current zoning of Golden Valley and surrounds

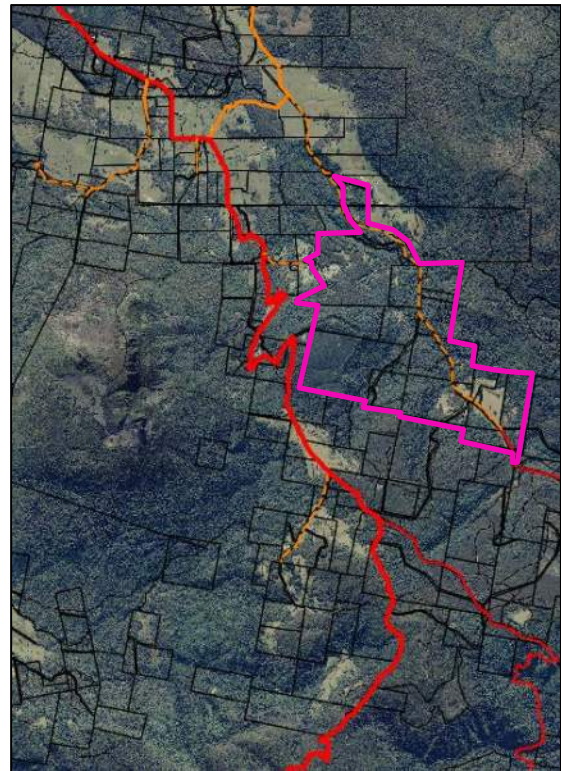


Figure 10 – aerial photo of land proposed to be rezoned to Rural Living Zone

5.1.4 Elizabeth Town

The amendment proposes to rezone 3 titles along Christmas Hills Road from Rural Resources Zone to Rural Living Zone. Figure 11 below shows the land proposed to be rezoned in the context of surrounding zoning.

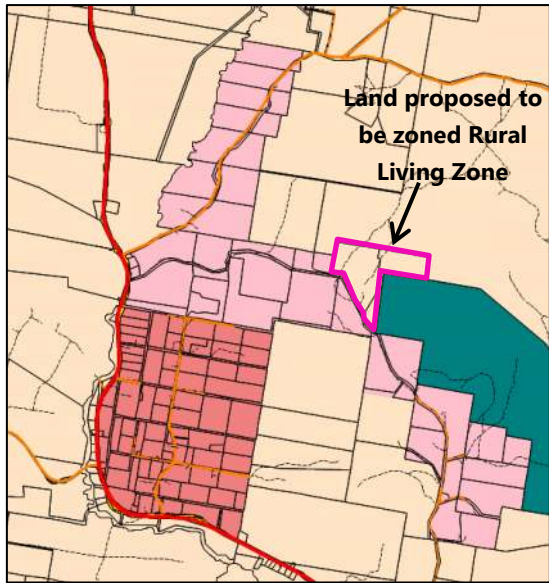


Figure 11 – current zoning of Elizabeth Town and surrounds

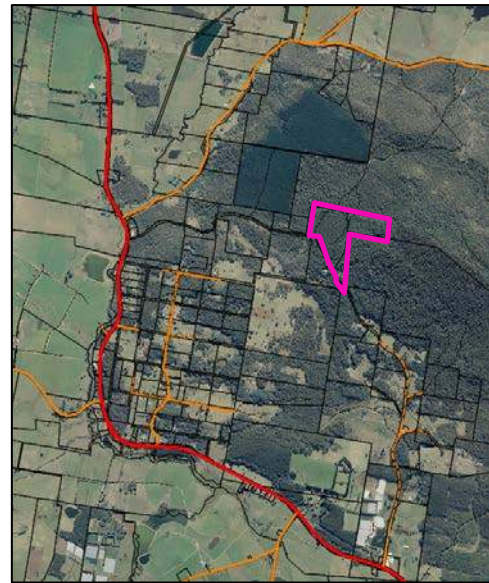


Figure 12 – aerial photo of land proposed to be rezoned to Rural Living Zone

5.1.5 Davis Road/Tomes Road

The amendment proposes to rezone 1 title situated at the end of Tomes Road from Rural Resources Zone to Rural Living Zone. Figure 13 below shows the land proposed to be rezoned in the context of surrounding zoning.

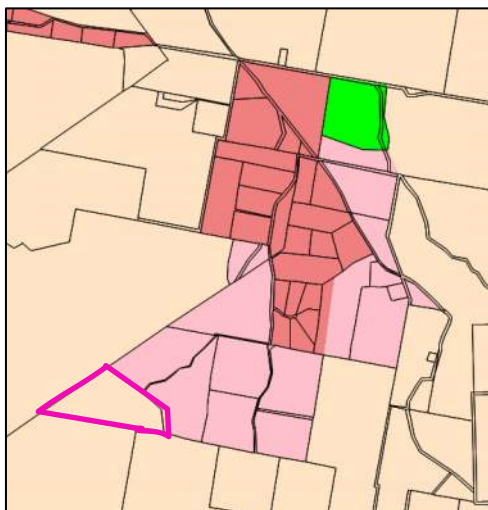


Figure 13 – current zoning of Davis Rd and surrounds



Figure 14 – aerial photo of land proposed to be rezoned to Rural Living Zone

Weetah

The amendment proposes to rezone 23 titles at Weetah from Rural Resources Zone to Rural Living Zone. Figure 15 below shows the land proposed to be rezoned in the context of surrounding zoning.

The property located at the end of Eynans Road (CT160576/1) containing a timber plantation requires a site specific use qualification to be included in Section 13.2-Use Table to provide for the harvesting of the plantation as the land is not subject to a Private Timber Reserve and commercial forestry is prohibited in the Rural Living Zone. It is proposed to insert this qualification as a permitted use as it will be subject to a Forest Practices Plan.

As Weetah is a locality not currently subject to Rural Living Zoning, Local Area Objectives and Desired Future Character Statements are also proposed to be added to sections 13.1.2 and 13.1.3 as follows:

Local Area Objective:

- a) To retain lower densities and locate development with reasonable separation distances, consistent with the purpose of the zone being for large lots.

Implementation Strategy:

Future subdivision will be determined on the basis of capacity for access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.

Desired Future Character Statement:

- a) Weetah is primarily characterised by visible, linear development along Weetah Road. Development along Eynans Road and Whitchurch Lane is more discreetly located within the landscape due to vegetation screening and topography.
- b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.
- c) The retention or planting of vegetation is the preferred means to integrate and screen development, particularly on the hill slopes to the north where potentially visible.

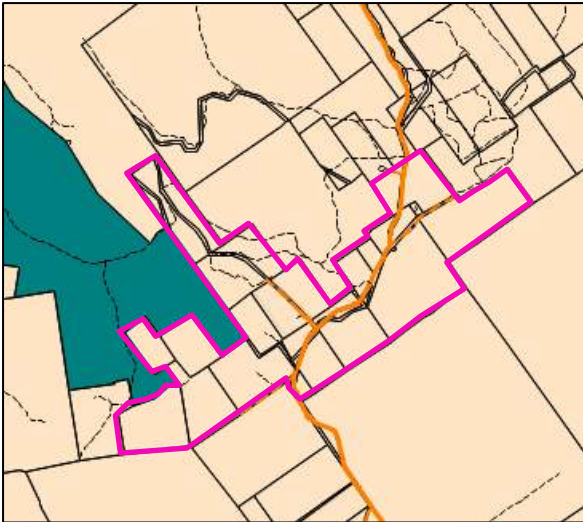


Figure 15 – current zoning of Weetah and surrounds

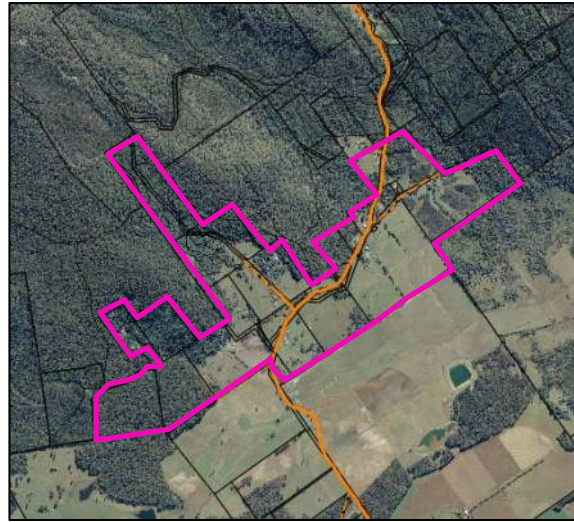


Figure 16 – aerial photo of land proposed to be rezoned to Rural Living Zone

Liffey

The amendment proposes to rezone 2 titles at Liffey from Rural Living Zone to Rural Resources Zone. Figure 17 below shows the land proposed to be rezoned in the context of surrounding zoning.

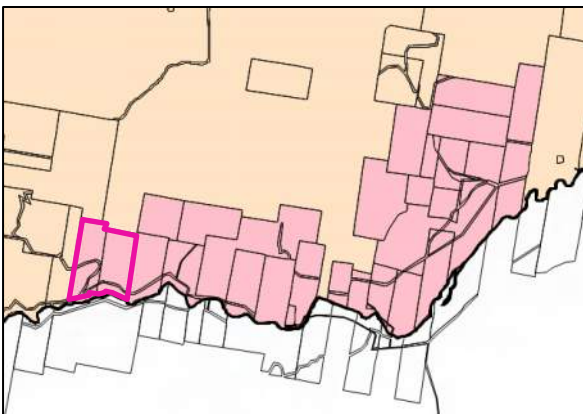


Figure 17 – current zoning of Liffey and surrounds

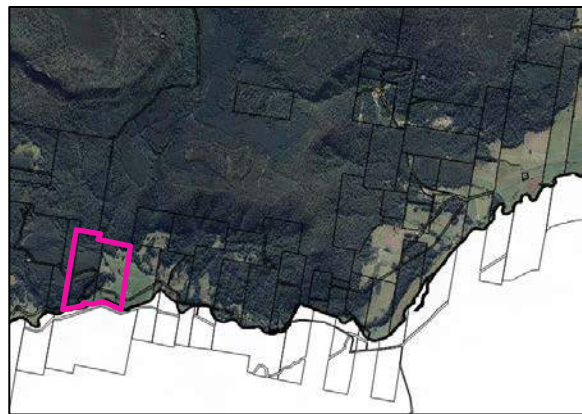


Figure 18 – aerial photo of land proposed to be rezoned to Rural Resources Zone

5.2 Subdivision

The current subdivision provisions contained in Section 13.4.2.2 – Lot Area, Building Envelopes and Frontage are structured such that the creation of additional lots by subdivision is prohibited, unless it is a lot for public use.

The amendment proposes to modify this section through the inclusion of an Acceptable Solution that provides for the creation of additional lots in strategic localities, with specified minimum lot sizes for those localities. Performance Criteria will assess any proposals that do not meet the minimum lot size against the Local Area Objectives and desired Future Character Statements as they relate to particular localities. In addition, the general discretion for subdivision through section 13.4.2.1- General Suitability will remain in place.

For those localities that are not considered suitable for the creation of additional lots, the performance criteria will contain a corresponding clause that mandates that subdivision is not for the creation of additional lots, but may still provide for boundary adjustments.

Section 13.4.2.2 is proposed to be amended as follows:

13.4.2.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> a) Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and b) Provides area and dimensions of lots that are appropriate for the zone; and c) Provides frontage to a road at a standard appropriate for the use; and d) Furthers the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area in accordance with Table 13.1 below; or 	<p>P1 Each lot must:</p> <ul style="list-style-type: none"> a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or b) provide for each lot, sufficient useable area and dimensions to allow for:

Table 13.1 – Lot Size		
Reedy Marsh	15ha	
Birrlee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha	
Davis Road Meander	4ha	
Carrick	Specific Area Plan	
Hadspen	Specific Area Plan	
Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek	No new lots created	
b)	required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or	
c)	for the provision of utilities; or	
d)	for the consolidation of a lot with another lot with no additional titles created; or	
e)	to align existing titles with zone boundaries and no additional lots are created.	
A1.2	Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.	
A2	Each lot must have a frontage of at least 4 metres.	P2 Each lot must provide appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
		<ul style="list-style-type: none"> i) a dwelling to be erected in a convenient, appropriate and hazard free location; and ii) appropriate disposal of wastewater and stormwater; and iii) on-site parking and manoeuvrability; and iv) adequate private open space; and v) vehicular access from the carriageway of the road to a building area on the lot, if any; or <p>c) be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:</p> <ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) the ability of vegetation to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards; and <p>d) not be located within the Rural Living Zone at Kimberley, Red Hills, Ugbrook, Upper Golden Valley, Weegen and Western Creek.</p>

6. Land Use Planning & Approvals Act 1993

An amendment made under Division 2 of the Act, may include the removal or the insertion of a local provision(s) providing that this is consistent with the Regional Land Use Strategy of Northern Tasmania.

Section 32 requires that any proposed amendment to the Scheme demonstrate that it:

- as far as practicable, avoids the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
- does not conflict with the common provisions or any overriding local provisions of the Scheme; and
- Has regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

Similarly, section 21 requires that as far as practicable, a planning scheme is consistent with and co-ordinated with the planning schemes of adjacent areas and have regard for the use and development of the region as an entity in environmental, economic and social terms.

In initiating this amendment, the Council must also satisfy itself that this amendment to the Scheme:

- Seeks to further the objectives set out in Schedule 1 of the Act;
- Is in accordance with the requirements of State Policies made under section 11 of the State Policies and Projects Act 1993;
- Has regard to the strategic plan of the Council referred to in Division 2 of Part 7 of the Local Government Act 1993; and
- Has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

6.1 Land Use Conflicts

The amendment proposes to provide for the intensification of current Rural Living Zones that are located on the boundary of the local government area in the following locations:

- Meander Valley Road/Pateena Road - adjoining Northern Midlands Council and Launceston City Council;
- Rosevale – adjoining West Tamar Council;
- Birralelee – adjoining West Tamar Council;

- Liffey – adjoining Northern Midlands Council

Meander Valley Road/Pateena Road:

The Rural Living Zone on Pateena Road adjoins the Northern Midlands Rural Living zoning along Pateena Road and Norwich Drive (Refer Figure 2). This amendment seeks to provide for a minimum lot size of 10 hectares which aligns with the recent amendment submitted by Northern Midlands Council for a density control of 10 hectares. It is noted that the position and experience of the Northern Midlands Council in its amendment is that the 1 hectare minimum is not an appropriate response to the particular physical circumstances of the locality and it is seeking to remedy this problem.

Where the Rural Living Zone adjoins Rural Resource zoning, such as to the eastern end of the Meander Valley Road where it adjoins the Launceston City local government area and along the southern edge with Northern Midlands, the provisions for consideration of subdivision take into account the potential impacts on adjoining land use and the ability of the lot to achieve the standards for setbacks. This enables appropriate consideration and protection at the zone interface due to consistency in zone purpose and provisions.

Rosevale:

The Rural Living Zone at Rosevale adjoins the West Tamar Rural Living Zone along Bridgenorth Road. The proposed 10ha minimum lot size for subdivision is consistent with the lot sizes and character that prevail in the West Tamar Zone. The Interim Planning Schemes in operation across the local government boundary provide for a consistent range of uses in their Rural Living Zones.

Where the Rural Living Zone adjoins Rural Resource zoning, the provisions for consideration of subdivision take into account the potential impacts on adjoining land use and the ability of the lot to achieve the standards for setbacks. This enables appropriate consideration and protection at the zone interface due to consistency in zone purpose and provisions.

Birralee:

The Rural Living Zone at Birralee adjoins the West Tamar Rural Living Zone at Ginns Road. The proposed 10ha minimum lot size for subdivision is consistent with the lot sizes and character that prevail in the West Tamar Zone. The Meander Valley zone primarily has a southern focus, with most of the land accessed via Priestley's Lane and Delanty's Road. A small number of lots are accessed via Ginns Road to the north,

through the West Tamar zone, which are a continuation of the land use pattern along that road. The Interim Planning Schemes in operation across the local government boundary provide for a consistent range of uses in their Rural Living Zones.

Where the Rural Living Zone adjoins Rural Resource zoning, the provisions for consideration of subdivision take into account the potential impacts on adjoining land use and the ability of the lot to achieve the standards for setbacks. This enables appropriate consideration and protection at the zone interface due to consistency in zone purpose and provisions.

Liffey:

The Rural Living Zone at Liffey adjoins the Northern Midlands Rural Resources Zone. The Liffey River and Gulf Road along the southern edge of the zone, acts as a buffer to rural resource activities and it is noted that numerous rural residential properties are also located along Gulf Road within the Northern Midlands area to the south.

Where the Rural Living Zone adjoins Rural Resource zoning, the provisions for consideration of subdivision take into account the potential impacts on adjoining land use and the ability of the lot to achieve the standards for setbacks. This enables appropriate consideration and protection at the zone interface due to consistency in zone purpose and provisions.

6.2 Impact on the Region as an Entity in Environmental, Economic and Social Terms

As described earlier in this report, recent comparison across the local government areas of the Northern Region has shown that there is disparity throughout the northern region in regard to the application and opportunities afforded through the Rural Living and Environmental Living Zones. The RLUS, in actions RSNA21 and RSNA22, recognises that opportunities for growth will be locally responsive, however it does not prioritise growth in one local government area over another, or one locality over another. The qualifying characteristics for sustainability are the degree to which localities have historically been developed for rural residential purposes and the relationship that these localities may have with settlements. Integral to this however, is the objective for consistency embedded in regional strategy.

The Northern Region is a very large geographic area, broadly interspersed with rural residential areas that have evolved over time in response to the wide variety of the lifestyle and amenity opportunities that have been made available. The region's amenity

landscape is made up of forested hills and mountains, coastal and riverine environments, historic heritage localities and the agricultural 'patchwork'. Settlements are broadly dispersed throughout the region, a result of historic responses to socio-economic circumstances that have changed over time. The RLUS reinforces the need to support local and regional economies to "enhance the quality of life" in rural settlements.⁹

Diversity in locality choice is an important part of diverse housing choice that is reinforced by the RLUS and is fundamental to the principles economic competitive advantage. Rural settlements rely upon population to support schools, health and community services and retail services and the rural resources sector relies upon population to access employees, goods and services. Without diversity in housing choice for population, rural settlements risk stagnation and decline. Without an appropriate response in the supply of land, the distribution of population is also at risk of imbalance and the market is at risk of distortion.

The process outlined in the RLUS, in identifying the characteristics and criteria for sustainable growth, provides for a restrained approach to the creation of additional opportunities for rural residential development. This approach considers the environmental and economic capacity of land and negotiates the preferences of the local communities that share this environment, the result ideally being a balance between growth and change and the maintenance of the qualities that these rural communities value. The restraint in the process means that it has a natural end point.

The 'established rural residential areas' that have been identified in Meander Valley are anticipated to provide a lot supply described in the Table below:

Rural Living Zone			
Locality	Existing Dwellings	Vacant lots	Potential additional lots
Birralee	60	8	12
Elizabeth Town	39	7	3
Western Creek	17	2	0
Chudleigh	17	7	5
Mole Creek	40	1	20
Jackey's Marsh	40	12	0
Reedy Marsh	78	8	27
Golden Valley	75	26	10
Rosevale	26	1	8
Liffey	30	6	11
Carrick	22	7	39
Davis Road	13	5	11
Meander	26	8	13

⁹ *Regional Land Use Strategy of Northern Tasmania* – September 2013, Northern Tasmania Development, p59-61

Red Hills	23	1	0
Weegenah	16	3	0
Weetah	17	7	5
Kimberley	31	18	0
Travellers Rest/Hadspen	49	13	5
Ugbrook	14	7	0
Total	623	148	171
Environmental Living Zone			
Reedy Marsh	9	6	0

This equates to 16 dwellings per year over a 20 year plan period, located in Rural Living and Environmental Living zones distributed over a geographic area 332,500 hectares. These zones represent 0.44% of the Northern Region area.

The distribution of these zones over a distance of 62 kilometres reflects Meander Valley's linear geography and the historic pattern of settlement relative to key transport routes. The extent of influence within the region, and inter-regionally, is more directly related to the immediate locality and the degree of service to the population, than it is to a centralised model with the city as the principal centre. The socio-economic interaction of the region's rural areas is far more complex than a simple 'hub and spoke' model.

Across the local government areas of the Northern Region, there is a general consistency in the approach taken to lot sizes, in consideration of the characteristics of particular areas. The following is a summary of these responses:

Min lot size	Characteristics
2ha	<ul style="list-style-type: none"> Existing or preferred higher density clusters of housing in a rural setting No important ecological environmental values
4ha/10ha	<ul style="list-style-type: none"> Paddock or historic significant environmental disturbance Lot size is largely determined by existing and preferred visual character
15ha	<ul style="list-style-type: none"> Bush Higher level of environmental value Maintenance of vegetated environment for visual qualities
SAP	Localised

The amendment applies these thresholds, consistent with the characteristics described. The anticipated lot yield of the zones considered suitable for intensification is reflective of the unique characteristics of the different localities. The outcomes for subdivision will be more the result of a combination of environmental factors such as priority vegetation

and habitat, bushfire protection, water quality and the management of on-site wastewater, access to public roads and the desired future character of an area.

This is the case for each of the Rural Living and Environmental Living zones across the region that provide for subdivision, with each having the capacity to deliver increased supply depending on the foundational circumstances. Examples that can be found within the region are large greenfield sites that have provision for subdivision down to one hectare, that could provide in one locality, the same yield that is being proposed across the entire Meander Valley local government area. Similarly, lot yield could be the same with no provision for subdivision, due the historical extent of 'established rural residential areas', the number of vacant lots and that Council's strategic intentions for those localities, such as with West Tamar Council.

At its core, the issue of regional impact in environmental, economic, social terms is one of sustainable and equitable opportunity. This amendment seeks to redress the current imbalance.

6.3 Overriding Local Provisions and Common Provisions

The amendment must demonstrate that the local provisions being inserted into the Scheme do not conflict with the common provisions or the overriding local provisions of the Scheme.

6.3.1 Common Provisions

The common provisions in the Scheme are as follows:

- Planning Directive No 1 – the Format and Structure of Planning Schemes;
- Planning Directive 4.1 Standards for Residential Development in the General Residential Zone; and
- Planning Directive No 5: Bushfire-Prone Areas Code.

The amendment proposes to rezone land, provide for subdivision in particular areas through, insert a Specific Area Plan for Carrick, apply a scenic management overlay and insert a qualification in to the Rural Living Zone Use Table. The Rezoning of land and ordinance amendments are in a format and structure that is consistent with Planning Directive No 1.

A Bushfire Hazard Assessment has been undertaken for the site, ensuring that areas to be rezoned can satisfy the requirements of the Planning Directive No 5 and therefore will not conflict with these provisions.

6.3.2 Overriding Provisions

A Planning Purposes Notice was issued on the 10 October 2013 for the Meander Valley Interim Planning Scheme by the then Minister, the Hon Brian Green MP.

The Planning Purposes Notice allows for various local provisions to override the common provisions of the Scheme (outlined above).

Local provisions can override a mandatory common provision in E1.0 Bushfire Prone Areas Code where there is conflict between this code and the codes listed below:

- E7.0 Scenic Management Code;
- E8.0 Biodiversity Code;
- E9.0 Water Quality Code;
- E13.0 Local Heritage Code;
- E15.0 Karst Management Code;
- E16.0 Urban Salinity Code.

The amendments proposed are local provisions to be inserted into the Scheme. The Scenic Management Code is an overriding provision that will be amended by the inclusion of a scenic management area at Chudleigh, however the provisions are consistent with the format and structure of this Code.

The local provision to include a Specific Area Plan for Carrick, provides spatially refined requirements for subdivision. In accordance with the operational provisions of PD1, these provisions will override only the subdivision provisions of the Rural Living Zone, with the remaining provisions of the underlying zone still to apply.

The amendment does not conflict with common or overriding local provisions of the Scheme, maintaining the current operative components of the Scheme.

6.4 State Policies

The following State Policies are made under the *State Policies and Projects Act 1993*:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The National Environmental Protection Measures are automatically adopted as State Policies under the *State Policies and Projects Act 1993*.

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997;
- Tasmanian State Coastal Policy 1996; and
- The National Environmental Protection Measures (NEPMS).

The following section examines the State Policies as they apply to this amendment.

6.4.1 State Policy on the Protection of Agricultural Land

The purpose of the State Policy on the Protection of Agricultural Land 2009 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”*.

Comment:

A fundamental component of the RLUS methodology for determining if land is more appropriately described as an ‘established rural residential area’ is the analysis of the degree and nature of agriculture being undertaken within the locality and on a site by site basis. The consideration of agriculture through this process is described in detail above.

Following this analysis, if land is determined to be an ‘established rural residential area’ this means that it has effectively been converted away from the ability to conduct sustainable agriculture and cannot make reasonable connection to the broader agricultural resource.

The amendment proposes to intensify only those areas that have been identified as having been converted to a rural residential land use. There is no loss of agricultural land.

The provisions of the Rural Living Zone include setbacks to adjoining agricultural uses in the Rural Resources Zone. This provides appropriate protection for agricultural activities at the interface of the two zones.

6.4.2 State Policy on Water Quality Management

The State Policy on Water Quality Management is concerned with achieving *‘sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource Management and Planning System’*.

Particularly, the following sections are relevant to the proposed amendment:

31. Control of erosion and stormwater runoff from land disturbance

31.1 Planning schemes should require that development proposals with the potential to give rise to off-site polluted stormwater runoff which could cause environmental nuisance or material or serious environmental harm should include, or be required to develop as a condition of approval, stormwater management strategies

including appropriate safeguards to reduce the transport of pollutants off-site.

31.2 *Stormwater management strategies required pursuant to clause 31.1 should address both the construction phase and operational phase of the development and use of land and have the maintenance of water quality objectives (where these have been defined) as a performance objective*

31.5 *Planning schemes must require that land use and development is consistent with the physical capability of the land so that the potential for erosion and subsequent water quality degradation is minimised.*

Comment:

Integral to the consideration of any future development within the Rural Living Zones is E9 - Water Quality Code. This code considers the relationship between land use and development and the inputs into watercourses. The code is based on buffer distances to watercourses and presumes that if sufficient setbacks can be achieved, water quality is appropriately protected. Direct inputs to watercourses are carefully considered and managed.

The consideration of subdivision in the Rural Living Zone includes the capacity of any lots to appropriately provide for on-site wastewater dispersal. This also takes into consideration the setbacks from watercourses for wastewater fields to manage the transmission of nutrients.

6.4.3 National Environment Protection Measures

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

Comment:

Planning Scheme provisions for the Rural Living Zone include the consideration of nuisance when assessing applications for non-residential uses. This is consistent with the NEPM's relating to noise and air quality.

6.5 Regional Land Use Strategy

The Regional Land Use Strategy of Northern Tasmania is discussed in detail above in Section 3 of this report.

6.6 Gas Pipelines Act 2000

Pursuant to Section 20(1) (e) of the Act provides that the Council must be satisfied that the amendment has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

The infrastructure corridor containing the gas pipeline is not located in the vicinity of Rural Living Zones that are subject to this amendment.

6.7 Community and Strategic Plan

1 A sustainable natural and built environment

- 1.1 *Contemporary planning supports and guides growth and development across Meander Valley.*
- 1.2 *Liveable townships, urban and rural areas across the local government area with individual character.*
- 1.3 *The natural, cultural and built heritage of Meander Valley is protected and maintained.*
- 1.4 *Meander Valley is environmentally sustainable.*
- 1.5 *Public health and the environment is protected by the responsible management of liquid and solid waste at a local and regional level.*
- 1.6 *Participate and support programs that improve water quality in our waterways.*

Comment:

The proposed amendment supports the Strategic Outcomes for a sustainable natural and built environment. The amendment reflects contemporary planning to identify land use and respond with an appropriate regulatory environment to support growth and protect the individual character and environment of areas.

2 A thriving local economy

- 2.1 *The strengths of Meander Valley attract investment and provide opportunities for employment.*
- 2.2 *Economic development in Meander Valley is planned, maximising existing assets*

and investment in infrastructure.

2.3 *People are attracted to live in the rural townships, rural living areas and urban areas of Meander Valley.*

Comment:

The proposed amendment supports the Strategic Outcomes for a thriving local economy. As described above in the regional context, the provision of appropriately distributed rural residential opportunities supports the rural economy and rural settlements.

4 Innovative leadership and community governance

5.3 *Evidence based decision-making engages the community and is honest, open and transparent.*

5.4 *Meander Valley Councillors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities.*

Comment:

The proposed amendment supports the Strategic Outcomes for innovative leadership and community governance. Community consultation has been held on a number of occasions through the development of a new planning scheme, which has included Council's strategic intentions, evidence and rationale for a comprehensive approach to rural residential opportunity into the future.

Council's strategic approach has had broad general support from the Meander valley community.

6.8 Schedule 1 of the Land Use Planning & Approvals Act 1993

6.8.1 Schedule 1 Part 1

a) *To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;*

Comment:

The amendment promotes the objectives for sustainable development of land within largely modified environments. The proposed planning scheme provisions and zoning of land provide for the appropriate protection of biodiversity and water quality.

b) To provide for the fair, orderly and sustainable use and development of air, land and water;

Comment:

The amendment redresses current inconsistencies across the region in regard to the provision and treatment of opportunities for rural residential land use through the Rural Living and Environmental Living zones. The amendment finalises Council's strategy for the provision of opportunity within the Meander Valley local government area in a responsible and ordered approach that is equitable in the regional context.

c) To encourage public involvement in resource management and planning;

Comment:

The strategic planning process for the preparation of a new planning scheme undertook extensive community consultation that included informal notification, community information sessions and stakeholder consultation. Further opportunity for public input will be available through the notification of the amendment.

d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above.

Comment:

As stated above, diverse location choice for rural residential opportunities supports economic outcomes for rural settlements.

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

Comment:

The strategic planning process and analysis of areas proposed to be subject to the amendment has included consultation and processes for input by the various government, industry and community sectors.

6.8.2 Schedule 1 Part 2

- (a) *To require sound strategic planning and co-ordinated by state and local Government;*

Comment:

The strategic planning process for the preparation of a new planning scheme has evolved over a significant period of time and has been affected by State processes including the Planning Directive for a State Planning Scheme Template and the Regional Planning Initiatives. As these became legislated components, Council's strategic planning needed to adapt and evolve to be consistent with these requirements.

Whilst the Meander Valley Council – Land Use and Development Strategy 2005 has provided the underlying strategy for the development of a new planning scheme, it has since become outdated on numerous matters and is superseded not only by the overriding statutory requirements of the RLUS, but also by more up to date and contemporary information.

Council's strategic planning for Rural Living and Environmental Living has been developed in accord with regional strategic planning.

- (b) *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;*

Comment:

The amendment is prepared in accordance with the structure and format of the Interim Planning Scheme, consistent with the provisions applying to other like areas in the Meander Valley local government area and throughout the region.

- (c) *To ensure 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;*

Comment:

The environmental values of the land that is proposed to be rezoned and the potential impacts of development have been assessed in detail. By virtue of inclusion into the standard format of the Scheme, the amendment is consistent with provisions relating to the protection of water quality and natural values.

Broader social and economic effects are discussed above in response to regional planning policies.

- (d) *To require 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;*

Comment:

The amendment directly correlates with regional policies for the identification of 'established rural residential areas' and the provision of opportunities for rural residential housing choice in strategic locations.

The amendment is consistent with State policies. Refer to discussion on each applicable State Policy above.

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

Comment:

Not applicable.

- (f) *To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;*

Comment:

The amendment seeks to ensure that appropriate diversity in housing choice and the locations in which it occurs, continues to enable the attraction of population to support Meander Valley's rural settlements.

- (g) *To conserve those buildings, areas or other places which are of scientific, aesthetics, architectural or historical interest, or otherwise of special cultural value;*

Comment:

The amendment includes a scenic protection overlay to be applied to hills to the north of Chudleigh in response to concerns regarding the potential for obtrusive development.

- (h) *To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the*

community;

Comment:

The capacity of existing infrastructure is a key consideration in determining if an area is suitable for intensification. Intensification of development often provides a mechanism for the upgrade of existing infrastructure that would not occur otherwise.

(i) *To provide a planning framework which fully considers land capability.*

Comment:

Land capability for agricultural use is a fundamental consideration and is discussed above under the State Policy on the protection of Agricultural Land and regional policies.

7 Conclusion

The proposed amendment to complete Meander Valley Council's 'rural living strategy' embodies sound strategic planning principles. The amendment:

- reinforces local and regional social and economic objectives relating to support for rural settlements;
- does not compromise land for future resources;
- considers and protects natural values.

Rural residential land use is a key component of the Meander Valley community that has long served the rural towns and villages with a diverse population. This is something that is inherently understood by the Meander Valley Community who, through engagement with the development of a new planning scheme, have expressed the importance of ensuring that this opportunity prevails.

This amendment proposes the continuation of opportunities for rural living across a very large local government area in a manner that is **Responsible, Reasonable, Measured, Modest** and **Fair**.

Appendix A

Agricultural Report – Bishopsbourne Road



Agricultural Report

Report for: Meander Valley Council

Property Location: Bishopsbourne Road,
Carrick TAS 7291

Prepared by: Sam Moore and Astrid Ketelaar
AK Consultants,
40 Tamar Street,
LAUNCESTON, TAS. 7250

Date: 28th November 2014



Summary

Client: Meander Valley Council

Property identification: Current zoning is Rural Resource.
CT 117289/2 (38.37ha), PID: 1534768 (G & C Nott)
CT 111029/1(48.25ha), PID: 1496044 (S Hartam)
CT 108465/13(19.47ha), PID: 7029172 (N & B Stevenson)
CT 108465/12(112.5ha), PID: 7029180 (D Knox)

Proposal: Meander Valley Council seek to re-zone the area to the south of the township of Carrick from Rural Resource to Rural Living and require an Agricultural Report. The subdivision will divide four titles to create 40 lots ranging in size from 0.42ha to 34.6ha.

Published Land Capability: Published Land Capability information at 1:100 000 (DPIPWE, 2007) scale shows the land to be comprised of classes 4, 4+5 & 5 across the four titles.

Assessed Land Capability: From the onsite Land Capability assessment it was determined that Class 5 land is more extensive than is indicated by the Published information at 1:100 000 scale. Three holes were augured in CT 108465/12 with visual observations made of the remainder of the land. On-site excavated pits on CT 108465/12 were used for soil profile descriptions.

Inspection comments: A site visit was undertaken on the 11/07/2014. The purpose of the assessment was to ascertain the Land Capability across the titles, especially the land mapped as Class 4 in order to determine the agricultural productivity and potential of the subject land.

Conclusion: This proposal converts approximately 74ha of Class 4 & 145ha of Class 5 land across four titles from Rural Resource to Rural Living. Of the 219ha total area, 135ha is considered to have primary production value, predominantly grazing with 37ha occasional cropping. The subject titles are unlikely to be farmed in conjunction with each other due to the presence of existing dwellings on all titles and segregation by Bishopsbourne Road. Due to limitations of Land Capability, scale, significant natural values and the presence of existing dwellings, the titles are unlikely to contribute to commercial scale agriculture and are considered to be 'hobby-farms'. This area is isolated from other primary industry activity due to connectivity barriers formed by the township of Carrick to the north, threatened vegetation to the east, the Bass Highway to the south and the Liffey River to the west. The same barriers to connectivity and separation distances provide appropriate buffers between residential uses of the proposed Rural Living Zone and adjacent primary industry use to minimise the risk of the proposed Rural Living zone constraining adjacent primary industry use.

Assessment
by:

A. Ketelaar

Astrid Ketelaar,
Natural Resource Management
Consultant,
Member, Australian Institute of
Agricultural and Science and
Technology (current).

Sam Moore

Sam Moore,
Agricultural Consultant,
Bachelor of Business.



INTRODUCTION

The proponents (Meander Valley Council) on behalf of the landholders of four titles south of Carrick have proposed a change of zoning of approximately 219ha from Rural Resource to Rural Living. Subdivision is then proposed of these four titles into 40 lots ranging in size from 0.42ha to 34.6ha. The current titles are 38ha, 48ha, 19ha & 113ha. All four titles contain existing dwellings and these will be excised on to smaller titles as part of the subdivision.

The titles are in the Rural Resource Zone of the *Meander Valley Interim Planning Scheme 2013* (the Scheme).

This report provides a strategic assessment of the existing and potential primary industry activity on the subject titles and the impact of the proposal on the future use of the land.

In assessing the impacts of the proposal, the objectives of the Rural Resource Zone under the *Meander Valley Interim Planning Scheme 2013* which includes consideration of the principles of the State Policy on the *Protection of Agricultural Land 2009* (PAL Policy) has been considered and consolidated in to two key assessment issues:

- the impact on the primary industry potential of the subject titles; and
- the potential for the subdivided lots to constrain adjacent primary industry activity.

This includes consideration of Land Capability and irrigation water resources for the subject titles and surrounding land.

DESCRIPTION

See Appendix 1 for Land Capability definitions, Appendix 2 for maps and Appendix 3 for photographs.

The subject titles are adjacent titles located to the east and west of Bishopsbourne Road, south of Carrick. The four titles are bounded by the Liffey River to the west, the Bass Highway to the south, the General Residential zone of Carrick to the north and a large 411ha freehold farming title (Hatherley) to the east.

Each title contains an existing dwelling and associated sheds which will all be included in the house lots with the exception of one shed on CT 108465/12 which is 450m north of the existing dwelling and will be included with a newly created lot.

There are no water licenses or irrigation dams associated with the four titles. The two titles on the western side of Bishopsbourne Road adjacent to the Liffey River are within the Cressy Longford Irrigation Water District and the Whitemore Irrigation District. Winter water for takes into storage is likely to be available through these schemes. Flood takes (Surety 8) which can be taken during Hydro Tasmania declared flood take periods would also be available from the Liffey River. None of the four titles appear to have developed any irrigation capacity.

The Groundwater Information Access Portal (DPIPWE, 2009/10) shows no bores on the subject titles and three bores on closely surrounding titles. Nearby bores were drilled in 1966, 1968 & 2009 and have low yields of 1.0, 2.15 & 0.76 litres per second respectively. There is no information available on water quality associated with these bores in the bore registry. The information in the bore registry is indicative only, however, the information suggests there are unlikely to be bores associated with the titles with flows sufficient for irrigation purposes, although bore water could potentially provide stock or domestic water.

Published Land Capability at 1:100 000 (DPIPWE, 2007) scale shows the land to be comprised of classes 4, 4+5 & 5 across the four titles. Published Land Capability across the 219ha is as follows; 134ha of Class 4, 19ha of Class 4+5 & 66ha of Class 5. The Class 4+5 & 5 land is mainly associated with the Liffey River frontage extending to the east across the southern portion of the study area. Most of the subject land is used solely for grazing although there is some evidence of small areas of cropping on portions of the Class 4 land. Across the four titles it is estimated that there is 37ha over five paddocks which has been cropped in the past and has cropping potential.

CT 117289/2 has previously been assessed for Land Capability by Davey & Maynard (2007) which found an area mapped as Class 4 land to be Class 5 due to areas of stone outcrops.

See Appendix 2, Figure 2 for published Land Capability across the two titles. Previously assessed Land Capability on CT 117289/2 by Davey and Maynard (2007) has been incorporated in the assessed Land Capability map; Appendix 2, Figure 3.

The subject titles are made up of a mixture of pastured paddocks and remnant areas of native vegetation. This vegetation is mapped by TASVEG 3.0 as lowland grassland complex (GCL), *Eucalyptus amygdalina* forest and woodland on dolerite (DAD) & *Eucalyptus amygdalina* inland forest and woodland on Cainozoic deposits (DAZ). Natural values have been assessed by Stuart Brownlea (MVC) in a report dated June 2014 and significant natural values; comprised of threatened vegetation communities, threatened flora species and core threatened fauna habitat has been mapped for the four titles. Brownlea has also identified potential threatened fauna habitat. The Brownlea report (2014) is a more accurate representation of the natural values protected under legislation represented by the "significant natural values". In the absence of more detailed assessment the "potential threatened fauna habitat" has also been included in the non-primary production area as the use

of the land for primary industries must take in to consideration protection of the natural values. The subject titles are thus somewhat limited for primary production. See Appendix 2, Figure 4 for assessed natural values adapted from Brownlea (2014).

Mean annual rainfall is 750mm (DPIPWE).

Soils in the area have been previously mapped by Spanswick & Zund (1999) in the Longford & Quamby Reports. The four titles and surrounding land are mapped as Woodstock (140ha), Eastfield (45ha), Cressy (2ha), Panshanger (14ha), Brumby (13ha) & Miscellaneous related to Eastfield 2 (5ha) Associations. Spanswick & Zund (1999), describe Woodstock Association as lateritic and of low fertility. They generally have a dark brownish grey loamy sand to sandy loam topsoil with some ironstone gravel. The subsurface is described as light grey to light brown sand to sandy loam with varying but usually large amounts of ironstone gravel which then extends to a subsoil at 45cm which is mottled bright yellow/red-brown and grey friable clay sometimes with veins of platy ironstone.

Eastfield Association soils are usually a grey-brown loam or fine sandy loam surface, a light grey fine sand to sandy loam subsurface often with much fine rounded ferruginous gravel & a sharp change at about 30cm to a grey-brown, dark yellow-grey, or slightly mottled tough clay, hard when dry and plastic when wet (Spanswick & Zund, 1999).

Hence for the majority of the subject area surface soils are sandy loam over a drainage impeded subsurface layer.

SITE VISIT AND ASSESSED LAND CAPABILITY

Land Capability was determined according to the Land Capability Classification System as defined by Grose (1999) and using the AK Consultants Assessment Protocol (See Appendix 5). The focus of the assessment was on the areas mapped as Class 4 land in the published information at a scale of 1:100 000. This assessment was conducted at a scale of 1:25 000. The site was inspected on the 11th June 2014 and three holes were augured on the pastured area to the north of CT 108465/12 with visual assessment (including existing excavated pits on CT 108465/12) of the remainder of the four titles being undertaken to confirm or otherwise the published Land Capability information at 1:100 000 and previously assessed (Davey & Maynard 2007). See Appendix 2, Figure 3 for assessed Land Capability and Appendix 4 for soil profile descriptions.

Areas of surface gravel become present towards the south of the northern paddock of CT 108465/12 and these areas increased in size and frequency further south into the forested area. Excavated pits within the forested area allowed a good view of the soil profile and it was deemed unnecessary to augur any more pits in the area. Inspection of the soil profiles and observations of high quantities of surface stone determined that the majority of the land on CT 108465/12 to the south of the cropable paddock is actually Class 5. The main limiting factor is surface and

subsurface stone. Soils are confirmed as conforming to the “Woodstock Association” description.

The entirety of CT 108465/13 is confirmed to be Class 4 land based on a reduction in surface stone and an assumption that drainage limitations are the main limiting factor where surface stone reduces.

The area previously assessed by Davey and Maynard (04/06/2007) on CT 117289/2 was inspected and confirmed as Class 5 due to stone outcrops. We have extended this area of Class 5 land assessed by Davey & Maynard on the western side of Bishopsbourne Road to include the areas mapped according to published information as Class 4+5 for the same reasons of surface stone.

Assessed Land Capability by AK Consultants over the 4 titles at a scale of 1:25 000 is 74ha of Class 4 and 145ha of Class 5. See Appendix 1 for Land Capability definitions.

DISCUSSION

Approximately 37ha in five paddocks of the Class 4 land has been utilised for dry land cropping in the past (from historical aerial imagery). This leaves 182ha which has been used solely for grazing in the past; approx. 23.5ha of which remains as *Eucalyptus amygdalina* inland forest and woodland on Cainozoic deposits (DAZ – Brownlea 2014) and an additional 52ha as native grassland communities; lowland grassland complex (GCL) and lowland *Themeda triandra* (GTL – Brownlea 2014) with remnant eucalypts. The remaining 106.5ha is improved pasture. Across the four titles, approximately 25ha is recognised as having significant natural values (threatened vegetation community and/or threatened species habitat) and is protected under legislation from clearance and conversion. An additional 21ha is identified as potential threatened fauna habitat (Brownlea, 2014) and although not protected under legislation, has been included in this assessment as having limited primary production value. Hence of the 219ha total area, 135ha is considered to have primary production value, predominantly grazing with 37ha occasional cropping.

The titles are all single holding titles under separate ownership and are unlikely to be viable¹ farms in isolation. If the four titles were farmed in conjunction, they are still unlikely to be ‘viable’ without irrigation water. There is limited capacity to develop irrigation water resources as the only water available is either low reliability (Surety 8) and low cost Hydro Tasmania water or high reliability and high cost Tasmanian Irrigation scheme water. Both of these options would require pumping from the Liffey River in to a storage dam in winter to be utilised in summer. The capital cost of developing irrigation capacity would necessitate a high value enterprise at a

¹ In our opinion a viable farm is one producing sufficient income to provide for a family and provide full time employment for one person. On this basis the long-term viability of farms producing less than \$150,000 is questionable.

commercial scale to be able to realise a return on investment and this is only likely to be considered if the titles were farmed in conjunction.

Other than being in different ownership, separation by Bishopsbourne Road and the presence of dwellings on each of the titles makes the likelihood of the titles being farmed in conjunction unlikely. All of the titles have attributes which suggest they should be capable of contributing to a commercial scale enterprise. For example at 112.5ha, CT 108465/12 is of a scale that is average for a farming title in this area, however, this land is severely limited by Land Capability (87ha of Class 5), with only 16ha of cropping land. The croppable area of CT 108465/12 is to the north of the title, closer to the township of Carrick and is bordered to the north by land zoned as Recreation (Carrick Pacing Club), to the north and north west by General Residential and to the west by Rural Living further constraining the most productive portion of the title. It would also be difficult to develop irrigation water resources for this title due to distance and no connectivity to the Liffey River. Likewise the two titles adjacent to the Liffey River have small areas of Class 4 land which theoretically could be developed for cropping for one to two years in ten in rotation with pasture. However, the size of the areas for cropping (approx 10ha) on each title is such that it would be difficult to attract annual contracts and develop the areas for cropping in isolation, when relatively frequent grazing rotations need to be included due to the Land Capability limitations.

The presence of dwellings, small scale of the subject titles, different ownership and difficulties in developing irrigation capacity indicates that the titles currently have hobby-farm characteristics and have little potential for commercial scale agriculture.

There is limited scope for the titles to be farmed in conjunction with commercial scale holdings in the area due to connectivity barriers. Although CT 108465/12 is adjacent to the Hatherley property, there is approx. 200m of *E. amygdalina* forest and woodland on Cainozoic deposits (DAZ -TasVeg 3.0) on the Hatherley property. As this is a threatened vegetation community it is protected from clearance and conversion and provides a barrier to connectivity.

Adjacent land to the west of the subject titles is a 96ha title separated from the subject titles by the Liffey River. Adjacent land to the south is comprised of three titles of 18ha, 76ha & 90ha which are separated from the subject titles by the Bass Highway. These are all single holding titles mapped as Class 5 and Class 4 Land Capability and are prevented from being farmed in conjunction with the subject titles due to these significant barriers.

Primary industry use in vicinity to the subject titles is similar and is most likely to be grazing in all directions with published Land Capability at 1:100 000 scale and aerial imagery suggesting the only likely cropping to be to the east (Hatherley), 600m from the eastern boundary of CT 108465/12.

The proposed Rural Living zone would be segregated from adjacent primary industry use by the Liffey River to the west, the township of Carrick to the north, a threatened

vegetation community to the east (DAZ - TASVEG 3.0) and the Bass Highway to the South. Distances to adjacent primary industry use in each of these directions is; 40-50m to the west, 400-1000m to the north, 50-200m to the east and 85m to the south.

There are a range of activities associated with grazing and cropping and Learmonth et.al. (2007) detail the common range of issues associated with sensitive uses such as residential use in the Rural Resource Zone which can constrain agricultural activities (see Appendix 6). The types of activities associated with irrigated cropping which may affect residential amenity include chemical spray drift from fungicide, herbicide and fertiliser, noise from equipment (irrigation equipment, tractors, harvesters, aircraft etc. including during the night and early morning), irrigation water spray drift (generally not potable water), odour from fertilisers and chemicals and dust during harvesting and ground preparation.

The occurrence of tractor activities and other activities which may be of concern for residential amenity is greatly reduced in pasture areas and generally limited to fertiliser spreading, perhaps weed spraying and fodder conservation, and occasional cultivation and re-sowing of pastures. The frequency of any of these activities is much lower than for cropping and less likely to be a concern.

According to the Queensland Guidelines on Effective Separation Distances a separation of 300m on flat land (as recommended for spray drift without vegetated buffers) should be incorporated to minimise the risk of land use conflict. With a 40m vegetated buffer the distance can be reduced to 60m (Queensland Government, 2008).

While this reference provides a useful guideline for determining appropriate buffers between agricultural land use and residential amenity, some of the recommended separation distances (for example 1000m for night time tractor noise) are excessive for Tasmania in areas where intensive agriculture has been coexisting with residential use for many years and where the fragmented nature of the landscape and small areas of intensive use reduce the impact of noise in comparison to other potential impacts.

The existing separation distances and additional buffers provided by Carrick Township, Liffey River, Bass Highway and vegetation are considered sufficient to minimise the risk of the residential use in the proposed Rural Living zone to conflict with primary industry use in the vicinity. In addition to these buffer distances, the Scheme requires all dwellings in the Rural Living zone to be setback 25m from the title boundaries, providing scope for additional vegetated buffers between residential use and agricultural land.

CONCLUSIONS

This proposal converts approximately 74ha of Class 4 & 145ha of Class 5 land across four titles from Rural Resource to Rural Living. Of the 219ha total area, 135ha is considered to have primary production value, predominantly grazing with 37ha occasional cropping.

The subject titles are unlikely to be farmed in conjunction with each other due to the presence of existing dwellings on all titles and segregation by Bishopsbourne Road. Due to limitations of Land Capability, scale, significant natural values and the presence of existing dwellings, the titles are unlikely to contribute to commercial scale agriculture and are considered to be 'hobby-farms'. This area is isolated from other primary industry activity due to connectivity barriers formed by the township of Carrick to the north, threatened vegetation to the east, the Bass Highway to the south and the Liffey River to the west. The same barriers to connectivity and separation distances provide appropriate buffers between residential uses of the proposed Rural Living Zone and adjacent primary industry use to minimise the risk of the proposed Rural Living zone constraining adjacent primary industry use.

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APPENDIX 1— LAND CAPABILITY DEFINITIONS

Land capability Class definitions from Grose CJ (2nd Ed.) 1999, *Land Capability Handbook – Guidelines for the Classification of Agricultural Land in Tasmania*. 2nd Ed, Dept of Primary Industries Water and Environment.

CLASS 1 - Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat land with deep, well drained soils, and in a climate that favours a wide variety of crops. While there are virtually no limitations to agricultural usage, reasonable management inputs need to be maintained to prevent degradation of the resource. Such inputs might include very minor soil conservation treatments, fertiliser inputs or occasional pasture phases. Class 1 land is highly productive and capable of being cropped eight to nine years out of ten in a rotation with pasture or equivalent without risk of damage to the soil resource or loss of production, during periods of average climatic conditions.

CLASS 2 - Land suitable for a wide range of intensive cropping and grazing activities. Limitations to use are slight, and these can be readily overcome by management and minor conservation practices. However the level of inputs is greater, and the variety and/or number of crops that can be grown is marginally more restricted, than for Class 1 land.

This land is highly productive but there is an increased risk of damage to the soil resource or of yield loss. The land can be cropped five to eight years out of ten in a rotation with pasture or equivalent during 'normal' years, if reasonable management inputs are maintained.

CLASS 3 - Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use.

Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

CLASS 4 - Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation.

Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.)

CLASS 5 - This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

CLASS 6 - Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.

CLASS 7 - Land with very severe to extreme limitations which make it unsuitable for agricultural use.

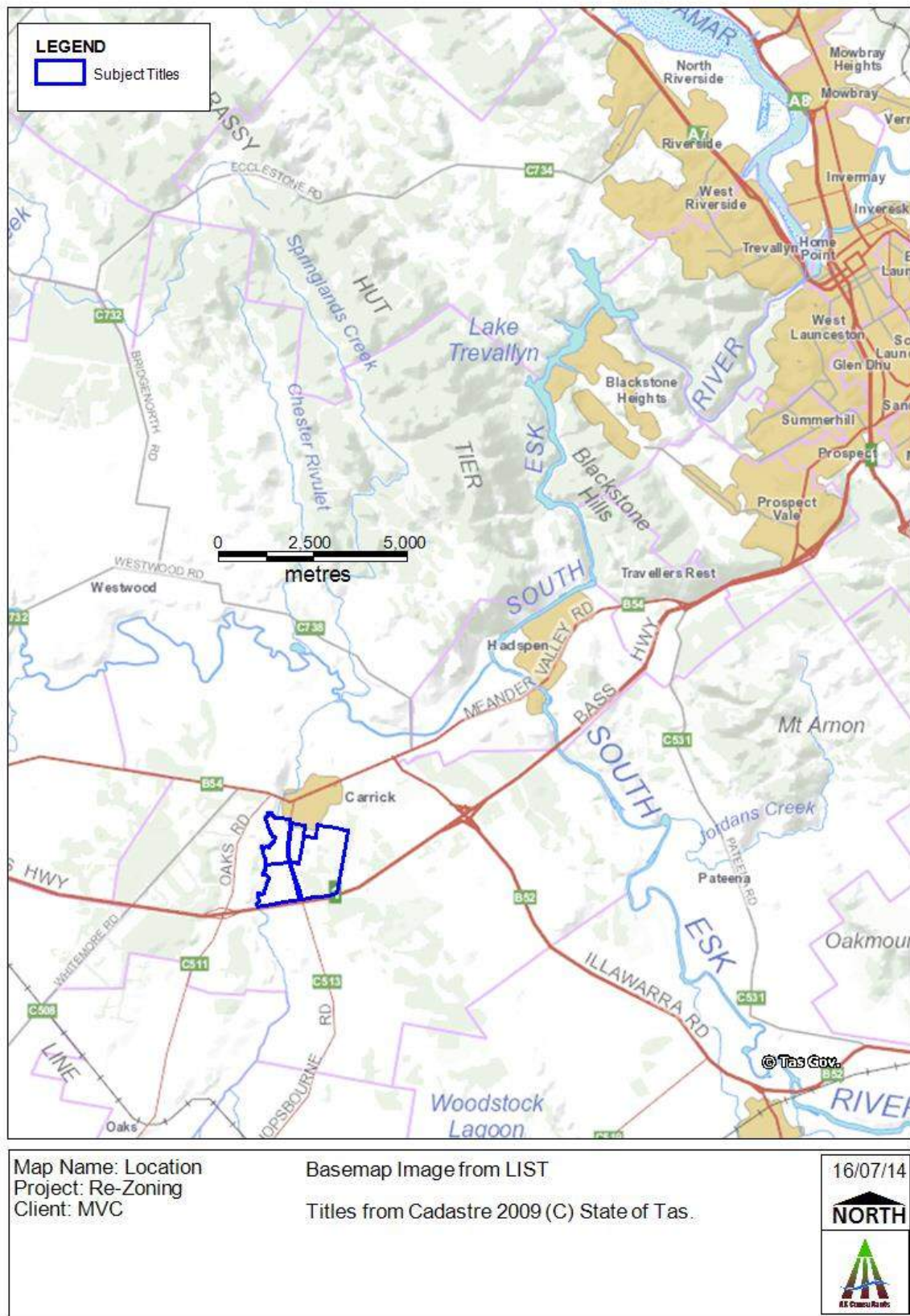


Figure 1. Location

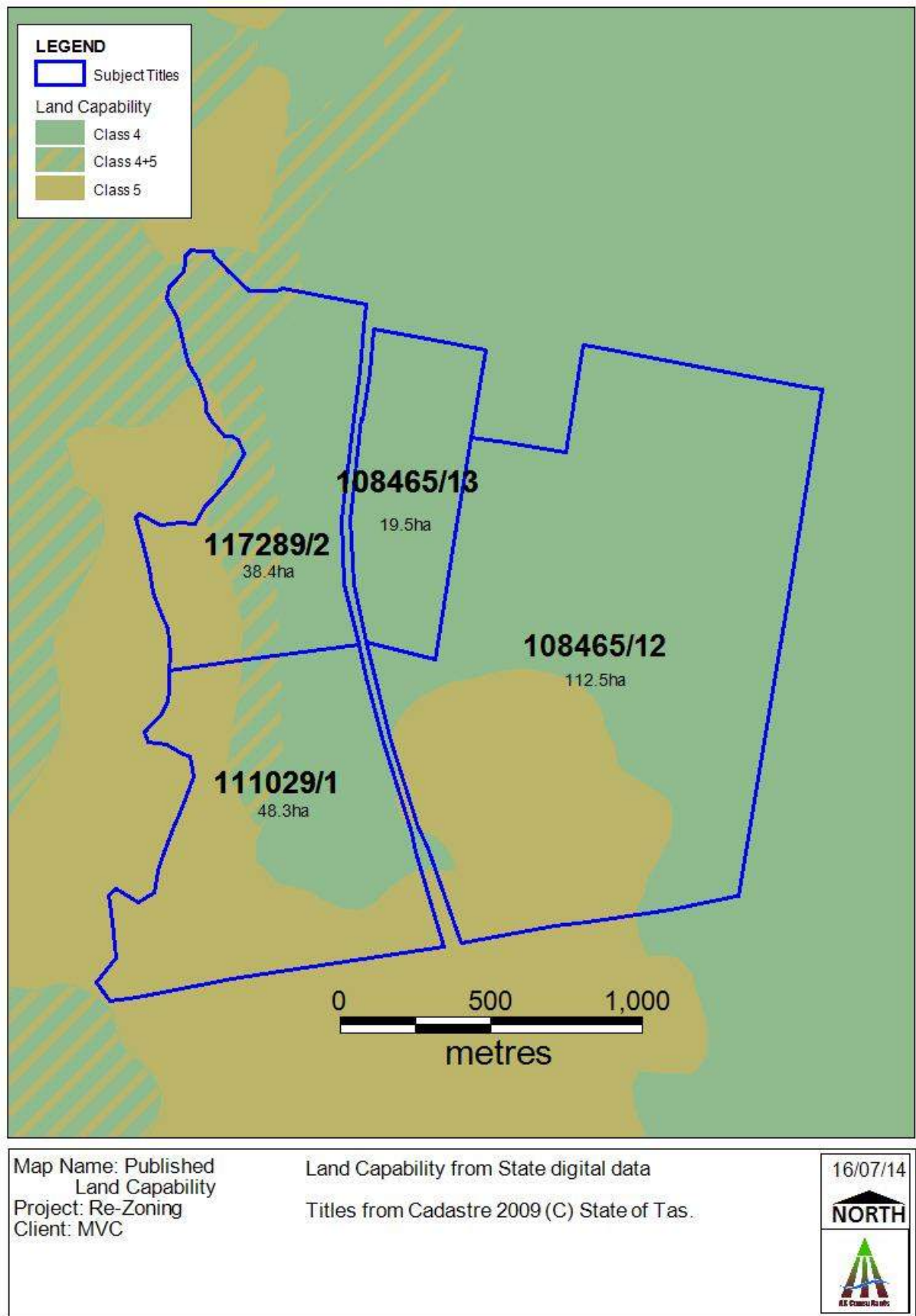


Figure 2. Published Land Capability

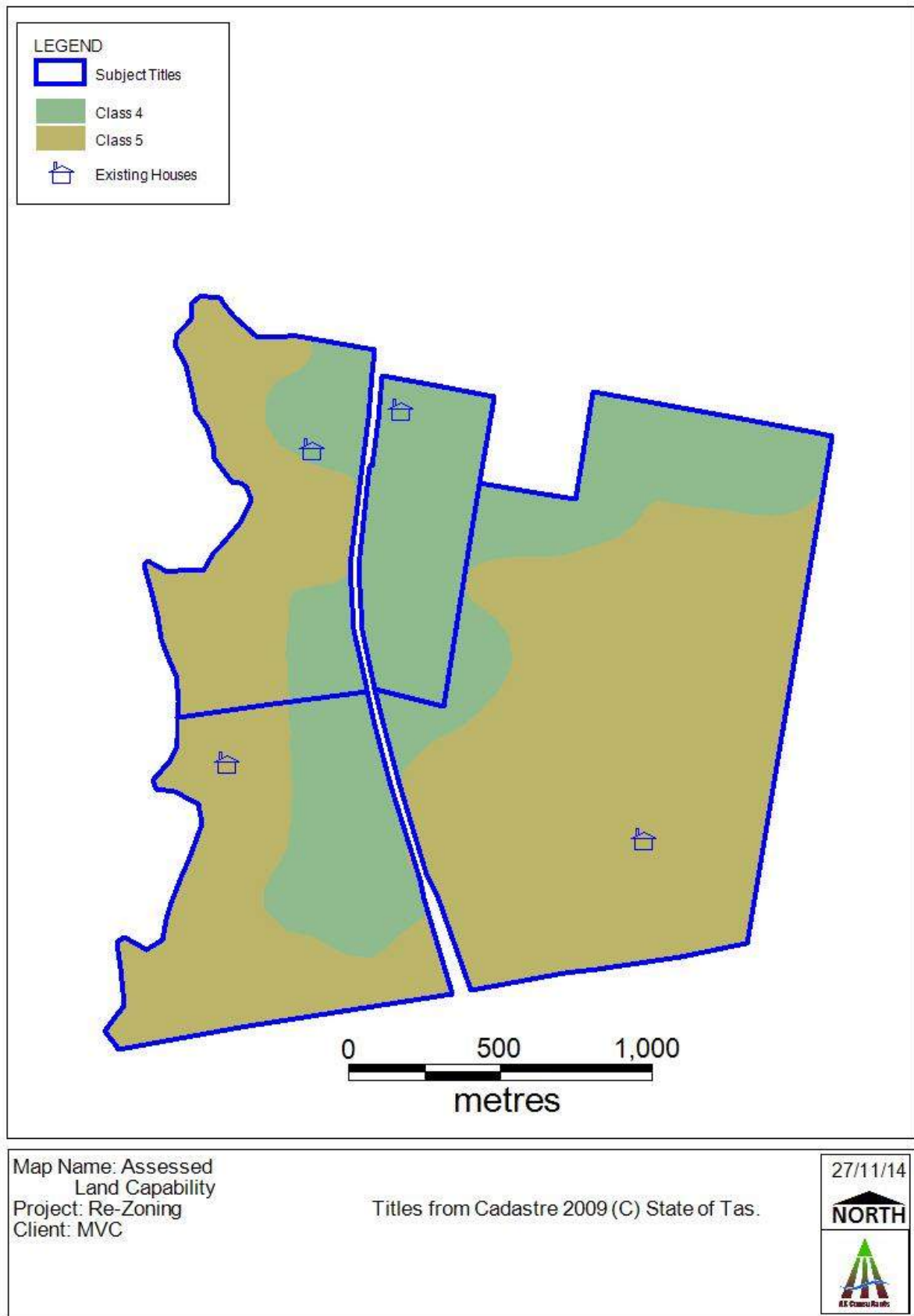


Figure 3. Assessed Land Capability at 1:25 000 including previously assessed area by Davey & Maynard (2007) on CT117289/2.

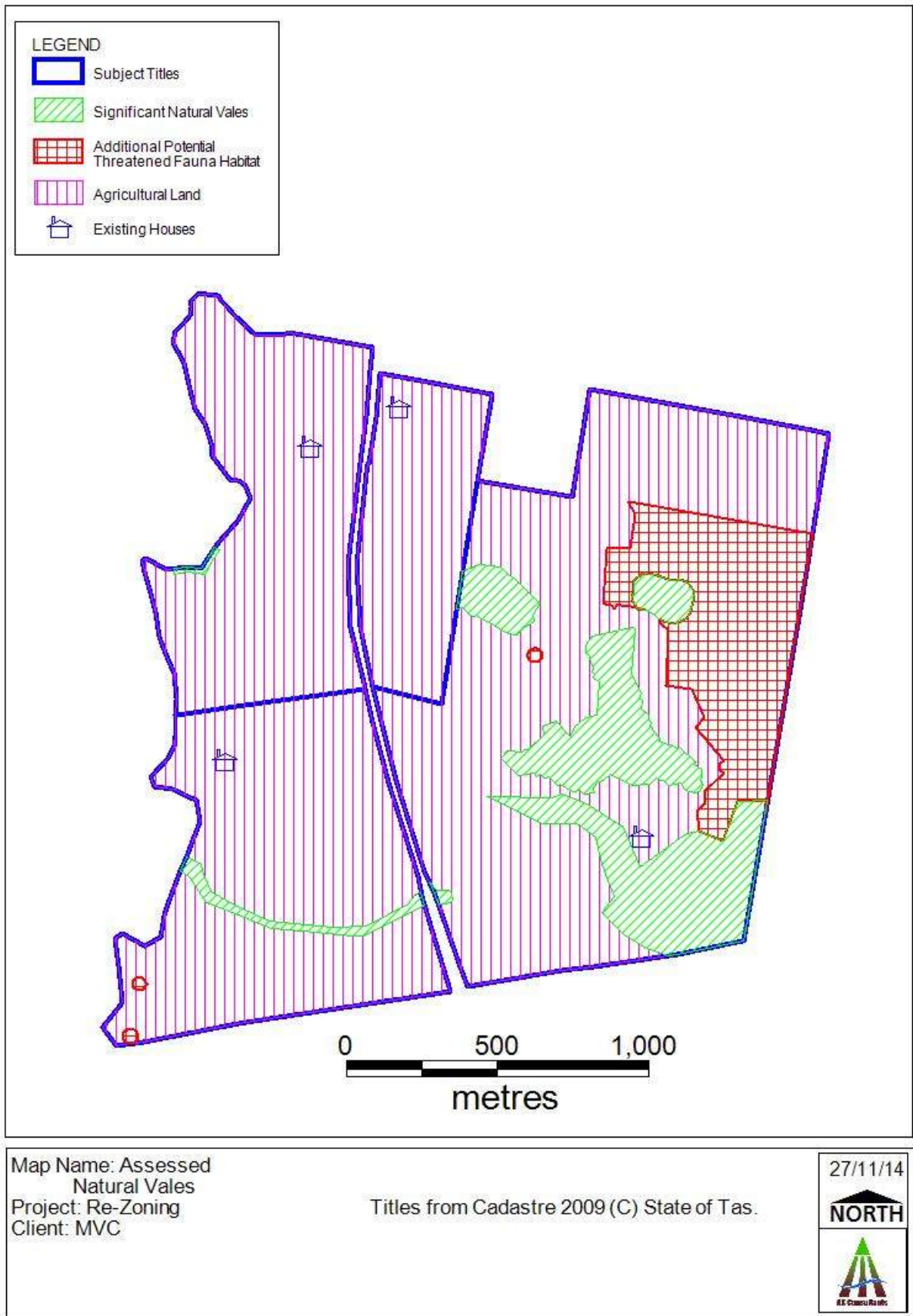


Figure 4. Assessed natural values adapted from Brownlea(2014), indicating potential agricultural land

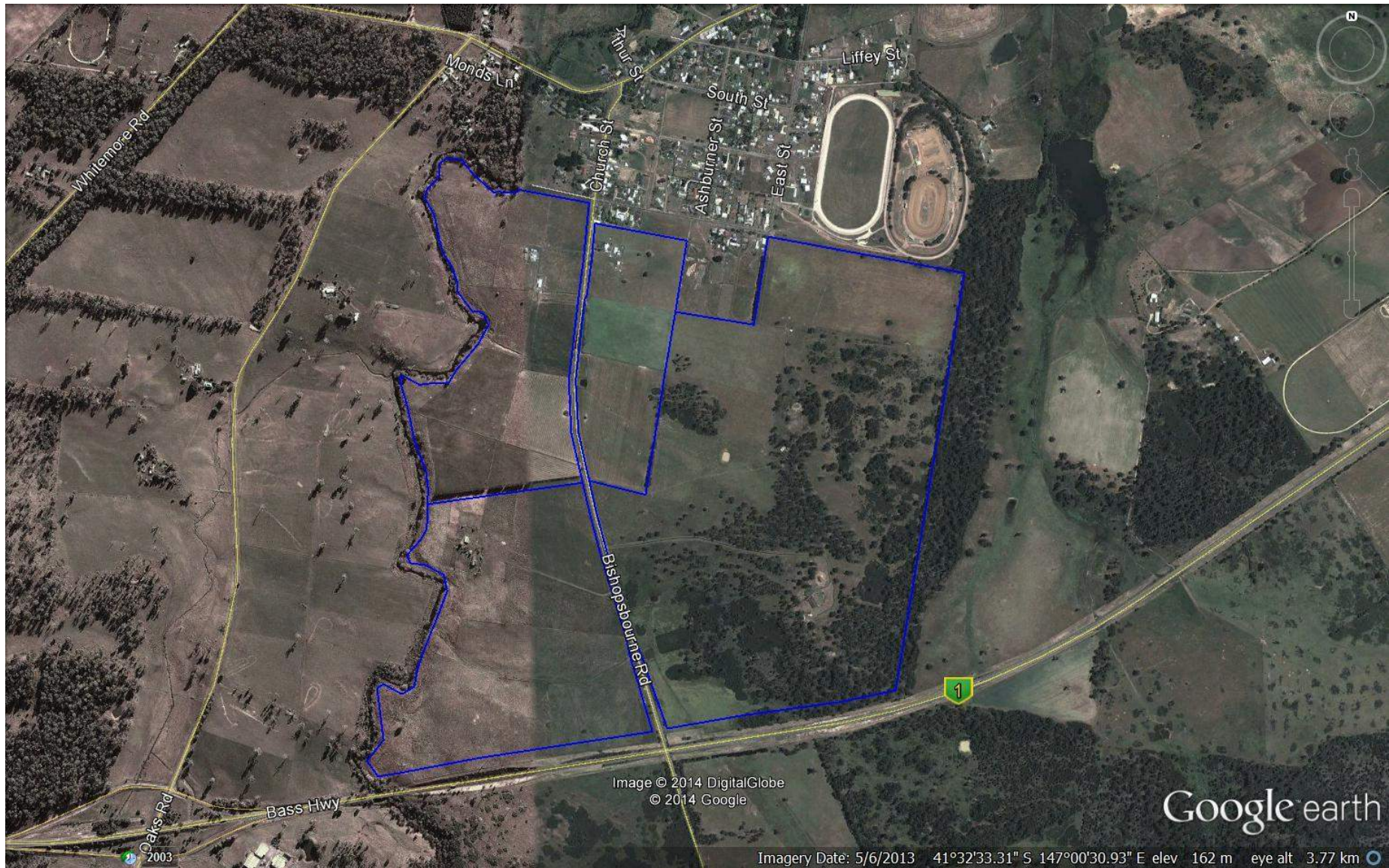


Figure 4. Google Earth image showing existing boundaries in blue.

CONCEPT PLAN 'B'



ARCHITECTS
SURVEYORS
ENGINEERS

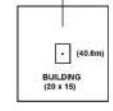


Professional Address:
P.O. Box 10
Toronto, ON
M5C 1A6
Canada

Local Office:
100 The Drive
100 The Drive
P.O. Box 100
P.O. Box 100
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HAZARD MANAGEMENT AREA



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PREPARED FOR:
MENADER VALLEY COUNCIL
TOWN OF CARRICK

PROJECT:
CONCEPT PLAN 'B'

SCALE: 1:5000
DATE: 2015

PROJECT NO: 14.026 DRAWING NO: P01B' x

Figure 5: Site Plan

APPENDIX 3 – PHOTOS

Taken by Sam Moore 11/07/2014



Plate 1. Class 4 land on the north of CT 108465/12 looking east.



Plate 2. Surface gravel towards south of northern paddock of CT 108465/12.



Plate 3. Excavated pit on CT 108465/12 showing soil profile.



Plate 4. Surface gravel in forested area assessed as Class 5.



Plate 5. Forested area on southern portion of CT 108465/12 with soil from the excavated pit in the foreground.



Plate 6. Surface stone in Class 4+5 land assessed as Class 5 on CT 111029/1.



Plate 7. Surface stone in Class 4+5 land assessed as Class 5 on CT 111029

APPENDIX 4. TYPICAL SOIL PROFILE DESCRIPTION



Site: Bishopsbourne Road
 Date: 11th July 2014
 Pit 1:
 Flood risk: nil
 Altitude: 155m
 Slope: flat
 Morphology: flat
 Surface condition: pasture
 Halophytic species: Nil

Plate 11: Pit 1

Profile description pit 1

Depth (cm)	Munsell Colour	Mottle	Bleach	Texture	Structure	Other features
0–20	10yr 3/2	-	-	SL	Weak	Gravel fragments present throughout profile.
20-40	10yr 6/3	-	yes	SL	Weak	
40-60	10yr 4/6	2	-	LC	Moderate	

Comments:

Three pits were augured in the northern paddock of CT 108465/12 to confirm or otherwise the Published Land Capability at 1:100 000 scale. Soils are comprised of a weak-structured, dark greyish brown sandy loam to 20cm, a bleached pale brown sandy loam layer from 20-40cm over a dark yellowish brown light friable clay. Areas of surface gravel become present towards the south of this paddock and increase in size and frequency further south into the forested area.

Excavated pits within the forested area allowed a good view of the soil profile and it was deemed unnecessary to augur any more pits in the area. Inspection of the soil profiles and observations of high quantities of surface stone determined that the majority of the land on CT 108465/12 to the south of the cropable paddock is actually Class 5.

Soils are confirmed as conforming to the “Woodstock Association” description. Woodstock Association soils are described as lateritic and of low fertility. They generally have a dark brownish grey loamy sand to sandy loam topsoil with some ironstone gravel. The subsurface is described as light grey to light brown sand to sandy loam with varying but usually large amounts of ironstone gravel which then extends to a subsoil at 45cm which is mottled bright yellow/red-brown and grey friable clay sometimes with veins of platy ironstone.

This protocol outlines the standards and methodology that AK Consultants uses to assess Land Capability.

In general, we follow the guidelines outlined in the Land Capability Handbook (Grose 1999) and use the survey standards outlined in the Australian Soil and Land Survey Handbooks to describe (McDonald, et al. 1998), survey (Gunn, et al. 1988) and classify (Isbell 2002) soils and landscapes.

Commonly we are requested to assess Land Capability in relation to local government planning schemes. As such the level of intensity of the investigation is usually high and equivalent to a scale of 1:25 000 or better. The choice of scale or intensity of investigation depends on the purpose of the assessment. As the scale increases (becomes more detailed and the scale is a smaller number), the number of observations increases.

An observation can be as much as a detailed soil pit description or as little as measuring the gradient of an area using a clinometer or the published contours in a Geographical Information System and includes soil profile descriptions, auger hole descriptions, and observations confirming soil characteristics, land attributes or vegetation. The table below shows the relationship between scale, observations, minimum distances and areas that can be depicted on a map given the scale and suggested purpose of mapping.

Scale	Area (ha) per observation	Minimum width of map unit on ground	Minimum area of map unit on ground	Recommended use
1:100 000	400ha	300m	20ha	Confirmation of published land capability mapping
1 : 25 000	25ha	75m	1.25ha	Assessments of farms, fettering or alienation of Prime Agricultural Land
1 : 10 000	4ha	30m	2 000m ²	Area assessments of less than 15ha
1 : 5 000	1ha	15m	500m ²	Site specific assessments for houses and areas less than 4ha
1 : 1 000	0.04ha	3m	20m ²	Shown for comparison purposes

Based on 0.25 observations per square cm of map, minimum width of mapping units 3mm on map as per (Gunn, et al. 1988).

Assessment methodology

With all assessments we examine a minimum of three observations per site or mapping unit and determine Land Capability on an average of these observations.

Land Capability is based on limitations to sustainable use of the land, including the risk of erosion, soil wetness, climate and topography. The most limiting attribute determines the Land Capability class. This is not always a soil limitation and thus soil profile descriptions are not always required for each mapping unit. For example, land with slopes greater than 28%, areas that flood annually and areas greater than 600m in elevation override other soil related limitations.

The availability of irrigation water can affect the Land Capability in some areas. An assessment of the likelihood of irrigation water and quality is made where it is not currently available.

As a minimum all assessment reports include a map showing the subject land boundaries, observation locations, published contours and Land Capability.

Definitions

Land Capability

A ranking of the ability of land to sustain a range of agricultural land uses without degradation of the land resource (Grose 1999).

Protocol References

Grose, C J. *Land capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania.* Second Edition. Tasmania: Department of Primary Industries, Water and Environment, 1999.

Gunn, R H, J A Beattie, R E Reid, and R H.M van de Graaff. *Australian Soil and Land Survey Handbook: Guidelines for Conducting Surveys.* Melbourne: Inkata Press, 1988.

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McDonald, R C, R F Isbell, J G Speight, J Walker, and M S Hopkins. *Australian Soil and Land Survey Field Handbook.* Second Edition. Canberra: Australian Collaborative Land Evaluation Program, CSIRO Land and Water, 1998.

APPENDIX 6. POTENTIAL CONFLICT ISSUES

Living and Working in Rural Areas. A handbook for managing land use conflict issues on the NSW North Coast. Learmonth, R., Whitehead, R., Boyd, B., and Fletcher, S. n.d.

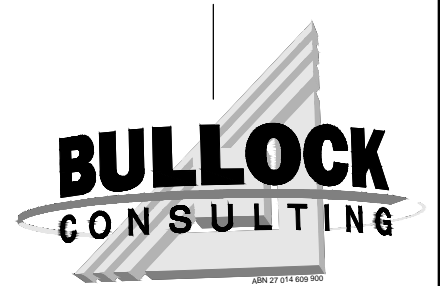
Table 1. Typical rural land use conflict issues in the north coast region

Issue	Explanation
Absentee landholders	Neighbours may be relied upon to manage issues such as bush fires, straying stock, trespassers etc. while the absentee landholder is at work or away.
Access	Traditional or informal 'agreements' for access between farms and to parts of farms may break down with the arrival of new people.
Catchment management	Design, funding and implementation of land, water and vegetatin management plans are complicated with larger numbers of rural land-holders with differing perspectives and values.
Clearing	Neighbours may object to the clearing of trees, especially when it is done apparently without approvals or impacts on habitat areas or local amenity.
Cooperation	Lack of mutual co-operation through the inability or unwillingness on behalf individuals to contribute may curtail or limit traditional work sharing practices on-farm or in the rural community.
Dogs	Stray domestic dogs and wild dogs attacking livestock and wildlife and causing a nuisance.
Drainage	Blocking or changing drainage systems through a lack of maintenance or failure to cooperate and not respect the rights of others.
Dust	Generated by farm and extractive industry operations including cultivating, fallow (bare) ground, farm vehicles, livestock yards, feed milling, fertiliser spreading etc.
Dwellings	Urban or residential dwellings located too close to or affecting an existing rural pursuit or routine land use practice.
Electric fences	Electric shocks to children, horses and dogs. Public safety issues.
Fencing	Disagreement about maintenance, replacement, design and cost.
Fire	Risk of fire escaping and entering neighbouring property. Lack of knowledge of fire issues and the role of the Rural Fire Service.
Firearms	Disturbance, maiming and killing of livestock and pest animals, illegal use and risk to personal safety.
Flies	Spread from animal enclosures or manure and breeding areas.
Heritage management	Destruction and poor management of indigenous and non indigenous cultural artefacts, structures and sites.
Lights	Bright lights associated with night loading, security etc.
Litter	Injury and poisoning of livestock via wind blown and dumped waste. Damage to equipment and machinery. Amenity impacts.
Noise	From farm machinery, scare guns, low flying agricultural aircraft, livestock weaning and feeding, and irrigation pumps.
Odours	Odours arising from piggeries, feedlots, dairies, poultry, sprays, fertiliser, manure spreading, silage, burning carcasses/crop residues.
Pesticides	Perceived and real health and environmental concerns over the use, storage and disposal of pesticides as well as spray drift.
Poisoning	Deliberate poisoning and destruction of trees/plants. Spray drift onto non-target plants. Pesticide or poison uptake by livestock and human health risks.
Pollution	Water resources contaminated by effluent, chemicals, pesticides, nutrients and air borne particulates.
Roads	Cost and standards of maintenance, slow/wide farm machinery, livestock droving and manure.
Smoke	From the burning of crop residues, scrub, pasture and windrows.
Soil erosion	Loss of soil and pollution of water ways from unsustainable practices or exposed soils. Lack of adequate groundcover or soil protection.
Straying livestock	Fence damage, spread of disease, damage to crops, gardens and bush/rainforest regeneration.
Theft/vandalism	Interference with crops, livestock, fodder, machinery and equipment.
Tree removal	Removal of native vegetation without appropriate approvals. Removal of icon trees and vegetation.
Trespass	Entering properties unlawfully and without agreement.
Visual/amenity	Loss of amenity as a result of reflective structures (igloos, hail netting), windbreaks plantings (loss of
Water	Competition for limited water supplies, compliance with water regulations, building of dams, changes to flows. Stock access to waterways. Riparian zone management.
Weeds	Lack of weed control particularly noxious weeds, by landholders.
Based on: Smith, RJ (2003) Rural Land Use Conflict: Review of Management Techniques – Final Report to Lismore Living Centres (PlanningNSW).	

Appendix B

Bishopsbourne Road – Subdivision Development Plan

CONCEPT PLAN 'B'



ARCHITECTS
SURVEYORS
ENGINEERS



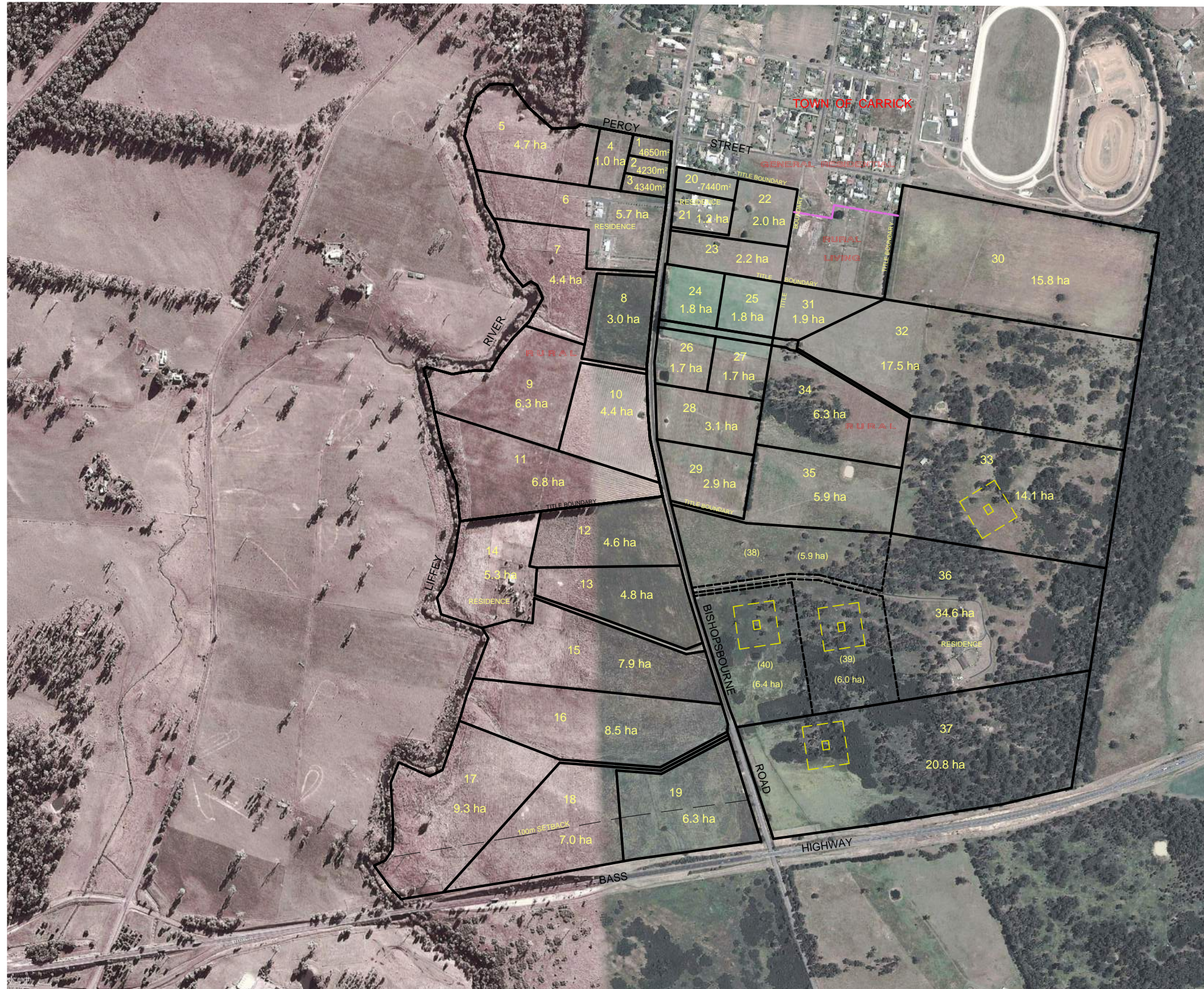
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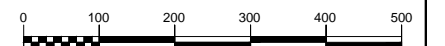
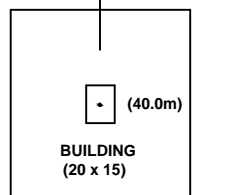
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ISSUE	DATE	ISSUED FOR	REV.
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HAZARD MANAGEMENT
AREA



SCALE 1:5000 (A1)



DIMENSIONS ARE IN METRES. DO NOT SCALE. CHECK AND VERIFY ALL DIMENSIONS ON SITE. REFER DISCREPANCIES TO THE SUPERINTENDENT. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH APPLICABLE AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS.

PROJECT: MENADER VALLEY COUNCIL
TOWN OF CARRICK
ADDRESS:
ADDRESS:
FOR:
DRAWING: CONCEPT PLAN 'B'

DESIGNED: DRAWN: G.L.E. CHECKED:
SCALES: 1:5000 AT A1 SIZE DRAWING SHEET
APPROVED: DATE:

PROJECT No. 14.026 DRAWING No. P01B REV x

Appendix C

Bushfire Hazard Assessment

Bushfire Hazard Management Report

Report for: Meander Valley Council

Property Location: Bishopsbourne Road,
Carrick, TAS, 7291

Prepared by: Scott Livingston
AK Consultants,
40 Tamar Street,
LAUNCESTON, TAS. 7250

Date: 5th December 2014



Summary

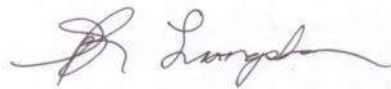
Client: Meander Valley Council

Property identification: Current zoning: Rural Resource (Meander Valley Interim Planning Scheme 2013)
CT 117289/2 (38.4ha)
CT 108465/13 (19.5ha)
CT 108465/12 (112.5ha)
CT 111029/1 (48.3ha)

Proposal: A 40 lot subdivision for four titles under separate ownership on Bishopsbourne Road, Carrick.

Assessment comments: A field inspection of the site was conducted to determine the Bushfire Attack Level and Risk.

Conclusion:



Assessment by:

Scott Livingston,
Master Environmental Management,
Natural Resource Management Consultant.

Accredited Person under part 4A of the Fire Service Act 1979:
Accreditation # BFP-105



DESCRIPTION

A 40 lot subdivision is proposed for land at Bishopsbourne Road, Carrick. The four existing titles are under separate ownership and all contain existing dwellings.

The subject titles are adjacent titles located to the east and west of Bishopsbourne Road, south of Carrick. The four titles are bounded by the Liffey River to the west, the Bass Highway to the south, the General Residential zone of Carrick to the north and a large 411ha freehold farming title (Hatherley) to the east.

Each title contains an existing dwelling and associated sheds which will all be included in the house lots with the exception of one shed on CT 108465/12 which is 450m north of the existing dwelling and will be included with a newly created lot.

The General Residential zoned land to the north can be considered low fuel, although land in other directions is grassland (west and south) and forest (east and south). Vegetation along the Liffey River is classed as scrub and the vegetation within the lots themselves is grassland and woodland rather than forest as a pasture understory is present. Patches of gorse within the lots are classified as scrub. Most lots within the subdivision are too large to assume that they will be entirely managed land in the future and BAL ratings have been assessed according to existing vegetation types.

See Appendix 1 for maps. Appendix 2 for photographs.

BAL AND RISK ASSESSMENT

The Development is considered to be within a Bushfire Prone Area due to the proximity of grassland, woodland, scrub and forest vegetation greater than 1ha in area. Lots 6, 14, 21 & 36 contain existing dwellings and no increase in risk will occur due to the development and therefore need not comply with bushfire code provisions.

VEGETATION AND SLOPE

	North	East	South	West
Vegetation, within 100m of subdivision boundary	0-100m Managed Land (General Residential)	0-100m Forest	0-50m Managed Land (Bass Highway), 50-100m Grassland & Forest	0-20m Riparian Scrub, 20-100m Grassland
Slope (degrees, over 100m)	Upslope/Flat	Upslope/Flat	Upslope/Flat	Upslope/Flat

BUILDING AREA BAL RATING

Setback distances for BAL Ratings have been calculated on existing vegetation types. The proposed lots are too large to assume that they will be entirely managed land in the future and have been treated as their current vegetation type of grassland, woodland or scrub. Forest also exists on adjacent land but not within the lots.

The setbacks shown do not account for any other setback requirements that may be applicable under planning scheme provisions, nor do they account for topographic or other constraints.

BAL SETBACK REQUIREMENTS:

Direction	BAL 12.5				BAL 19			
	Grass land	Wood land	Scrub	Forest	Grass land	Wood land	Scrub	Forest
Upslopes and flat	14m	22m	27m	32m	10m	15m	19m	23m
Downslopes 0-5°	16m	26m	31m	38m	11m	18m	22m	27m

BAL RATINGS:

Lots 6, 14, 21, 36 are exempt as these contain existing dwellings.

Habitable buildings on all other lots must be built to BAL 19 standards and require setbacks between any future dwelling and the lot boundaries for bushfire protection purposes according to the table below.

LOT	BAL RATING	SETBACKS
1	BAL 19	10m from southern & western boundaries.
2	BAL 19	10m from northern, southern and western boundaries.
3	BAL 19	10m from northern, southern and western boundaries.
4	BAL 19	10m from eastern, southern and western boundaries.
5	BAL 19	10m from eastern and southern boundaries. 32m from northern/western boundary.
6	Exempt	Exempt
7	BAL 19	10m from northern, eastern and southern boundaries. 19m from western boundary.
8	BAL 19	10m from northern, southern and western boundaries.
9	BAL 19	10m from northern, eastern and southern boundaries. 19m from western boundary.
10	BAL 19	10m from northern, southern and western boundaries.
11	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
12	BAL 19	10m from northern, southern and western boundaries.
13	BAL 19	10m from northern, southern and western boundaries.

14	Exempt	Exempt
15	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
16	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
17	BAL 19	10m from northern & southern eastern boundaries. 19m from western boundary
18	BAL 19	10m from northern, eastern and western boundaries.
19	BAL 19	10m from northern and western boundaries.
20	BAL 19	10m from southern and western boundaries
21	Exempt	Exempt
22	BAL 19	10m from eastern, southern and western boundaries.
23	BAL 19	10m from northern, eastern and southern boundaries.
24	BAL 19	10m from northern, eastern and southern boundaries.
25	BAL 19	10m from all boundaries.
26	BAL 19	10m from northern, eastern and southern boundaries.
27	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
28	BAL 19	10m from northern and southern boundaries. 15m from eastern boundary.
29	BAL 19	10m from northern, eastern and southern boundaries.
30	BAL 19	10m from northern and western boundaries. 15m from southern boundary and 23m from eastern boundary.
31	BAL 19	10m from all boundaries.
32	BAL 19	10m from northern, north western and south western boundaries. 15m from southern boundary and 23m from eastern boundary.
33	BAL 19	10m from western boundary. 15m from northern and southern boundaries. 23m from eastern boundary.
34	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
35	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
36	Exempt	Exempt
37	BAL 19	19m from northern boundary. 23m from eastern boundary.
38	BAL 19	10m from northern boundary. 15m from eastern and southern boundaries.
39	BAL 19	15m from northern and eastern boundaries. 19m from southern and western boundaries.
40	BAL 19	10m from northern boundary. 19m from eastern and southern boundaries.

Note the above setbacks are for bushfire only and no account has been taken of other planning scheme or environmental constraints.

Where lots have threatened vegetation communities and these are assumed to have clearing restrictions and impact on the available building areas on those lots.

FIRE FIGHTING WATER SUPPLY

Only building areas on Lot 1 will be serviced by reticulated water supply and be entirely within 120m of the nearest fireplug. It is assumed under Bushfire Advisory Note 2, that the supply will provide adequate flows and pressure. Lots 2, 20 & 30 have partial building areas within 120m hose lay of a fireplug and the requirement for additional water supply for these lots will depend on location of any future habitable building on these lots. Lots 6, 14, 21 & 36 contain existing dwellings and need not comply with water supply provisions of the Bushfire Code.

The building areas on all other lots will be greater than 120m hose lay from the nearest fire plug and additional fire plug(s) need to be installed or lots will require a static water supply.

If the furthest extent of any future habitable building on all lots will be greater than 120m hose lay from the closest fire plug, a 10,000L static firefighting water supply must be located within 3m of accessible hard standing (access road, turning bay etc.), sited greater than 6m but closer than 120m to the habitable building.

- Tanks, above ground pipes and fittings must be made of non-rusting, non-combustible, non-heat-deforming materials
- Tanks must have an opening in the top of not less than 250mm diameter or be fitted with a standard compliant forged Storz 65mm adaptor fitted with a standard (delivery) washer rated to 1800 kPa working pressure and 2400 kPa burst pressure

ACCESS

Most lots have sufficient building areas within 200m of a through road as required by acceptable solutions of the Bushfire Code (E1.6.1.2.A1.c) with the exception of Lots 17, 18, 31, 32, 33, 34 & 39.

This can be remedied for Lots 31-34 & 39 by the creation of an additional R.O.W. along the western boundary of Lots 33 & 36 to adjoin the two access roads for these lots. This R.O.W and the above mentioned access roads must be constructed to at least a Class 4C standard.

Lots 17 & 18 on the western side of Bishopsbourne Road, do not have adequate building areas at BAL 19 within 200m of the through road, however the surrounding land is pasture, and is likely to become a mosaic of grassland and managed land, coupled with the direction of travel being away from likely fires it is considered acceptable for up to 250m access if to 4m width and 300m if to 6m with (dual lane).

Bushfire Code E1.6.1.2.cii, acceptable solutions, requires a perimeter road between the lots and bushfire prone vegetation. This requirement can be addressed through provision in subdivision BHMP requiring driveways encircling the dwellings

All lots must have access to within 30m of the furthest extent of the building area. Internal access to Class 4C standards will be required to meet this condition for future dwellings.

CONCLUSIONS

The proposed subdivision is considered bushfire prone. All proposed lots have building areas available at BAL 19 with hazard management areas contained within the lot boundaries.

Additional static water supply of 10,000L per habitable building will be required for any future habitable buildings on all lots (except Lot 1) if the furthest extent of the habitable building is greater than 120m from the nearest fireplug. Lots 2, 20 & 30 have partial building areas within 120m hose lay of the nearest fireplugs and requirement for additional water supply will depend on the location of future habitable buildings within the lot.

Internal access will be required on all lots to within 30m of the furthest extent of any future habitable building subject to location and size of the habitable buildings, lots with adjacent bushfire prone vegetation are likely to require driveways encircling the dwellings. Additional roading will be required to that outlined on the site plan. A link must be provided between access roads for Lot 33 and Lot 36 along the western boundaries of these lots to provide through access for lots 31-34 which don't have building areas within 200m of a through road. The access roads and linking road between these lots must be of a minimum Class 4C standard. Building areas on lots 17 & 18 must be within 250 Or 300m of Bishopsbourne RD depending on width of construction.

REFERENCES

Meander Valley Council (2013). *Meander Valley Planning Scheme 2013. Bushfire Prone Areas Code.*

Standards Australia. (2009). *AS 3959-2009 Construction of Buildings in Bushfire Prone Areas.*

Tasmania Fire Service, (2014). *Bushfire Prone Areas Advisory Note 1-2014 v2 .*

Tasmania Fire Service, (2014). *Bushfire Prone Areas Advisory Note 2-2014 v2 .*



Figure 1: Location map

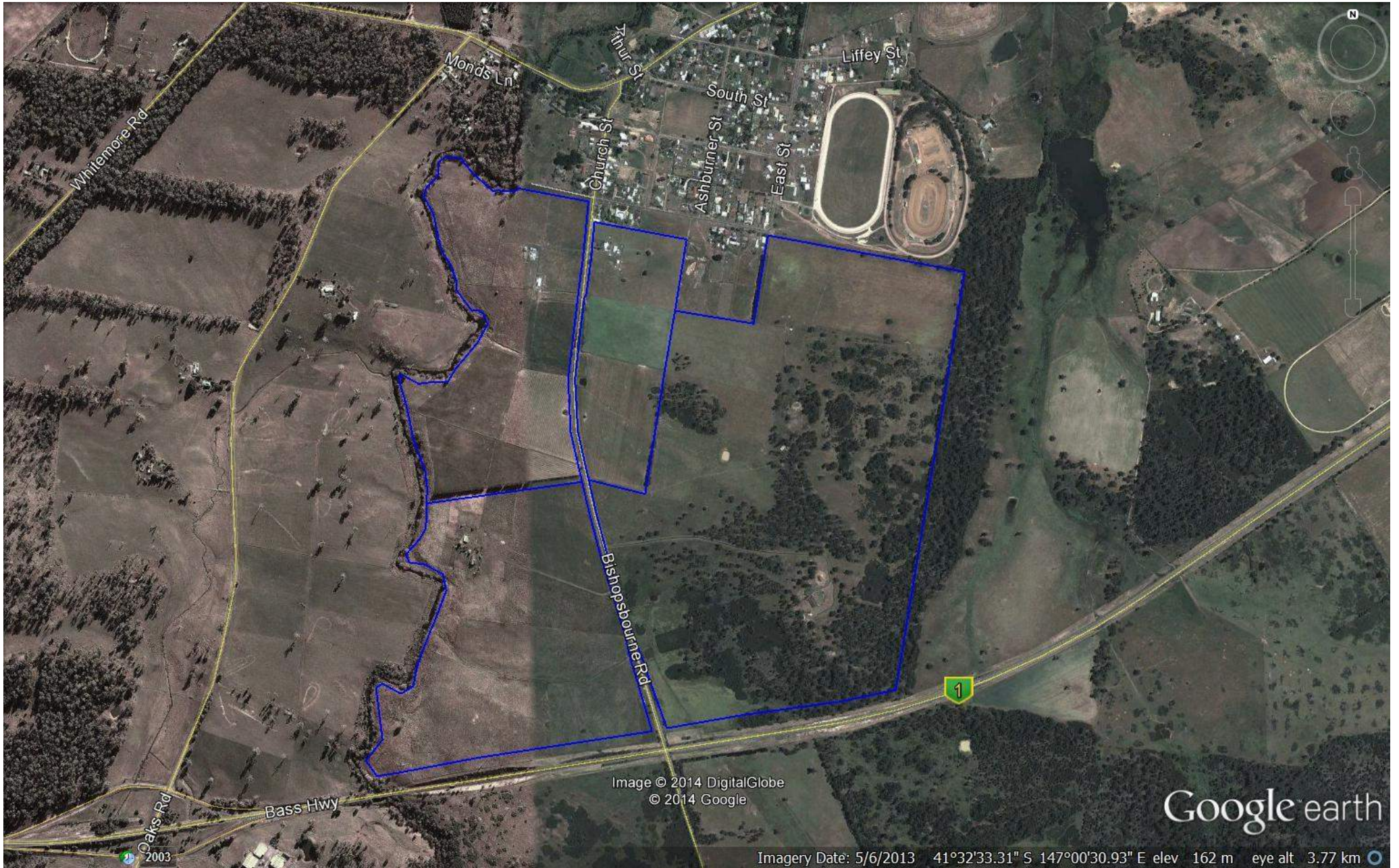
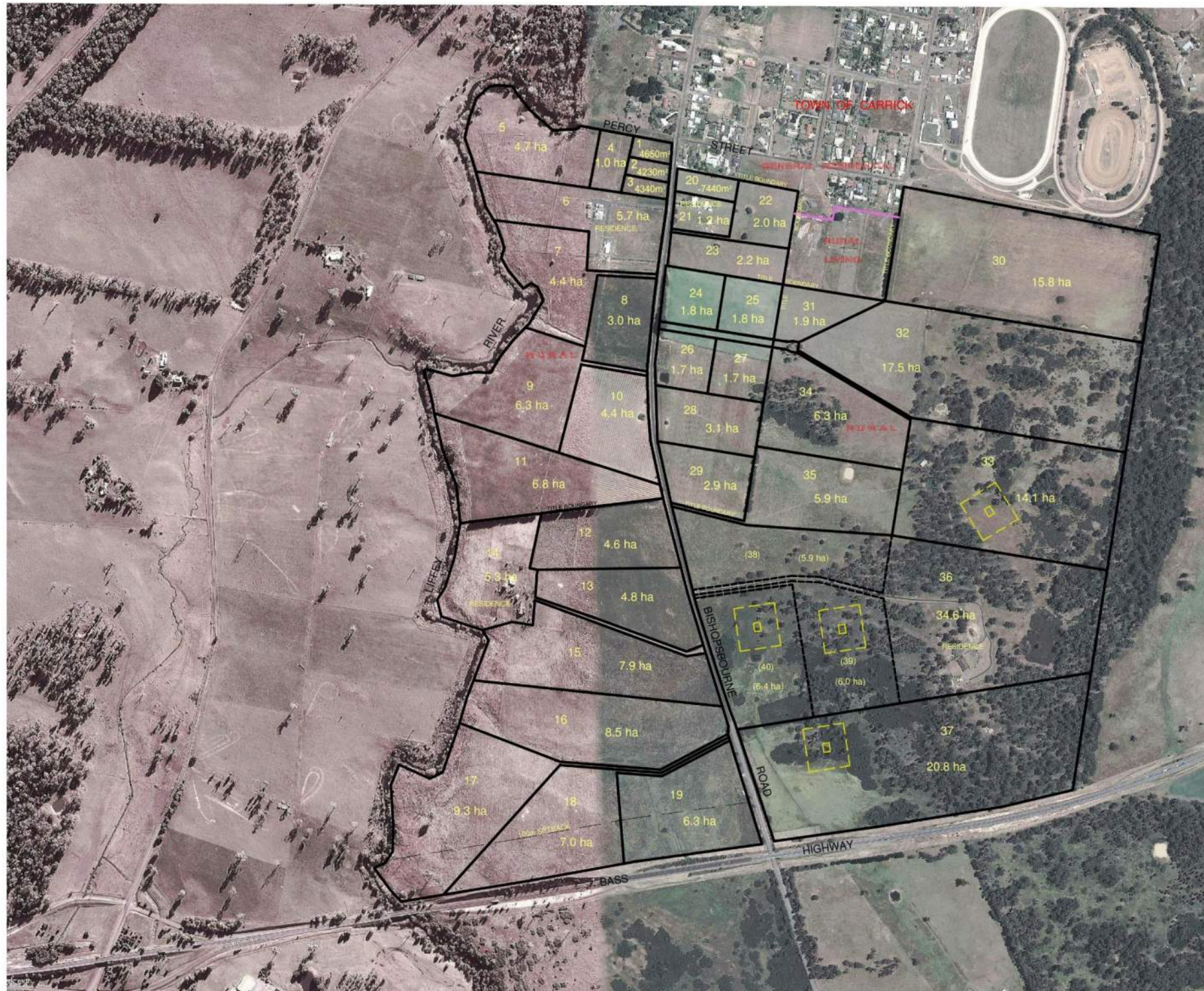


Figure 2: Google Earth Images showing subject titles in blue

CONCEPT PLAN 'B'



ARCHITECTS
SURVEYORS
ENGINEERS



ABP No. CC68747 Architectural
ABP No. CC16533 Structural / Civil

Postal Address
PO Box 63
Flinderside
Tasmania 7250

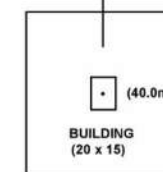
Tener Suite 103
The Clarks
287 Charles Street
Launceston Tasmania
Ph: (03) 6332 3300
Fax: (03) 6331 7188

57 Best Street
Devonport Tasmania
Ph: (03) 8424 7181
Fax: (03) 8424 7181

e: admin@bullock.com.au
w: www.bullock.com.au

BOOK	DATE	ISSUED FOR	REV.
01	06.06.00	INFORMATION	-

HAZARD MANAGEMENT
AREA



SCALE 1:5000 (A1)



DIMENSIONS ARE IN METRES. DO NOT SCALE. CHECK AND VERIFY ALL DIMENSIONS ON SITE. REFER DISCREPANCIES TO THE SUPERINTENDENT. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH APPLICABLE AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS.

PROJECT: MENADER VALLEY COUNCIL

PROJECT: TOWN OF CARRICK

ADDRESS:

FOR:

DRAWING: CONCEPT PLAN 'B'

DESIGNED: DRAWN: G.L.E. CHECKED:

SCALE: 1:5000 AT A1 SIZE (DRAWING SHEET)

APPROVED: DATE:

PROJECT No. 14.026 DRAWING No. P01B x

Figure 3: Plan of Subdivision

Figure 4: Building Areas



Plate 1: Looking east over Lot 30. Forest in background is on adjacent title.



Plate 2: Woodland on lots 32/33

BUSHFIRE HAZARD MANAGEMENT PLAN: BISHOPSBOURNE ROAD, CARRICK

BAL RATINGS

Lots 6, 14, 21, 36 are exempt as these contain existing dwellings.

Habitable buildings on all other lots must be built to BAL 19 standards and require setbacks between any future dwelling and the lot boundaries for bushfire protection purposes according to the table below. This allows habitable buildings to be setback far enough to maintain hazard management areas within the title boundaries.

BUILDING AREAS

LOT	BAL RATING	SETBACKS
1	BAL 19	10m from southern & western boundaries.
2	BAL 19	10m from northern, southern and western boundaries.
3	BAL 19	10m from northern, southern and western boundaries.
4	BAL 19	10m from eastern, southern and western boundaries.
5	BAL 19	10m from eastern and southern boundaries. 32m from northern/western boundary.
6	Exempt	Exempt
7	BAL 19	10m from northern, eastern and southern boundaries. 19m from western boundary.
8	BAL 19	10m from northern, southern and western boundaries.
9	BAL 19	10m from northern, eastern and southern boundaries. 19m from western boundary.
10	BAL 19	10m from northern, southern and western boundaries.
11	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
12	BAL 19	10m from northern, southern and western boundaries.
13	BAL 19	10m from northern, southern and western boundaries.
14	Exempt	Exempt
15	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
16	BAL 19	10m from northern and southern boundaries. 19m from western boundary.
17	BAL 19	10m from northern & southern eastern boundaries. 19m from western boundary
18	BAL 19	10m from northern, eastern and western boundaries.
19	BAL 19	10m from northern and western boundaries.
20	BAL 19	10m from southern and western boundaries
21	Exempt	Exempt
22	BAL 19	10m from eastern, southern and western boundaries.
23	BAL 19	10m from northern, eastern and southern boundaries.
24	BAL 19	10m from northern, eastern and southern boundaries.
25	BAL 19	10m from all boundaries.
26	BAL 19	10m from northern, eastern and southern boundaries.

27	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
28	BAL 19	10m from northern and southern boundaries. 15m from eastern boundary.
29	BAL 19	10m from northern, eastern and southern boundaries.
30	BAL 19	10m from northern and western boundaries. 15m from southern boundary and 23m from eastern boundary.
31	BAL 19	10m from all boundaries.
32	BAL 19	10m from northern, north western and south western boundaries. 15m from southern boundary and 23m from eastern boundary.
33	BAL 19	10m from western boundary. 15m from northern and southern boundaries. 23m from eastern boundary.
34	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
35	BAL 19	10m from northern, southern and western boundaries. 15m from eastern boundary.
36	Exempt	Exempt
37	BAL 19	19m from northern boundary. 23m from eastern boundary.
38	BAL 19	10m from northern boundary. 15m from eastern and southern boundaries.
39	BAL 19	15m from northern and eastern boundaries. 19m from southern and western boundaries.
40	BAL 19	10m from northern boundary. 19m from eastern and southern boundaries.

ACCESS

- All new habitable buildings must have access, constructed to Class 4C standards to within 30m of the furthest extent of the building area. Internal access may be necessary to meet this requirement.
- Internal access must meet modified Class 4C standards, a minimum of 4m wide and be clear of vegetation for 2m either side of the carriageway to within 30m of the furthest extent of the habitable building.
- Where building areas are adjacent to bushfire prone vegetation the access must encircle the dwelling

WATER SUPPLY

Only building areas on Lot 1 will be serviced by reticulated water supply and be entirely within 120m of the nearest fireplug. It is assumed under Bushfire Advisory Note 2, that the supply will provide adequate flows and pressure. Lots 2, 20 & 30 have partial building areas within 120m hose lay of a fireplug and the requirement for additional water supply for these lots will depend on location of any future habitable building on these lots. Lots 6, 14, 21 & 36 contain existing dwellings and need not comply with water supply provisions of the Bushfire Code.

The building areas on all other lots will be greater than 120m hose lay from the nearest fire plug and additional fire plug(s) need to be installed or lots will require a static water supply.


If the furthest extent of any future habitable building is located greater than 120m hose lay from the nearest fireplug, on site water Storage – 10,000 litre per habitable building, dedicated firefighting water supply tank, swimming pool, dam or the like is to be provided as specified below:

- Tanks, above ground pipes and fittings must be made of non-rusting, non-combustible, non-heat-deforming materials ,
- Water supply to be located within 3m of accessible hard standing (access road, turning bay etc.),
- Tank and fittings must be situated more than 6m from a building but contained within the Hazard Management Area and within 120m of the habitable building ,
- Tanks must have an opening in the top of not less than 250mm diameter or be fitted with a standard compliant forged Storz 65mm adaptor fitted with a standard (delivery) washer rated to 1800 kPa working pressure and 2400 kPa burst pressure.



Tasmania Fire Service

Approved Form of a Bushfire Hazard Management Plan

Chief Officer's requirements for a Bushfire Hazard Management Plan for compliance or exemption			
<i>Version:</i>	<i>1</i>	<i>Issue Date:</i>	<i>7 February 2014</i>
Purpose	<p>To provide an approved form for a Bushfire Hazard Management Plan in accordance with:</p> <p>Section 60A of the <i>Fire Service Act 1979</i> -</p> <p><i>bushfire hazard management plan</i> means a plan showing means of protection from bushfires in a form approved in writing by the Chief Officer.</p> <p><i>Section 3 Land Use Planning and Approvals Act 1993</i></p> <p><i>bushfire hazard management plan</i> means a plan showing means of protection from bushfires in a form approved in writing by the Chief Officer;</p> <p><i>Chief Officer</i> means the person appointed as Chief Officer under <u>section 10 of the <i>Fire Service Act 1979</i></u>;</p>		
Declaration	<p>A Bushfire Hazard Management Plan (BHMP) is in a form approved by the Chief Officer if:</p> <ol style="list-style-type: none">1. The BHMP is consistent with a Bushfire Report that has been prepared taking into consideration such of the matters identified in Schedule 1 as are applicable to the purpose of the BHMP; and2. The BHMP contains a map, plan or schedule identifying the specific measures required to provide a tolerable level of risk from bushfire for the purpose or activity described in the BHMP having regard to the considerations in Schedule 2; and3. The BHMP is consistent with all applicable Bushfire Hazard Management Advisory Notes issued by the Chief Officer.		
	 Mike Brown AFSM		

	Chief Officer Tasmania Fire Service
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Schedule 1 - Bushfire Report

A Bushfire Report is an investigation and assessment of bushfire risk to establish the level of bushfire threat, vulnerability, options for mitigation measures, and the residual risk if such measures are applied on the land for the purpose or activity described in the assessment.

A Bushfire Report must include:

- a) A description of the characteristics of the land and of adjacent land;
- b) A description of the use or development that may be threatened by a bushfire on the site or on adjacent land; and
- c) Whether the use or development on the site is likely to cause or contribute to the occurrence or intensification of bushfire on the site or on adjacent land; and
- d) Whether the use or development on the site, and any associated use or development, can achieve and maintain a tolerable level of residual risk for the occupants and assets on the site and on adjacent land having regard for –
 - i. The nature, intensity and duration of the use;
 - ii. The type, form and duration of any development;
 - iii. A Bushfire Attack Level assessment to define the exposure to a use or development; and
 - iv. The nature of any bushfire hazard mitigation measures required on the site and/or on adjacent land.

Schedule 2 - Bushfire Hazard Management Plan

A BHMP is a document containing a map, plan or specification and must:-

- a) Identify the site to which the BHMP applies by address, Property Identifier (PID), and reference to a Certificate of Title under the *Land Titles Act 1980*;
- b) Identify the certifying Bushfire Hazard Practitioner, Accreditation Number, and Scope of Accreditation.
- c) Identify the proposed activity to which the BHMP applies by reference to any plans, specifications or other documents that are applicable for the purpose of describing the proposed use or development;
- d) Indicate the bushfire hazard management and protection measures required to be implemented by the Bushfire Report;
- e) If intended to be applied for the purpose of satisfying a regulatory requirement, identify the regulation by its statutory citation and indicate the applicable provisions for which the BHMP applies; and
- f) Have, as a schedule, the Bushfire Report that details specific bushfire hazard management and bushfire mitigation measures required to achieve a tolerable level of residual risk for the proposed activity and any building or development on the site, including:
 - i) Measures to achieve compliance with any mandatory land use planning requirement in a planning process required under the *Land Use Planning and Approvals Act 1993 (Attachment 1)*;
 - ii) Measures to achieve compliance with any mandatory outcome for a building or work undertaken in accordance with the *Building Act 2000* and the Building Regulations 2004 (Form 55).

Attachment 1: Certificate of Compliance to the Bushfire-prone Area Code under Planning Directive No 5

Code E1 – Bushfire-prone Areas Code

Office Use

Date Received

Permit Application No

PID

Certificate under s51(2)(d) *Land Use Planning and Approvals Act 1993*

1. Land to which certificate applies¹	
Name of planning scheme or instrument: Meander Valley Interim Planning Scheme 2013	
Use or Development Site Street Address Bishopsbourne Road, Carrick	Certificate of Title / PID CT 117289/2 CT 108465/13 CT 108465/12 CT 111029/1
Land that is not the Use or Development Site relied upon for bushfire hazard management or protection Street Address	Certificate of Title / PID NA
2. Proposed Use or Development (<i>provide a description in the space below</i>) A 40 Lot subdivision of 4 existing titles is proposed on Bishopsbourne Road, Carrick.	

- Vulnerable Use
- Hazardous Use
- Subdivision
- New Habitable Building on a lot on a plan of subdivision approved in accordance with Bushfire-prone Areas Code.
- New habitable on a lot on a pre-existing plan of subdivision)
- Extension to an existing habitable building
- Habitable Building for a Vulnerable Use

¹ If the certificate relates to bushfire management or protection measures that rely on land that is not in the same lot as the site for the use or development described, the details of all of the applicable land must be provided.

3. Documents relied upon²

<i>Document or certificate description:</i>	
<input type="checkbox"/>	<p>Description of Use or Development³ (Proposal or Land Use Permit Application)</p> <p>Documents, Plans and/or Specifications</p> <p><i>Title: Concept Plan B</i></p> <p><i>Author: Bullock Consulting</i></p> <p><i>Date: N/A</i></p>
<input type="checkbox"/>	<p>Bushfire Report⁴</p> <p><i>Title: BHMP_Carrick</i></p> <p><i>Author: Scott Livingston</i></p> <p><i>Date: 5/12/2014</i></p>
<input type="checkbox"/>	<p>Bushfire Hazard Management Plan⁵</p> <p><i>Title: BHMP_Carrick</i></p> <p><i>Author: Scott Livingston</i></p> <p><i>Date: 5/12/2014</i></p>
<input type="checkbox"/>	<p>Other documents</p> <p><i>Title: Meander Valley Interim Planning Scheme 2013</i> <i>Author: Meander Valley Council</i> <i>Date: 2013</i></p> <p><i>Title: AS 3959-2009 Construction of Buildings in Bushfire Prone Areas</i> <i>Author: Standards Australia.</i> <i>Date: 2009</i></p> <p><i>Title: Bushfire Prone Areas Advisory Note 1 - 2014</i> <i>Author: Tasmania Fire Service</i> <i>Date: 211/4/2014</i></p> <p><i>Title: Bushfire Prone Areas Advisory Note 2 - 2014</i> <i>Author: Tasmania Fire Service</i> <i>Date: 211/4/2014</i></p>

² List each document that is provided or relied upon to describe the use or development, or to assess and manage risk from bushfire, including its title, author, date, and version.

³ Identify the use or development to which the certificate applies by reference to the documents, plans, and specifications to be provided with the permit application to describe the form and location of the proposed use or development. For habitable buildings, a reference to a nominated plan indicating location within the site and the form of development is required.

⁴ If there is more than one Bushfire Report, each document must be identified by reference to its title, author, date and version.

⁵ If there is more than one Bushfire Hazard Management Plan, each document must be identified by reference to its title, author, date and version

4. Nature of Certificate ⁶					
Applicable Standard	Assessment Criteria	Compliance Test: Certificate of Insufficient Increase in Risk	Compliance Test: Certified Bushfire Hazard Management Plan	Reference to applicable Bushfire Risk Assessment or Bushfire Hazard Management Plan ⁷	
<input checked="" type="checkbox"/> E1.4 – Use or development exempt from this code					
E1.4. (identify which exemption applies)		No specific measures required because the use or development is consistent with the objective for each of the applicable standards identified in this Certificate	<input type="checkbox"/> Not Applicable		
<input checked="" type="checkbox"/> E1.5.1 - Vulnerable Use					
<i>E1.5.1.1 – location on bushfire-prone land</i>	A2	Not Applicable	Tolerable level of risk and provision for evacuation	<input type="checkbox"/>	
<input checked="" type="checkbox"/> E1.5.2 - Hazardous Use					
<i>E1.5.2.1 – location on bushfire-prone land</i>	A2	Not Applicable	Tolerable level of risk from exposure to dangerous substances, ignition potential, and contribution to intensify fire	<input type="checkbox"/>	
<input checked="" type="checkbox"/> E1.6.1 - Subdivision					
<i>E1.6.1.1 - Hazard Management Area</i>	A1	No specific measure for hazard management	<input type="checkbox"/> Provision for hazard management areas in accordance with BAL 19 Table 2.4.4 AS3959	<input checked="" type="checkbox"/> <i>BHMP_Carrick</i>	
<i>E1.6.1.2 - Public Access</i>	A1	No specific public access measure for fire fighting	<input type="checkbox"/> Layout of roads and access is consistent with objective	<input checked="" type="checkbox"/> <i>BHMP_Carrick</i>	
<i>E1.6.1.3 - Water Supply</i>	A1 Reticulated water supply	No specific water supply for fight fighting	<input checked="" type="checkbox"/> Not Applicable	<i>BHMP_Carrick</i>	

⁶ The certificate must indicate by placing a ✓ in the corresponding for each applicable standard and the corresponding compliance test within each standard that is relied upon to demonstrate compliance to Code E1

⁷ Identify the Bushfire Risk Assessment report or Bushfire Hazard Management Plan that is relied upon to satisfy the compliance test

		A2 Non-reticulated water supply	No specific water supply measure for fight fighting	✓	Water supply is consistent with objective	<input type="checkbox"/>	
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<input checked="" type="checkbox"/>	E1.6.2 - Habitable Building on lot on a plan of subdivision approved in accordance with Code						
-------------------------------------	---	--	--	--	--	--	--

	<i>E1.6.2.1 - Hazard Management Area</i>	A1	No specific measure for hazard management	<input type="checkbox"/>	Provision for hazard management areas in accordance with BAL 19 Table 2.4.4 AS3959 and managed consistent with objective	<input type="checkbox"/>	
	<i>E1.6.2.2 – Private Access</i>	A1	No specific private access for fire fighting	<input type="checkbox"/>	Private access is consistent with objective	<input type="checkbox"/>	
		A2	Not Applicable		Private access to static water supply is consistent with objective	<input type="checkbox"/>	
	<i>E1.6.2.3 - Water Supply</i>	A1	No specific water supply measure for fight fighting	<input type="checkbox"/>	Water supply is consistent with objective	<input type="checkbox"/>	

<input checked="" type="checkbox"/>	E1.6.3 - Habitable Building (pre-existing lot)						
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	<i>E1.6.3.1 - Hazard Management Area</i>	A1	No specific measure for hazard management	<input type="checkbox"/>	Provision for hazard management is consistent with objective; or	<input type="checkbox"/>	
Provision for hazard management areas in accordance with BAL 29 Table 2.4.4 AS3959 and managed consistent with objective					<input type="checkbox"/>		
	<i>E1.6.3.2 - Private Access</i>	A1	No specific private access measure for fire fighting	<input type="checkbox"/>	Private access is consistent with objective	<input type="checkbox"/>	
		A2	Not applicable		Private access to static water supply is consistent with objective	<input type="checkbox"/>	
	<i>E1.6.3.3 - Water Supply</i>	A1	No specific water supply measure for fight fighting	<input type="checkbox"/>	Water supply is consistent with objective	<input type="checkbox"/>	

<input checked="" type="checkbox"/> E1.6.4 - Extension to Habitable Building						
	<i>E1.6.4.1 – hazard management</i>	A1	No specific hazard management measure	<input type="checkbox"/>	Provision for hazard management is consistent with objective; or	<input type="checkbox"/>
					Provision for hazard management areas in accordance with BAL 12.5 Table 2.4.4 AS3959 and managed consistent with objective	<input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> E1.6.5 – Habitable Building for Vulnerable Use						
	<i>E1.6.5.1 – hazard management</i>	A1	No specific measure for hazard management	<input type="checkbox"/>	Bushfire hazard management consistent with objective; or	<input type="checkbox"/>
					Provision for hazard management areas in accordance with BAL 12.5 Table 2.4.4 AS3959 and managed consistent with objective	

5. Bushfire Hazard Practitioner – Accredited Person

Name	Scott Livingston	Phone No:	03 6334 1033
Address :	40 Tamar St. Launceston, 7250	Fax No:	03 6334 1117
		Email address:	scott@akconsultants.com.au
Fire Service Act 1979 Accreditation No:	BFP-105	Scope:	1, 2, 3A, 3B, 3C

6. Certification

I, *Scott Livingston* certify that in accordance with the authority given under the Part 4A of the Fire Service Act 1979 –

<i>The use or development described in this certificate is exempt from application of Code E1 – Bushfire-Prone Areas in accordance with Clause E1.4(a) because there is an insufficient increase in risk to warrant specific measures for bushfire hazard management and/or bushfire protection in order to be consistent with the objective for all of the applicable standards identified in Section 4 of this Certificate</i>	✓
--	---

or

<i>There is an insufficient increase in risk to warrant specific measures for bushfire hazard management and/or bushfire protection in order for the use or development described to be consistent with the objective for each of the applicable standards identified in Section 4 of this Certificate.</i>	<input type="checkbox"/>
---	--------------------------

and/or

<i>The Bushfire Hazard Management Plan/s identified in Section 4 of this certificate is/are in accordance with the Chief Officer's requirements and can deliver an outcome for the use or development described that is consistent with the objective and the relevant compliance test for each of the applicable standards identified in Section 4 of this Certificate</i>	✓
---	---

Signed

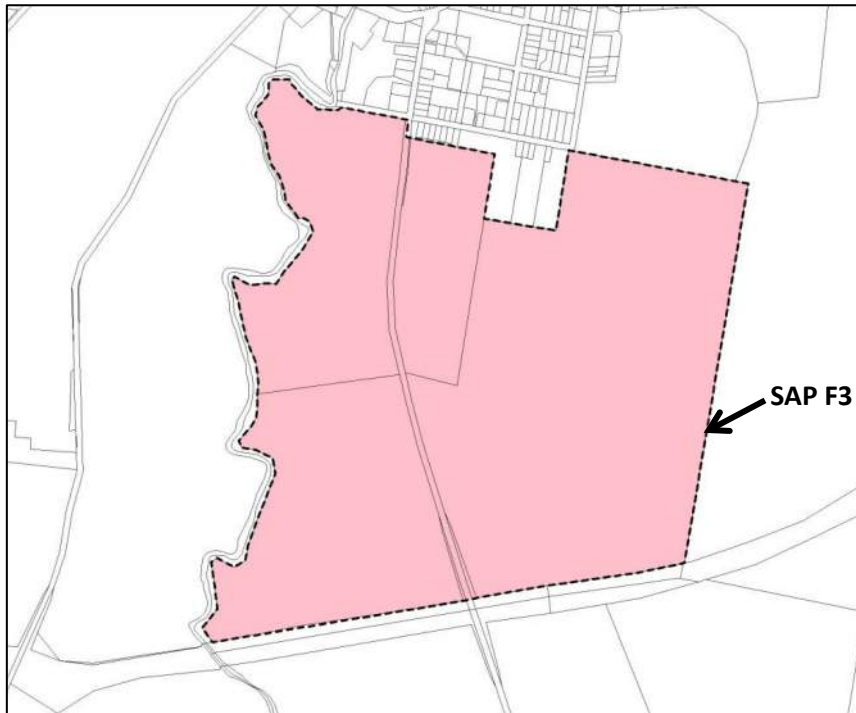


Date: 5/12/2014

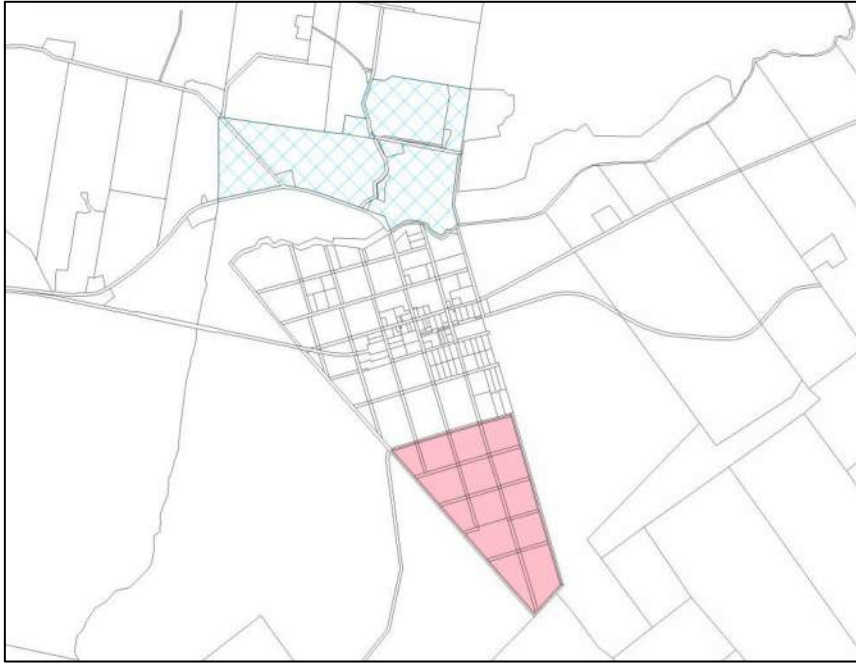
Attachment B
Certification Documents

Certification Maps

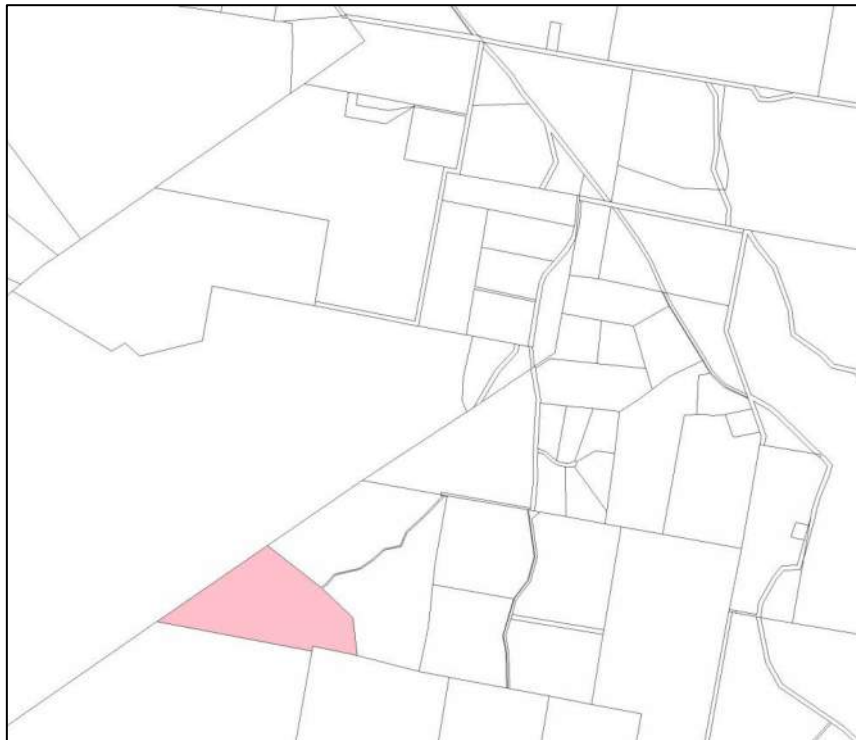
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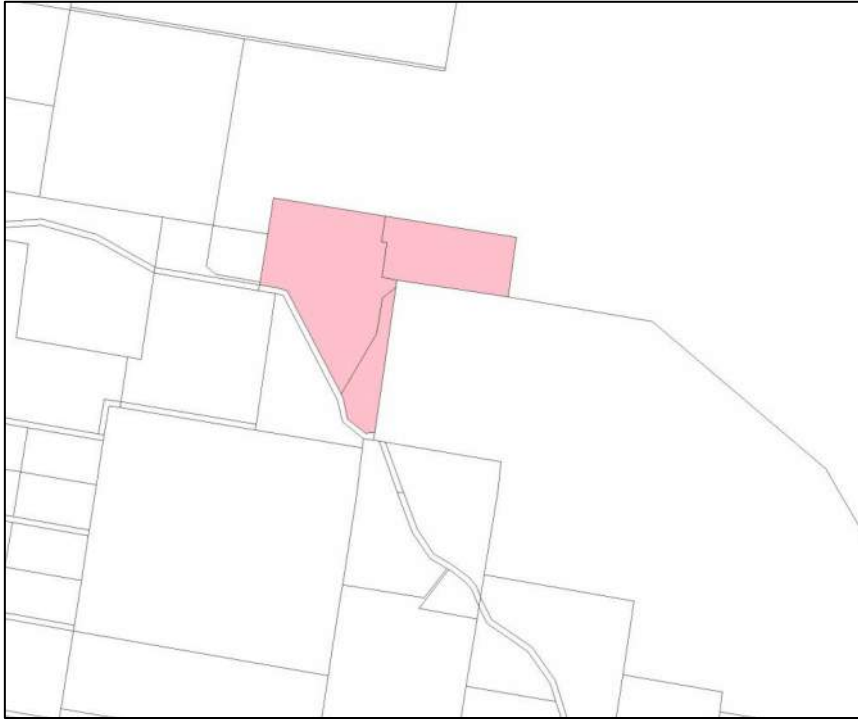
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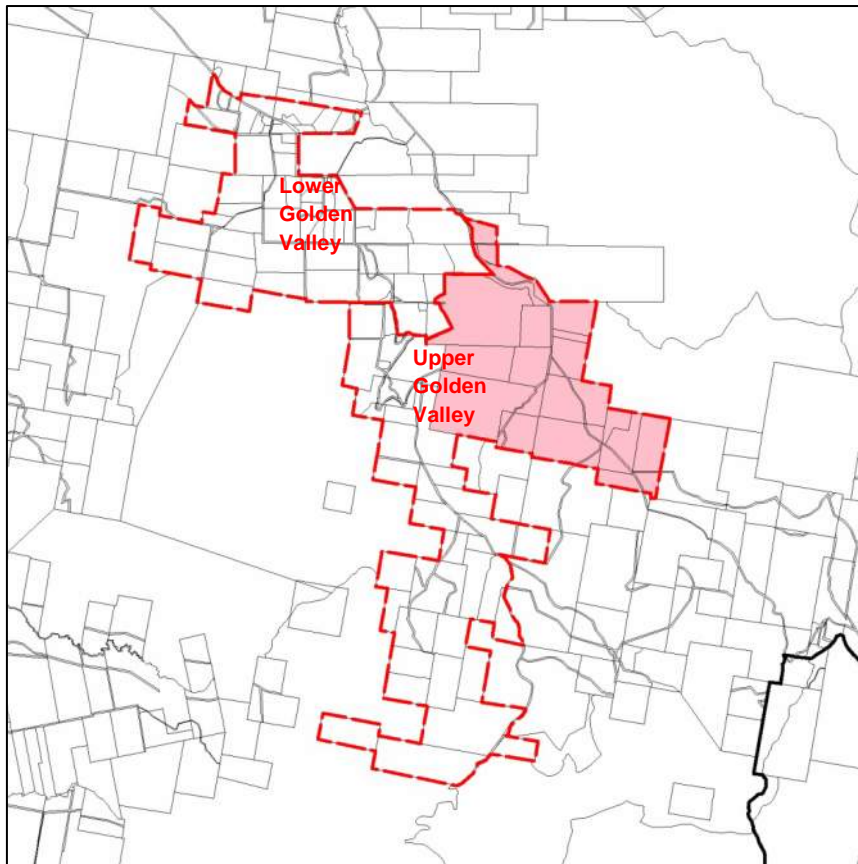
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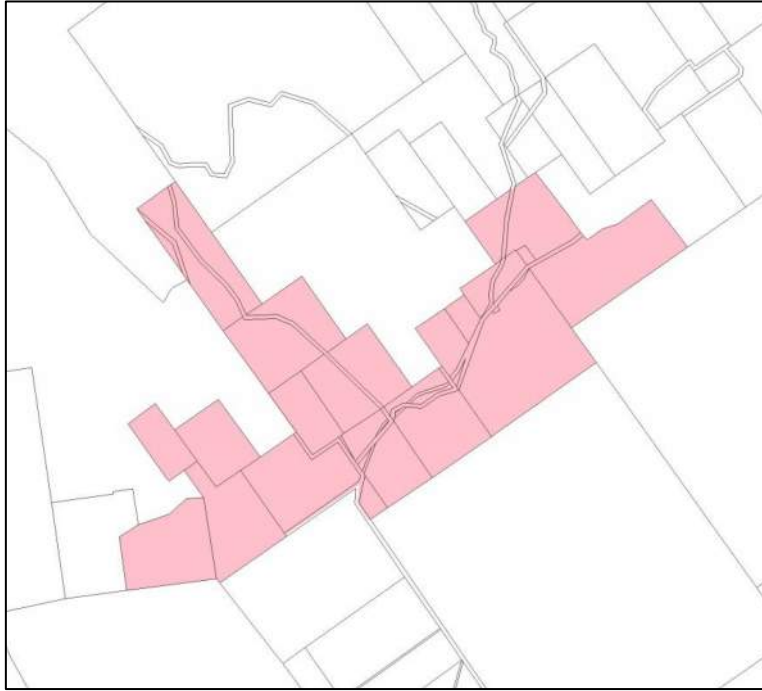
Elizabeth Town



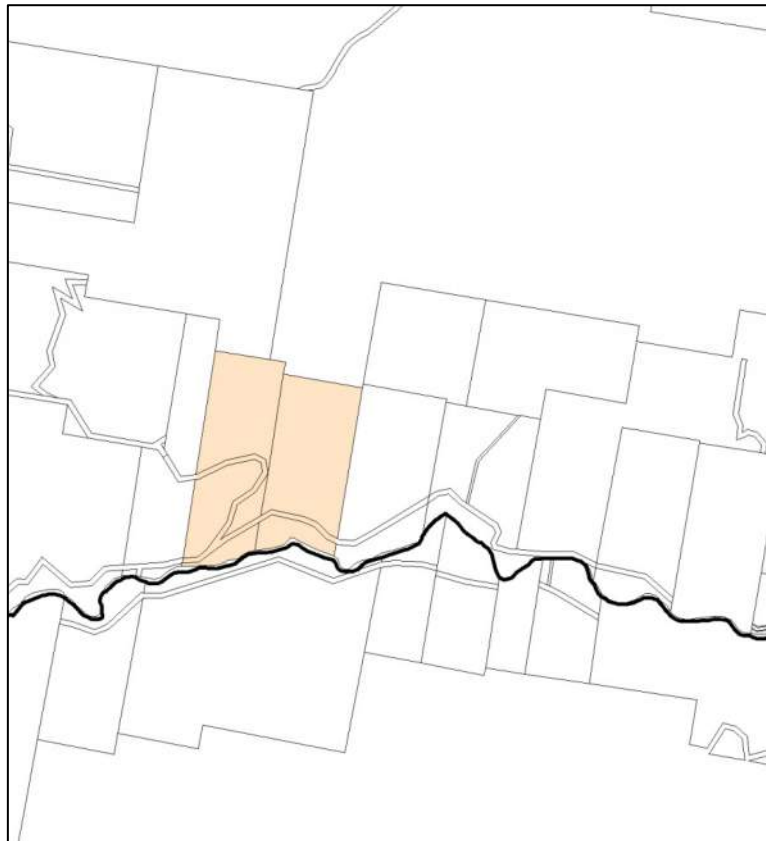
Golden Valley



Weetah



Liffey



Map Amendments

- 1/ Rezone Certificates of Title to Rural Living Zone:

108465/12	47363/3	234151/1	30741/1	104210/4	28201/1
108465/13	160577/1	228500/1	33998/1	104210/5	244816/1
111029/1	52649/1	30687/2	33998/3	119176/1	209172/1
117289/2	26794/2	238999/1	119176/1	31386/1	239587/1
157021/1	244608/1	221511/1	104210/1	33911/1	49076/1
110499/0	205072/1	201339/1	49290/1	51852/1	43678/1
110499/1	229522/1	204944/1	33998/2	47575/1	103144/1
110499/2	84943/1	213324/1	49290/2	39199/1	103144/2
23008/1	222169/1	213323/1	110151/8	38825/1	112434/1
136153/1	222363/1	110438/1	104210/2	231614/1	112434/2
136153/2 (partial)	26794/1	28355/1	104210/3	231615/1	112434/3
160576/1	30687/1	36190/3	165031/1	244473/1	237776/1
240731/1	9213/2	206012/1			

- 2/ Rezone Certificates of Title 221507/1 and 136832/4 to Rural Resources Zone.
- 3/ Amend the planning scheme map to add the outline and notation of the area contained in Specific Area Plan - SAP F3.

Certificates of Title:

108465/12	117289/2
108465/13	111029/1

- 4/ Amend the planning scheme map to include a Scenic Management overlay at Chudleigh, in accordance with the certification map.
- 5/ Amend the planning scheme map to add the outline and notation for Lower and Upper Golden Valley, in accordance with the certification map.

Ordinance Amendments

- 1/ Insert F3 –Carrick Rural Living Specific Area Plan (Attachment A) into Part F of the Planning Scheme.
- 2/ Insert the following qualification into 13.2 - Use Table – Permitted Use:

Use Class	Qualification
Resource Development	If for the harvesting of the existing timber plantation on CT160576/1

- 3/ Rural Living Zone - Insert the following Local Area Objective and Desired Future Character Statement for Weetah:

13.1.2 Local Area Objectives

<p>Weetah</p> <p>a) To retain lower densities and locate development with reasonable separation distances, consistent with the purpose of the zone being for large lots.</p>	<p>a) Future subdivision will be determined on the basis of capacity for access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
--	--

13.1.3 Desired Future Character Statements

<p>Weetah</p> <p>a) Weetah is primarily characterised by visible, linear development along Weetah Road. Development along Eynans Road and Whitchurch Lane is more discreetly located within the landscape due to vegetation screening and topography.</p> <p>b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</p> <p>c) The retention or planting of vegetation is the preferred means to integrate and screen development, particularly on the hill slopes to the north where potentially visible.</p>	
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- 4/ Replace section 13.4.2.2 – Lot Area, Building Envelopes and Frontage with the following section:

13.4.2.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure that subdivision:</p> <p>a) Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and</p> <p>b) Provides area and dimensions of lots that are appropriate for the zone; and</p> <p>c) Provides frontage to a road at a standard appropriate for the use; and</p> <p>d) Furthers the local area objectives and desired future character statements for the area, if any.</p>

Acceptable Solutions	Performance Criteria												
<p>A1.1 Each lot must:</p> <p>a) have a minimum area in accordance with Table 13.1 below; or</p>	<p>P1 Each lot must:</p> <p>a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p>												
<p>Table 13.1 – Lot Size</p> <table border="1" data-bbox="304 533 820 1391"> <tbody> <tr> <td data-bbox="304 533 611 571">Reedy Marsh</td> <td data-bbox="611 533 820 571">15ha</td> </tr> <tr> <td data-bbox="304 571 611 958">Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah</td> <td data-bbox="611 571 820 958">10ha</td> </tr> <tr> <td data-bbox="304 958 611 1032">Davis Road Meander</td> <td data-bbox="611 958 820 1032">4ha</td> </tr> <tr> <td data-bbox="304 1032 611 1106">Carrick</td> <td data-bbox="611 1032 820 1106">Specific Area Plan</td> </tr> <tr> <td data-bbox="304 1106 611 1180">Hadspen</td> <td data-bbox="611 1106 820 1180">Specific Area Plan</td> </tr> <tr> <td data-bbox="304 1180 611 1391">Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek</td> <td data-bbox="611 1180 820 1391">No new lots created</td> </tr> </tbody> </table> <p>b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p> <p>A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	Reedy Marsh	15ha	Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha	Davis Road Meander	4ha	Carrick	Specific Area Plan	Hadspen	Specific Area Plan	Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek	No new lots created	<p>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability; and</p> <p>iv) adequate private open space; and</p> <p>v) vehicular access from the carriageway of the road to a building area on the lot, if any; or</p> <p>c) be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) the ability of vegetation to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>d) not be located within the Rural Living Zone at Kimberley, Red Hills, Ugbrook, Upper Golden Valley, Weegen and Western Creek.</p>
Reedy Marsh	15ha												
Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha												
Davis Road Meander	4ha												
Carrick	Specific Area Plan												
Hadspen	Specific Area Plan												
Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek	No new lots created												

A2	Each lot must have a frontage of at least 4 metres.	P2	Each lot must provide appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
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5/ Insert into Table E7.1 – Local Scenic Management Area the Character Statement and Scenic Management objectives as follows:

E7.1 – Local Scenic Management Areas

2 Chudleigh	
Character Statement	
<p>The hill slopes are prominent when viewed from the Chudleigh settlement and on approach to Chudleigh along the Mole Creek Road from the east and west. The hill is characterised by undulating pasture and a significant stand of remnant native vegetation. Existing development is set into the landscape or screened by vegetation and there are no intrusions into the skyline when viewed from public vantage points.</p>	
Scenic Management Objectives	
<ul style="list-style-type: none"> a) To ensure that visually prominent areas on the hill slope avoid adverse or significant landscape change; b) To ensure that use and development is carefully sited and designed to be unobtrusive in the landscape through one or a combination of the following measures: <ul style="list-style-type: none"> i) Siting development at lower elevations; ii) Siting development behind topographic features so as to be obscured when viewed from public vantage points; iii) Minimising excavation and earthworks; iv) Retention of vegetation; v) Planting of vegetation. 	
Scenic Management Criteria	
No local criteria	No local standards

Attachment A

F3 Carrick Rural Living Specific Area Plan

F3.1 Purpose of Specific Area Plan

F3.1.1 The purpose of this specific area plan is to:

- a) provide for the co-ordinated subdivision of land; and
- b) provide for the subdivision of land consistent with the local area objectives;

F3.2 Application of Specific Area Plan

The specific area plan applies to the area of land designated as SAP 3 on the Planning Scheme maps and in Figure 3.1.

F3.3 Local Area Objectives

- a) To provide diversity in the size of lots and optimising lot yield by graduating the density of lots through smaller lots located at the settlement periphery, moving to larger lots where protection of threatened vegetation and larger setbacks to the Liffey River, Bass Highway or other features are preferred.

F3.3 Development Standards

F3.3.1 Subdivision

F3.3.1.1 General Suitability

Objective: The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Specific Area Plan.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the purpose of the Specific Area Plan, having regard to the combination of: a) slope, shape, orientation and topography of land; b) any established pattern of use and development and the efficient use of land for infill; c) connection to the road network;

	<ul style="list-style-type: none"> d) availability of or likely requirements for utilities; e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and f) potential exposure to natural hazards.
--	--

F3.3.1.2 Lot Requirements

<p>Objective:</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> a) locates lots in an arrangement that is consistent with the local area objective; b) provides area and dimensions of lots that are appropriate for the purpose of the Rural Living Zone and is consistent with the local area objective; c) provides for appropriate wastewater disposal and stormwater management in consideration of the characteristics of the land; and d) provides frontage and access to a road in locations that do not adversely affect the function of Bishopsbourne Road, in particular aggregating access points or establishing a new road and junction appropriate for the degree of use. 	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be in accordance with the Subdivision Development Plan in Figure 3.1.</p>	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> i) a dwelling to be erected in a convenient, appropriate and hazard free location; and ii) appropriate disposal of wastewater; and iii) on-site parking and manoeuvrability; and iv) adequate private open space; and v) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and c) be consistent with the local area

	<p>objective having regard to:</p> <ul style="list-style-type: none">i) the topographical or natural features of the site; andii) the ability of vegetation to provide buffering; andiii) any features of natural or cultural significance; andiv) the presence of any natural hazards.
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Figure F3.1 – Subdivision Development Plan



DEV 2 REVIEW OF POLICY NO. 44 – HERITAGE ADVICE

1) Introduction

The purpose of this report is for Council to review Policy No. 44 – Heritage Advice

2) Background

The Policy was adopted in August 2002 to support Council's commitment to preserving heritage values within the Meander Valley.

In 2004 the community confirmed the importance of heritage values by supporting the inclusion of the following objective in the Strategic Plan 2004-2014;

"Maintain and protect important elements of natural, cultural and built heritage throughout the Meander Valley"

After the Policy was adopted Council completed a comprehensive heritage study of the Meander Valley identifying approximately 600 properties with either State or local heritage significance.

In March 2007 Council made the following resolution:

- 1. the properties identified as being of State heritage significance be formally considered by Heritage Tasmania for provisional listing on the State Heritage Register and request that the Tasmanian Heritage Council expedite the assessment of those property owners who objected to listing on the State Heritage Register; and***
- 2. the listing of local heritage properties to be included in the Heritage Schedule of the draft Planning Scheme is to be on a voluntary basis, and that Council supplement this by implementing an educative program with the community on the appropriate management of heritage values.***

Council received no requests for voluntary inclusion in the local heritage schedule. Subsequently the Meander Valley Interim Planning Scheme 2013



did not include a local heritage schedule.

Currently there are 59 privately owned properties in Meander Valley on the State Heritage Register.

Previous Review

The officer's recommendation in the previous review – December 2012, provided the following reasons for retaining the policy.

The policy supports Council's strategic objective of maintaining and protecting heritage values in the Meander Valley.

It is important that Council can clearly demonstrate tangible support for maintaining and preserving heritage values.

The existing policy demonstrates commitment to local built heritage and the community members that maintain and restore it.

3) Strategic/Annual Plan Conformance

The Annual Plan provides for the review of this policy in the December 2015 quarter

4) Policy Implications

The process of policy review ensures that policies remain up to date and appropriate.

5) Statutory Requirements

Not Applicable

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable



8) Community Consultation

Not Applicable

9) Financial Impact

If all privately owned properties on the State Heritage Register within Meander Valley requested assistance the cost to Council would be \$14 750.

10) Alternative Options

Council can elect to continue or amend Policy No. 44 – Heritage Advice

11) Officers Comments

Current Review

In the period since the last review:

1. Council has updated the Strategic Plan 2004 – 2014, replacing it with the Community Strategic Plan 2014 - 2024.

The previous strategic objective has been replaced with the following:

Future direction (1) - A sustainable natural and built environment

Managing the balance between growth and the conservation of our natural and built environment is a key issue. Decisions will respect the diversity of community values, will be fair, balanced and long term in approach. Specific areas are forestry, protection of our natural, cultural and built heritage, scenic landscape protection, karst management, salinity, water quality, infrastructure and building design.

2. There have been 5 planning permit applications for properties on the State Heritage Register
3. There have been no requests from property owners to subsidise the services of a Heritage Architect

There is no evidence of demand for the subsidy. The exclusion of a local heritage schedule in the planning scheme means that very few private historical properties within the local government area would require planning permit for works.



The private properties on the state historical register that did receive planning permits to undertake work in the last three years were:

- Businesses (Fitzpatrick's Inn)
- Substantial heritage estates (Calstock in Deloraine)
- Vegetation removal
- Subdivision to excise a heritage building from a farm property

None of these parties approached Council for the subsidy.

It could be argued that the majority of people who own State Heritage registered buildings understand the requirements that come with managing and maintaining a heritage property. They understand the need for a financial commitment to maintenance, and have general respect for the role of expert heritage advice, they are generally not looking for Council assistance in subsidising the engagement of heritage architects.

The policy was initially implemented to recognise the role of built heritage in defining the character of Meander Valley and to demonstrate a commitment to the land owners who own heritage properties.

While the policy currently has no, and potentially negligible impact, on Council resources, it could be argued that the purpose of the policy has been negated by the decision to not include a local heritage schedule in the Meander Valley Interim Planning Scheme 2013.

For these reasons it is recommended that the Policy is to be discontinued.

The Policy and the recommendation to discontinue it were presented to the Audit Panel in September. The Chair of the Panel supported the recommendation contained in this report.

12) Recommendation

It is recommended that Council discontinue the following Policy No. 44 - Heritage Advice:-

POLICY MANUAL

Policy Number: 44

Heritage Advice

Purpose:

The purpose of this Policy is to assist owners of heritage properties in the cost of obtaining expert heritage advice.



Department: Development Services
Author: Martin Gill, Director

Council Meeting Date: 11th December, 2012
Minute Number: 206/2012

Next Review Date: *December 2015*

POLICY

1. Definitions

2. Objective

The objective of this policy is to provide financial assistance to property owners seeking expert heritage advice when wishing to develop, maintain or restore properties with heritage values.

3. Scope

The policy shall apply to all properties within the municipality that are considered to have heritage values. Typically this will involve properties that have been identified in the Heritage Study as being of either state or local significance.

4. Policy

Council subsidise the services of a Heritage Architect for property owners wishing to develop, maintain, restore or renovate a building or land of historical or cultural significance.

That the subsidy be payable up to 50% of the fees of the service, up to a maximum of \$250. Applications are to be made in writing to Council with supporting documentation describing the significance of the property and the intended works.

5. Legislation

N/A

6. Responsibility

Responsibility for the operation of the policy rests with the Development Services Director.

DECISION:



DEV 3 NOTICE OF MOTION - FUTURE USE OF ASHLEY DETENTION CENTRE – CR BOB RICHARDSON

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr Bob Richardson seeking Council's support to initiate discussions with relevant Commonwealth and State authorities in relation to conversion of Ashley Detention Centre to a centre for the reception and integration of refugees into Australian Society

2) Background (Cr Bob Richardson)

The facility at Exton seems ideal for conversion to a facility which serves as a reception centre for refugees and to assist with their integration into Australian Communities.

Modification to a less severe facility is likely to be minimal. However there are elements of the facility ideally suited to assisting those displaced from their home countries through war, oppression (and worse) to become part of (rural) Australian communities. The Ashley facility includes:-

- accommodation : at its busiest Ashley accommodated up to 45 young people at the centre; it also has an unoccupied house
- education/learning facilities
- recreation facilities, including gymnasium and pool
- approximately 90 acres (36 hectares) of agricultural land

At the moment (Friday 18 September 2015) there are 8 young people held at Ashley as part of the Juvenile Justice System. It is reported that as of meeting day (13 October 2015) that number has been reduced to just 4.

Near to the facility there are several education facilities:

- primary education (Deloraine, Westbury)
- secondary education (Deloraine)
- vocational education (Deloraine)

Health/Medical facilities, including general practitioners, child health, and community health can be accessed at Deloraine/Westbury. It is about 35 minutes for access to major health facilities at Launceston.

Both Deloraine and Westbury have a wide range of sporting, arts and cultural groups and associations.



The surrounding 90 acres (36 hectares) of land present an opportunity for refugee involvement in agricultural activity.

Further, I am confident that the Meander Valley community would welcome the opportunity to be involved with the refugees.

Given the low, and declining, numbers of detainees, it seems difficult to argue for the continuation of Ashley as a detention centre. Changing approaches to Youth Justice are likely to seek alternatives to (former) detention practices.

It is an opportunity to employ appropriately qualified staff whose skill sets include the ability to understand and relate to people from other cultures who have suffered trauma. Additional employees would provide training in the skills needed for the enterprises established at the facility.

3) Strategic/Annual Plan Conformance

Furthers the objectives of the Community Strategic Plan 2014 to 2024 in particular:

- Future Direction (3): Vibrant and engaged communities

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

If the motion is supported Council will engage directly with relevant Federal and State authorities.

8) Community Consultation

Not Applicable



9) Financial Impact

Initial cost to Council is likely to be minimal – the arrangement of an initial meeting between relevant parties.

Should the concept be adopted, then there is likely to be ongoing involvement of Council's Community Development section in a variety of ways, including as a facilitator to link community groups with refugees as part of the integration process.

10) Alternative Options

Council can elect to amend or not support the motion.

11) Officers Comments

This agenda item was previously deferred from the October meeting of Council. The proposed initiative was discussed at the November Council Workshop where no further information or directions were provided to Council officers.

AUTHOR: Martin Gill
DIRECTOR DEVELOPMENT SERVICES

12) Recommendation (Cr Bob Richardson)

It is recommended that Council initiate discussions with relevant Commonwealth and State authorities in relation to conversion of Ashley Detention Centre to a centre for the reception and integration of refugees into Australian Society

Motion from October Council meeting

Cr Richardson moved and Cr Connor seconded ***“that Council initiate discussions with the community and relevant Commonwealth and State authorities in relation to reception and integration of refugees into Australian society, and in particular, Meander Valley and, including the potential conversion of Ashley Detention Centre for that purposes.”***

As a procedural motion Cr Synfield moved and Cr Youd seconded ***“that the item lay on the table until the December meeting and be discussed further at a Council workshop with relevant stakeholders.”***



The procedural motion was declared CARRIED with Councillors Connor, Kelly, King, Mackenzie, Synfield, White and Youd voting for the motion and Councillors Perkins and Richardson voting against the motion



GOV 1 APPOINTMENT OF ACTING GENERAL MANAGER

1) Introduction

The purpose of this report is for Council to consider the appointment of an Acting General Manager while the General Manager is on annual leave.

2) Background

Section 61(6) of the Local Government Act 1993 was amended in 2005, such that only the Council may appoint an Acting General Manager.

At the 9 February 2010 Council meeting, Council approved the appointment of the Director Corporate Services, Mr Malcolm Salter as the Acting General Manager when the General Manager was on annual, long service or sick leave.

At a past performance review between Mr Salter and the General Manager, Mr Salter indicated he was considering the future and looking to retire in the next few years. With this in mind he believed that other Directors in the organisation would benefit from the experience as Acting General Manager. Mr Salter indicated he would be available to assist anyone acting in the General Manager's role.

The General Manager is taking Annual Leave from 4 January 2016 to 15 January 2016, inclusive.

3) Strategic/Annual Plan

Not Applicable

4) Policy Implications

Not Applicable

5) Statutory Requirements

Meets the requirements of the Local Government Act 1993 in that Council appoints an Acting General Manager.



6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

There is no additional cost to Council.

10) Alternative Options

Council can elect to appoint another council officer to the position.

11) Officers Comments

It is proposed to appoint the Director Economic Development and Sustainability, Mr Rick Dunn, as the Acting General Manager from 4 January 2016 to 15 January 2016 inclusive.

This will be an opportunity for Mr Dunn to gain further management experience.

AUTHOR: Greg Preece
GENERAL MANAGER

12) Recommendation

It is recommended that Council appoint the Director Economic Development and Sustainability, Mr Rick Dunn, as the Acting General Manager from 4 January 2016 to 15 January 2016 inclusive, when the General Manager is on Annual Leave.

DECISION:



GOV 2 REVIEW OF POLICY NO.1 – RISK MANAGEMENT

1) Introduction

The purpose of this report is for Council to review Policy No. 1 - Risk Management.

2) Background

This policy was last reviewed in September 2012.

The purpose of this policy is to provide a framework for the management of risk across the organisation and to define the responsibilities of staff and management in the risk management process.

Council's Risk Management Committee and the Audit Panel have reviewed the policy and a number of minor recommendations have been made, all of which have been incorporated in the revised policy.

At the November Council meeting a procedural motion was passed that the policy be deferred to a Council Workshop for further discussion as a number of additional amendments were suggested by Councillors.

Some additional amendments to the policy were suggested by Council at the November Council Workshop and the revised policy reflecting these changes – refer Attachment GOV 2.

3) Strategic/Annual Plan Conformance

The Annual Plan provides for the review of this policy in the September 2015 quarter.

4) Policy Implications

The process of policy review will ensure that policies are up to date and appropriate.

5) Statutory Requirements

Not Applicable



6) Risk Management

This policy manages risk for the entire organisation.

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Council can elect to delete or retain the existing policy with amendments as proposed at the November Council meeting or adopt the revised Policy as presented in Attachment GOV 2.

11) Officers Comments

Council recognises that risk management is an essential tool for sound strategic and financial planning and the on-going physical operations of the organisation.

The current policy is recommended for continuation apart from some minor amendments.

AUTHOR: David Pyke
DIRECTOR GOVERNANCE & COMMUNITY SERVICES

12) Recommendation

It is recommended that Council confirm the continuation of Policy No.1 – Risk Management, amended as follows:

POLICY MANUAL

Policy Number: 1 Risk Management



Purpose: The purpose of this policy is to provide a framework for the management of ~~and Council's appetite for~~ risk, and define the responsibilities of staff and management in the risk management process.

Department: Governance

Author: David Pyke

Council Meeting Date: ~~11 September 2012~~ 10 November 2015

Minute Number: ~~154/2012~~

Next Review Date: ~~September 2015~~ 2018

POLICY

1. Definitions

Nil.

2. Objective

- Manage risk in a way that prevents the occurrence of harmful incidents
- Manage risk in a way that provides clarity and certainty for Council and Council officers
- ~~To~~ Ensure all organisation risks are controlled to the relevant AS/NZA ISO 31000 2009 Risk Management Standard
- Council's key objective to risk ~~and risk appetite~~ is based on a preference to avoid risk and uncertainty

3. Scope

This policy applies to the Council, the Risk Management Committee and the ~~Occupational Workplace~~ Health & Safety Committee, employees, contractors and volunteers in the management of risk that arises from all Council activities.

4. Policy

The Meander Valley Council is committed to proactively managing risk that arises from all Council activities, providing and maintaining a healthy and



safe living environment for the general community within all Council controlled areas. Council endeavours to ensure that the environment and facilities provided for the community and employees are safe, with minimum risk and the necessary practices and procedures are implemented to control such risks.

Council recognises that risk management is an essential tool for sound strategic and financial planning and the ongoing physical operations of the organisation. ~~The approach may vary across Council with different departments adopting an appetite that reflects their specific role, resources and ability with an overarching risk appetite framework based on a preference to avoid risk and uncertainty. In order to achieve these objectives Adequate funds and resources will be provided by Council~~ to ensure the following outcomes:

- Identify and analyse Council's liability associated with risk
- Encourage the identification and reporting of potential risks
- Minimise any potential liabilities
- Protect the community against losses that are controllable by Council
- Maintain affordable ~~of~~ insurance premiums
- Provide a basis for higher standards of accountability
- Set performance standards and regularly review practices and procedures
- Allow for more effective allocation and use of resources
- To promote and raise the awareness of Risk Management practices throughout the organisation
- Protect Council's corporate image as a professional, responsible and ethical organisation

The above outcomes will be achieved by managing risks in accordance with the AS/NZS ISO 31000:2009 Risk Management Standard. This involves logically and systematically identifying, analysing, assessing, treating and monitoring risk exposures that are likely to adversely impact on Council's operations. Specifically, this includes the following areas of potential losses:

- Personnel (~~Occupational~~ Workplace Health and Safety);
- Plant and Property;
- Liability (including Public Liability and Professional Indemnity);
- Financial;
- Business interruption;
- Community Recovery.

Link to Council's ~~Annual Plan~~ Community Strategic Plan



Our Community Strategic Plan under Future Direction 5, "Innovative leadership and community governance" provides for Meander Valley Council to be recognised as a responsibly managed organisation.

The management of risk is integral to achieving Council's mission as outlined in its Annual Plan:

- It enables the information of contemporary risk management initiatives across all levels of the Council;
- It facilitates and initiates innovation, co-operation and sharing of resources;
- It enhances Council's programs of economic development, environmental management, urban enhancement, community well-being, and quality management and customer service.

Roles and Responsibilities

Councillors, management, employees, contractors and volunteers all have a joint responsibility of making risk management a priority as they undertake their daily tasks in the operations of Meander Valley Council. Management and staff are to be familiar with and competent in the application of Council's Risk Management Policy and are accountable for adherence to that policy within their areas of responsibility.

Council

- Provide the commitment and support so that and basis in which the risk management policy can be implemented. this includes listing risk management as a priority in Council's Annual Plan
- Provide adequate budgetary provision for the maintenance of this policy; and
- Responsible for approving the Risk Management Policy.

General Manager

- Recognise, actively encourage and adopt Risk Management as a key function of the organisation
- Facilitate the Development and provision of awareness training throughout Council
- Provide risk management related information, as requested by Council, and
- Ensure risks are managed in accordance with the AS/NZS ISO



31000:2009 Risk Management Standard, legislation and Council policy.

Directors/Supervisors

- Maintain overall responsibility for the effective management for all types of risks related to this policy across Council's operations;
- Ensure that Council's assets and operations, together with liability risks to the public, are adequately protected through appropriate risk financing and loss control programs and measures;
- Prepare and implement documented procedures for each area of operations;
- Monitor and audit practices and processes to ensure appropriateness to current conditions and practices;
- Provide information when requested to provide assistance in the investigation of a risk management issue or claim that has been made against Council;
- Immediately act upon information provided by employees or residents who are reporting a hazard or incident; and
- Actively implement Risk Management audit recommendations.
- Promote and inform all employees, contractors and volunteers of the policy and their requirements.

Employees, Contractors and Volunteers

- Familiarise themselves with Council's Risk Management policy, principles and procedures;
- Employ risk management principles and practices to ensure that loss control and prevention is a priority whilst undertaking daily tasks;
- Report any hazard or incidents as soon as possible that may have a potential risk exposure to Council, employees, contractors or the public;
- Assist positively with investigations related to incidents that have occurred as a result of a hazard or incident; and
- Take notice of and implement recommendations or risk management audits conducted in the workplace.

Risk Management Committee

- Effectively co-ordinate and facilitate risk management operations within the framework provided by the AS/NZS ISO 31000:2009 Risk Management Standard, legislation and Council policy;
- Review Council's risk management policies and procedures;



- Recommend new procedures or amendments to existing procedures to reduce risk;
- Review and monitor Council's risk management performance measures; and
- Monitor the recommendations and outcomes from risk management audits.

Implementation

~~A comprehensive review of all Council's activities will be undertaken to assess the level of compliance with this policy.~~ A Risk Management Strategy including internal audits and reviews will be completed on a regular basis to enable progressive adjustment of practices to be undertaken to achieve full compliance with this policy.

Performance Review

~~This policy will become effective upon approval by Council. It will be reviewed in accordance with Council's Annual Plan.~~

Council will ensure that there are ongoing reviews of its management system to ensure its continued suitability and effectiveness. ~~in satisfying the requirements of the AS/NZS ISO 31000:2009 Risk Management Standard.~~ Records of all reviews and changes shall be documented.

References

AS/NZS ISO 31000:2009 Risk Management Standard
 AS ISO GUIDE 73:2009 Risk Management – Vocabulary
 AS ISO IEC 31010:2009 Risk Management – Risk Assessment Techniques

5. Legislation

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012

6. Responsibility

Responsibility for the operation of this policy rests with the General Manager.



Motion from November Council meeting

Cr Richardson moved and Cr Youd seconded ***“that Council confirm the continuation of Policy No.1 – Risk Management, amended as follows:***

POLICY MANUAL

Policy Number: 1 Risk Management

Purpose: The purpose of this policy is to provide a framework for the management of ~~and Council's~~ ~~appetite for~~ risk, and define the responsibilities of staff and management in the risk management process.

Department: Governance

Author: David Pyke

Council Meeting Date: ~~11 September 2012~~ 10 November 2015

Minute Number: ~~154/2012~~

Next Review Date: ~~September 2015~~ **2018**

POLICY

1. Definitions

Nil.

2. Objective

- Manage risk in a way that prevents the occurrence of harmful incidents
- Manage risk in a way that provides clarity and certainty for Council and Council officers
- ~~To~~ Ensure all organisation risks are controlled to the relevant AS/NZA ISO 31000 2009 Risk Management Standard
- Council's key objective to risk ~~and risk appetite~~ is based on a preference to avoid risk and uncertainty

3. Scope

This policy applies to the Council, the Risk Management Committee and the



~~Occupational Workplace~~ Health & Safety Committee, employees, contractors and volunteers in the management of risk that arises from all Council activities.

4. Policy

The Meander Valley Council is committed to proactively managing risk that arises from all Council activities, providing and maintaining a healthy and safe living environment for the general community within all Council controlled areas. Council endeavours to ensure that the environment and facilities provided for the community and employees are safe, with minimum risk and the necessary practices and procedures are implemented to control such risks.

Council recognises that risk management is an essential tool for sound strategic and financial planning and the ongoing physical operations of the organisation. ~~The approach may vary across Council with different departments adopting an appetite that reflects their specific role, resources and ability with an overarching risk appetite framework based on a preference to avoid risk and uncertainty. In order to achieve these objectives~~ Adequate funds and resources will be provided ~~by Council~~ to ensure the following outcomes:

- Identify and analyse Council's liability associated with risk
- Encourage the identification and reporting of potential risks
- Minimise any potential liabilities
- Protect the community against losses that are controllable by Council
- Maintain affordable ~~of~~ insurance premiums
- Provide a basis for higher standards of accountability
- Set performance standards and regularly review practices and procedures
- Allow for more effective allocation and use of resources
- To promote and raise the awareness of Risk Management practices throughout the organisation
- Protect Council's corporate image as a professional, responsible and ethical organisation

The above outcomes will be achieved by managing risks in accordance with the AS/NZS ISO 31000:2009 Risk Management Standard. This involves logically and systematically identifying, analysing, assessing, treating and monitoring risk exposures that are likely to adversely impact on Council's operations. Specifically, this includes the following areas of potential losses:



- Personnel (Occupational Workplace Health and Safety);
- Plant and Property;
- Liability (including Public Liability and Professional Indemnity);
- Financial;
- Business interruption;
- Community Recovery.

Link to Council's Annual Plan Community Strategic Plan

Our Community Strategic Plan under Future Direction 5, "Innovative leadership and community governance" provides for Meander Valley Council to be recognised as a responsibly managed organisation.

The management of risk is integral to achieving Council's mission as outlined in its Annual Plan:

- It enables the information of contemporary risk management initiatives across all levels of the Council;
- It facilitates and initiates innovation, co-operation and sharing of resources;
- It enhances Council's programs of economic development, environmental management, urban enhancement, community well-being, and quality management and customer service.

Roles and Responsibilities

Councillors, management, employees, contractors and volunteers all have a joint responsibility of making risk management a priority as they undertake their daily tasks in the operations of Meander Valley Council. Management and staff are to be familiar with and competent in the application of Council's Risk Management Policy and are accountable for adherence to that policy within their areas of responsibility.

Council

- Provide the commitment and support so that and basis in which the risk management policy can be implemented. this includes listing risk management as a priority in Council's Annual Plan
- Provide adequate budgetary provision for the maintenance of this policy; and
- Responsible for approving the Risk Management Policy.

General Manager



- Recognise, actively encourage and adopt Risk Management as a key function of the organisation
- Facilitate the Development and provision of awareness training throughout Council
- Provide risk management related information, as requested by Council, and
- Ensure risks are managed in accordance with the AS/NZS ISO 31000:2009 Risk Management Standard, legislation and Council policy.

Directors/Supervisors

- Maintain overall responsibility for the effective management for all types of risks related to this policy across Council's operations;
- Ensure that Council's assets and operations, together with liability risks to the public, are adequately protected through appropriate risk financing and loss control programs and measures;
- Prepare and implement documented procedures for each area of operations;
- Monitor and audit practices and processes to ensure appropriateness to current conditions and practices;
- Provide information when requested to provide assistance in the investigation of a risk management issue or claim that has been made against Council;
- Immediately act upon information provided by employees or residents who are reporting a hazard or incident; and
- Actively implement Risk Management audit recommendations.
- Promote and inform all employees, contractors and volunteers of the policy and their requirements.

Employees, Contractors and Volunteers

- Familiarise themselves with Council's Risk Management policy, principles and procedures;
- Employ risk management principles and practices to ensure that loss control and prevention is a priority whilst undertaking daily tasks;
- Report any hazard or incidents as soon as possible that may have a potential risk exposure to Council, employees, contractors or the public;
- Assist positively with investigations related to incidents that have occurred as a result of a hazard or incident; and
- Take notice of and implement recommendations or risk management audits conducted in the workplace.



Risk Management Committee

- Effectively co-ordinate and facilitate risk management operations within the framework provided by the AS/NZS ISO 31000:2009 Risk Management Standard, legislation and Council policy;
- Review Council's risk management policies and procedures;
- Recommend new procedures or amendments to existing procedures to reduce risk;
- Review and monitor Council's risk management performance measures; and
- Monitor the recommendations and outcomes from risk management audits.

Implementation

~~A comprehensive review of all Council's activities will be undertaken to assess the level of compliance with this policy.~~ A Risk Management Strategy including internal audits and reviews will be completed on a regular basis to enable progressive adjustment of practices to be undertaken to achieve full compliance with this policy.

Performance Review

~~This policy will become effective upon approval by Council. It will be reviewed in accordance with Council's Annual Plan.~~

Council will ensure that there are ongoing reviews of its management system to ensure its continued suitability and effectiveness. ~~in satisfying the requirements of the AS/NZS ISO 31000:2009 Risk Management Standard.~~ Records of all reviews and changes shall be documented.

References

AS/NZS ISO 31000:2009 Risk Management Standard
AS ISO GUIDE 73:2009 Risk Management – Vocabulary
AS ISO IEC 31010:2009 Risk Management – Risk Assessment Techniques

5. Legislation

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012

6. Responsibility



Responsibility for the operation of this policy rests with the General Manager.

As a procedural motion Cr Synfield moved and Cr Connor seconded ***“that the matter be deferred to a future workshop for discussion.”***

The procedural motion was declared CARRIED with Councillors Connor, King, Mackenzie, Richardson, Synfield and Youd voting for the motion and Councillors Kelly and Perkins voting against the motion

DECISION:



POLICY MANUAL

Policy Number: 1

Risk Management

Purpose:

The purpose of this policy is to provide a framework for the management of ~~and Council's appetite for~~ risk, and define the responsibilities of staff and management in the risk management process.

Department:

Governance

Author:

David Pyke

Council Meeting Date:

~~11 September 2012~~ 8 December 2015

Minute Number:

~~154/2012~~

Next Review Date:

~~September 2015~~ 2018

POLICY

1. Definitions

Nil

2. Objective

- ~~• Manage risk in a way that prevents the occurrence of harmful incidents~~
- ~~• Manage risk in a way that provides clarity and certainty for Council and Council officers~~
- ~~• To Ensure all organisation risks are controlled to the relevant AS/NZA ISO 31000 2009 Risk Management Standard~~
- ~~• Council's key objective to risk and risk appetite is based on a preference to avoid risk and uncertainty~~
- Ensure that appropriate risk management is an integral part of management processes within Council operations so as to minimise any consequential loss, damage or injury to persons or property.

3. Scope

This policy applies to the Council, the Risk Management Committee and the ~~Occupational Workplace~~ Health & Safety Committee, employees, contractors and volunteers in the management of risk that arises from all Council activities.

4. Policy

The Meander Valley Council is committed to proactively managing risk that arises from all Council activities, providing and maintaining a healthy and safe living environment for the general community within all Council controlled areas. Council endeavours to ensure that the environment and facilities provided for the community and employees are safe, with minimum risk and the necessary practices and procedures are implemented to control such risks.

Council recognises that risk management is an essential tool for sound strategic and financial planning and the ongoing physical operations of the organisation. ~~The approach may vary across Council with different departments adopting an appetite that reflects their specific role, resources and ability with an overarching risk appetite framework based on a preference to avoid risk and uncertainty. In order to achieve these objectives~~ Adequate funds and resources will be provided by Council to ensure the following outcomes:

- Identify and analyse Council's liability associated with risk
- Encourage the identification and reporting of potential risks
- Minimise any potential liabilities
- Protect the community against losses that are controllable by Council
- ~~To maintain an appropriate level and type of Maintain affordable of insurance premiums to cover risk~~
- ~~A high standard Provide a basis for higher standards of accountability~~
- Set performance standards and regularly review practices and procedures
- Allow for more effective allocation and use of resources
- To promote and raise the awareness of Risk Management practices throughout the organisation
- Protect Council's corporate image as a professional, responsible and ethical organisation

The above outcomes will be achieved by managing risks in accordance with the ~~Standard or Standards referred to in Clause 5 AS/NZS ISO 31000:2009 Risk Management Standard.~~ This involves logically and systematically identifying, analysing, assessing, treating and monitoring risk exposures that are likely to adversely impact on Council's operations. Specifically, this includes the following areas of potential losses:

- Personnel (~~Occupational Workplace~~ Health and Safety);
- Plant and Property;
- Liability (including Public Liability and Professional Indemnity);
- Financial;
- Business interruption;

- Community Recovery.

Link to Council's Annual Plan Community Strategic Plan

Our Community Strategic Plan under Future Direction 5, "Innovative leadership and community governance" provides for Meander Valley Council to be recognised as a responsibly managed organisation.

The management of risk is integral to achieving Council's mission as outlined in its Annual Plan:

- It enables the information of contemporary risk management initiatives across all levels of the Council;
- It facilitates and initiates innovation, co-operation and sharing of resources;
- It enhances Council's programs of economic development, environmental management, urban enhancement, community well being, and quality management and customer service.

Roles and Responsibilities

Councillors, management, employees, contractors and volunteers all have a joint responsibility of making risk management a priority as they undertake their daily tasks in the operations of Meander Valley Council. Management and staff are to be familiar with and competent in the application of Council's Risk Management Policy and are accountable for adherence to that policy within their areas of responsibility.

Council

- Provide the commitment and support so that and basis in which the risk management policy can be implemented. this includes listing risk management as a priority in Council's Annual Plan
- Provide adequate budgetary provision for the implementation maintenance of this policy; and
- Responsible for approving the Risk Management Policy.

General Manager

- Recognise, actively encourage and adopt and ensure implementation of appropriate Risk Management as an essential a key function of the organisation
- Facilitate the Development and provision of awareness training throughout Council
- Provide risk management related information, as requested by Council, and

- Ensure risks are managed in accordance with the Standard or Standards referred to in Clause 5 AS/NZS ISO 31000:2009 Risk Management Standard, legislation and Council policy.

Directors/Supervisors

- Maintain overall responsibility for the effective management for all types of risks related to this policy across Council's operations;
- Ensure that Council's assets and operations, together with liability risks to the public, are adequately protected through appropriate risk financing and loss control programs and measures;
- Prepare and implement documented procedures for each area of operations;
- Monitor and audit practices and processes to ensure appropriateness to current conditions and practices;
- Provide information when requested which will assist to provide assistance in the investigation of a risk management issue or claim that has been made against Council;
- Immediately act upon information provided by employees or residents who are reporting a hazard or incident; and
- Actively implement Risk Management audit recommendations.
- Promote and inform all employees, contractors and volunteers of the policy and their requirements.

Employees, Contractors and Volunteers

- Familiarise themselves with Council's Risk Management policy, principles and procedures;
- Employ risk management principles and practices to ensure that loss control and prevention is a priority whilst undertaking daily tasks;
- Report any hazard or incidents as soon as possible that may have a potential risk exposure to Council, employees, contractors or the public;
- Assist positively with investigations related to incidents that have occurred as a result of a hazard or incident; and
- Take notice of and implement recommendations or risk management audits conducted in the workplace.

Risk Management Committee

- Effectively co-ordinate and facilitate risk management operations within the framework provided by the Standard or Standards referred to in Clause 5 AS/NZS ISO 31000:2009 Risk Management Standard, legislation and Council policy;
- Review Council's risk management policies and procedures;

- Recommend new procedures or amendments to existing procedures to reduce risk;
- Review and monitor Council's risk management performance measures; and
- Monitor the recommendations and outcomes from risk management audits.

Implementation

~~A comprehensive review of all Council's activities will be undertaken to assess the level of compliance with this policy.~~ A Risk Management Strategy including internal audits and reviews will be completed on a regular basis to enable progressive adjustment of practices to be undertaken to achieve full compliance with this policy.

Performance Review

~~This policy will become effective upon approval by Council. It will be reviewed in accordance with Council's Annual Plan.~~

Council will ensure that there are ongoing reviews of its management system to ensure its continued suitability and effectiveness, ~~in satisfying the requirements of the AS/NZS ISO 31000:2009 Risk Management Standard.~~ Records of all reviews and changes shall be documented.

5. Legislation & Related Standards

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- AS/NZS ISO 31000:2009 Risk Management Standard
- AS ISO GUIDE 73:2009 Risk Management – Vocabulary
- AS ISO IEC 31010:2009 Risk Management – Risk Assessment Techniques

6. Responsibility

Responsibility for the operation of this policy rests with the General Manager.

GOV 3 REVIEW OF POLICY NO 69 – DISABILITY ACCESS

1) Introduction

The purpose of this report is for Council to review Policy No. 69 - Disability Access.

2) Background

This policy was adopted by Council in September 2006 following a recommendation from the 2004 Local Government Board review.

The policy has been considered by Council through its 3-year review cycle in 2009 and 2012 with no fundamental changes made.

In preparing for its 2015 review, the policy was evaluated by Council's Audit Panel who suggested that it is unnecessary as a stand-alone policy as it is a 'procedure' enacted through other existing plans and policies.

3) Strategic/Annual Plan Conformance

The Annual Plan provides for the review of this policy in the September quarter.

4) Policy Implications

The process of policy review will ensure that policies are up to date and appropriate.

5) Statutory Requirements

The policy specifies the related legislation.

6) Risk Management

The policy reduces Council's exposure to risk by providing guidelines to ensure that access to all Council facilities and services is consistently managed.

7) Consultation with State Government and other Authorities

Not Applicable



8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Council could choose to amend or continue its policy for Disability Access.

11) Officers Comments

Council is committed to maximising public access to all aspects of its business. This is inherent in its many policies and plans and guided by legislation such as the Commonwealth Disability Discrimination Act (1992), the Disability Services Act 2011 (Tas) and the Tasmanian Anti-Discrimination Act (1999).

Much of the text in Councils Disability Access Policy No. 69 appears to address peripheral matters such as definitions and principles. Its five key objectives may be adequately captured through existing practice as indicated below:

Council will:

1. Progressively modify its existing facilities to comply with access standards
Australian Building Codes and Meander Valley Interim Planning Scheme 2013
2. Ensure that members of the community are able to consult with Council and are kept informed of its decisions and directions
Community Strategic Plan 2014-24, Community Development Framework and Customer Service Charter
3. Encourage widespread understanding of the needs of people with disabilities and ensure that it provides quality services to all customers.
Community Strategic Plan 2014-24, Community Development Framework and Customer Service Charter
4. Ensure its new building developments are accessible for all
Australian Building Codes and Meander Valley Interim Planning Scheme 2013



5. Continually develop services to be more inclusive and accessible
Australian Building Codes, Meander Valley Interim Planning Scheme 2013, Community Strategic Plan 2014-24, Community Development Framework and Customer Service Charter

AUTHOR: Patrick Gambles
COMMUNITY DEVELOPMENT MANAGER

12) Recommendation

It is recommended that Council discontinue its Disability Access Policy No 69 as follows and express a commitment to supporting Disability and Difference within its Community Development Framework:-

POLICY MANUAL

Policy Number: 69

Disability Access

Purpose:

To direct and inform Council business in regard to community access to its services and facilities.

Department:

Governance & Community Services

Author:

Patrick Gambles, Community Development Officer

Council Meeting Date:

13th November 2012

Minute Number:

190/2012

Next Review Date:

September 2015

POLICY

1. Definitions

Disability - is defined by the Commonwealth Disability Discrimination Act 1992 as:

- total or partial loss of the person's bodily or mental functions; or
- total or partial loss of a part of the body; or
- the presence in the body of organisms causing disease or illness; or
- the presence in the body of organisms capable of causing disease or illness; or
- the malfunction, malformation or disfigurement of a part of the person's body; or



- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour.

Access - is defined in terms of the ability of the residents and visitors to use the service or facility provided. Consequently, a service is accessible when:

- it is easy to find out about
- it is easily understood
- it is easy to get to
- it is easy to use
- people who use it feel they are welcome
- people know that they will get the right assistance when they need it
- people are confident that every reasonable effort will be made to address their needs.

Discrimination - means treating people with a disability less favourably than people without a disability would be treated under the same circumstances.

2 Objective

To maximise public access to all aspects of Council business.

3. Scope

This policy applies to the councillors, management, employees, contractors and volunteers in the management of access issues that arise from daily business activities.

4. Policy

Council is committed to maximising access for people within all aspects of its business including people with a disability, older Australians, and those with mobility difficulties.

Council will:

- Progressively modify its existing facilities to comply with access standards.
- Council will ensure that members of the community are able to consult



with Council and are kept informed of its decisions and directions.

- Encourage widespread understanding of the needs of people with disabilities and ensure that it provides quality services to all customers.
- Ensure its new building developments are accessible for all.
- Continually develop services to be more inclusive and accessible.

Guiding Principles

- No two individuals are alike.
- The needs of people change across their life span.
- People can become disabled and/or acquire a disability throughout their life.
- A person with a disability is a person first and foremost and is not defined by that disability.
- People with disabilities have the same fundamental rights as all residents and visitors to the municipality.
- A change to the physical and social environment, which creates better access and equity, is key to integration of people with disabilities into the community.
- Where possible all facilities, public space, services, information, programs and areas under Council's control should be accessible to all.
- The needs of people with disabilities should be promoted within Council and to the wider community.
- Where achievable, service provision should complement a person's own family and community supports

5. Legislation and Related Council Policies

Commonwealth Disability Discrimination Act (1992)

The Disability Services Act 2011 (Tas)

Tasmanian Anti-Discrimination Act (1999)

Australian Standards 1428, 2001

MVC Policy 72 Street Dining and Vending

6. Responsibility

Responsibility for the operation of this policy rests with the General Manager.

DECISION:



GOV 4 COUNCIL AUDIT PANEL MEMBER

REPLACEMENT

1) Introduction

The purpose of this report is for Council to appoint a replacement Councillor Member to its Audit Panel.

2) Background

At its December 2014 meeting, Council appointed Cr Richardson and Cr Mackenzie to join the independent Chairman to form Council's three member Audit Panel in accordance with its Audit Panel Charter. Following his attendance at an Audit Panel forum in July 2015, Cr Richardson by letter dated 22 September expressed his concerns regarding Councillors being members of Audit Panels for their own Council and concluded that for him, as a Councillor to be part of the Meander Valley Council Audit Panel was probably inappropriate. He therefore offered his resignation from Council's Audit Panel.

At the 10 November 2015 Council meeting Cr Mackenzie also tendered his resignation meaning there were two Councillor Member vacancies to be filled. Cr Connor was appointed to fill one vacancy while no other Councillor was prepared to nominate at that time.

The independent Audit Panel Chairman, Steve Hernyk, attended the 24 November 2015 Council workshop to provide his advice on Councillor Membership, the role of the Audit Panel and encouraged Councillors to nominate.

3) Strategic/Annual Plan Conformance

2015-16 Annual Plan program number 1.2; Risk Management - Action No 5
Co-ordinate functions of the Audit Panel

Furthers the objectives of Future Direction (5) Innovative leadership and community governance, within Council's Community Strategic Plan 2014 - 2024

4) Policy Implications

Not Applicable



5) Statutory Requirements

Sections 85, 85A and 85B of the Local Government Act 1993 and the Local Government (Audit Panels) Order 2014 – refer to attached section 5, Membership of audit panel.

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

The appointment of an Independent Member to the Audit Panel could cost between two and three thousand dollars per annum.

10) Alternative Options

Council could seek to appoint an Independent Member to the Audit Panel.

11) Officers Comments

The independent Audit Panel chairman's advice at the 24 November 2015 Council workshop on Councillor Membership, the role of the Audit Panel and his encouragement of Councillors to nominate for the vacant position is supported by the relevant legislation. Councillor Membership is also supported in the publication of the "Local Government Audit Panels – A Practice Guide" document issued by the Local Government Division, Department of Premier and Cabinet to assist Councils in the establishment and operation of Audit Panels.

The following table showing the make-up of Audit Panels for all Tasmanian Councils was published in the Auditor General's Report for 2015.



	Audit Panels 2014	Audit Panels 2015	Number of Independent Members	Number of Councillors
City Councils				
Burnie	i	i	2	2
Clarence	i	i	3	2
Devonport	i	i	3	2
Glenorchy	i	i	3	2
Hobart	i	i	3	2
Launceston	i	i	2	2
Large Urban and Rural Councils				
Central Coast	x	i	2	2
Circular Head	x	i	4	1
Huon Valley	i	i	2	2
Kingborough	i	i	2	2
Meander Valley	i	i	1	2
Waratah-Wynyard	x	i	4	0
West Tamar	i	i	1	2
Medium Rural Councils				
Brighton	p*	p*	1	2
Derwent Valley	x	x	n/a	n/a
George Town	i	i	1	2
Latrobe	p	i	1	2
Northern Midlands	i	i	2	2
Sorell	p*	p*	3	2
West Coast	x	s	1	2
Smaller Rural Councils				
Break O'Day	x	i	1	2
Dorset	x	i	1	2
Central Highlands	p*	p*	2	2
Flinders	p*	i	2	2
Glamorgan Spring Bay	p*	p*	3	2
Kentish	p	i	1	2
King Island	x	i	4	0
Southern Midlands	i	i	1	2
Tasman	p*	p*	2	2

i = fully implemented

p = implemented with independence issues*



At its December 2014 meeting Council took the minimalist approach of having a three member panel requiring only one independent member.

As there is a legislated and practical role for Councillor Members on council's own Audit Panels it is recommended that Council appoint a replacement Councillor Member to fill the vacancy on its Audit Panel for the remainder of the current two year term expiring in October 2016.

AUTHOR: Greg Preece
GENERAL MANAGER

12) Recommendation

It is recommended that Council appoint a replacement Councillor Member to fill the vacancy on its Audit Panel for the remainder of the current two year term expiring in October 2016.

DECISION:



Local Government (Audit Panels) Order 2014

5. Membership of audit panel

(1) The audit panel of a council is to be constituted by a minimum of 3 and a maximum of 5 members of whom –

(a) if the panel has 4 or 5 members, at least 2 must be independent persons; or

(b) if the panel has 3 members, at least one must be an independent person.

(2) Without limiting who may be members of an audit panel, the following persons are eligible to be members of an audit panel:

(a) a councillor, other than the mayor, of the relevant council;

(b) a councillor, or employee, of another council;

(c) a member of an audit panel of another council.

(3) A person who is an employee, or the general manager or the mayor, of a council is not entitled to be a member of the audit panel of that council.

(4) The council is to appoint the members of its audit panel.

(5) In appointing an independent person as a member of an audit panel, the council –

(a) is to ensure that the person possesses good business acumen and sound management and communication skills; and

(b) may take into account any other relevant knowledge, abilities and skills of the person including, but not limited to –

(i) knowledge and expertise in the areas of audit practices and financial management; and

(ii) knowledge of and experience in relevant industries; and

(iii) experience with governance processes including, but not limited to, risk management.

GOV 5 SPECIAL COMMITTEES OF COUNCIL

1) Introduction

The purpose of this report is to formalise the annual appointment of members of Special Committees of Council.

2) Background

Council has a number of special hall and recreation ground committees together with the Deloraine and Westbury Community Car Committees, Natural Resource Management Committee and the Townscape, Reserves & Parks Committee.

Each year it is necessary to formalise the appointment of members of all Special Committees as member representation changes.

3) Strategic/Annual Plan Conformance

Council has a program objective under Section 1.1 of the Annual Plan to ensure compliance with legislative requirements.

4) Policy Implications

Not applicable

5) Statutory Requirements

Council needs to formally appoint members of Special Committees as required by Section 24(2) of the Local Government Act 1993.

6) Risk Management

All Special Committees of Council operate under a signed Memorandum of Understanding with Council which outlines the ongoing arrangements for the effective management of the respective Council owned properties. Each individual member of every Special Committee of Council has completed a Member Information Sheet for insurance purposes.

7) Consultation with State Government and other Authorities

Not Applicable



8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Not Applicable

11) Officers Comments

An updated membership list is obtained from each Special Committee following their Annual General meetings.

AUTHOR: David Pyke

DIRECTOR GOVERNANCE & COMMUNITY SERVICES

12) Recommendation

It is recommended that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:-

Special Committee	Members
<i>Birralee Memorial Hall Committee:</i>	Esther Blackberry, M Dewsbery, L Brient, D Hall, G Blackberry, D Arnold, Ernest Blackberry, L Blackberry, N Hall, F Camino
<i>Bracknell Public Hall and Recreation Ground Committee:</i>	Stephen Jones, S Cousens, G Leonard, C Spencer, R Leonard, Sharmaine Jones, N Jones, C Jones, A Cousens, A Strickland, K Rushton, E Preece, E Leonard, Merrilyn Shelton, I Mackenzie, B Shelton, O Shelton, L Richardson
<i>Carrick Community Committee:</i>	E Strickland, D Keygan, R Shean, D Williams, J Cunningham, R Williams, S Stevenson, B Stevenson, N Trower, C Blackwell, R Renault



<i>Caveside Recreation Committee:</i>	K Howe, Kelvin Haberle, Katy Haberle, M Manners, C Robertson, T Robertson, R Linger, C Linger, S Manners, N Doyle, R Stafford, Z Crowden, J Robertson, C Doyle, M Crowden, G Robertson, A Crowden, C Capper, G Capper
<i>Chudleigh Memorial Hall Committee:</i>	J Lamont, D Crowden, N Ritchie, W Richardson, B Hingston, Leon Philpott, T Pickett, S Crowden, M Cameron, M Wilson, E Bryan, D Philpott, A Cameron, M Gleeson, L Haberle, P Philpott, B Motton, P Crowden
<i>Dairy Plains Memorial Hall Committee:</i>	N Atkins, P Atkins, K Atkins, D Atkins, A Atkins, R Atkins, G Atkins, B Atkins, M Atkins, C Fletcher
<i>Deloraine Community Car Committee:</i>	R Axelsen, M Young, S Keegan, K Earley, R Roles, C Fowler, G Scott
<i>Meander Hall and Recreation Ground Committee:</i>	J John, S Johnston, S Saltmarsh, N Chilcott, A Costello, C Chilcott, T Buttery, A Berne, N Johnston, D Chilcott, K Bird, A Geard, S Jones
<i>Mole Creek Memorial Hall Committee:</i>	C Martin, B Walters, M Martin, D Walters, K Philpott, K Lane, L Tolman-Armstrong, K Green, P Lane, E Gale, J Barrow, M Philpott, S Wilks, D Stewart, D Youd, R Larcher, C Frydrych, L Stephens
<i>Rosevale Memorial Hall and Recreation Ground Committee:</i>	G Cuthbertson, K Cuthbertson, C Davson-Galle, K Best, M Eddington, R Millwood, B Bennett, W Cuthbertson, T Cuthbertson, C Hendley, T Hendley, M Souto, R Hardwicke, T Reed
<i>Selbourne Memorial Hall Committee:</i>	D Eyles, M Heazlewood, G Eyles, J French, D French, M Brown, M Hills, T Hills, N Reed, A Reed, P Brown, J Brown, J Eyles, P Eyles
<i>Weegena Hall Committee:</i>	G Swinsburg, T Dawkins, J Hawley, S Harvey, S Roberts, A Lindsay, J Buck, M Lindsay, F Robinson, R Buck, C Roberts, L Norton, K Sheldon, P Mackay, C Gard, R Thomas, C Norton, A Robinson, M Webster, M Sheldon, M Graves, L Pittard, A LeFevre, J Lindsay, B Lindsay, G Lindsay, J Spicer



<i>Westbury Community Car Committee:</i>	C Blazely, E Blackley, E Carter, D Badcock, K Philpott, R Travis, S Gould
<i>Westbury Recreation Ground Management Committee:</i>	S West, M Claxton, G McDonough, G Claxton, L Brient, K Pitt, K Garwood, D Jarvis, R Reinmuth
<i>Westbury & Districts Historical Society</i>	J Starr-Thomas, V Greenhill, A Witherden, M Cameron, S West, K Treloggen, S Badcock, C Horgan, F Badcock, D Murray, A Barber, D Taylor, A Taylor, P Swain, S Manners, P Mantanle, B Greenhill, A Manners, H Summers
<i>Whitemore Recreation Ground Committee:</i>	K Pitt, B Pearn, K Johns, E Shaw, H Cresswell, S Pearn, S French, M Cresswell, M Dent
<i>Natural Resource Management Committee</i>	S Brownlea, D Bower, A Baldwin, Cr M Kelly, R Dunn, J Bell, G Neill, M Bennett, T Schmidt
<i>Townscape, Reserves and Parks Committee</i>	Cr A Connor, Cr R Synfield, Cr B Richardson, I Knight, J Temple, D Fitzgerald, C Chilcott, L Catchlove, G Bartley, N Szczyglowska, D Pyke, D De Paoli, M Millwood

DECISION:



INFRA 1 REVIEW OF BUDGETS FOR THE 2015-2016 CAPITAL WORKS PROGRAM

1) Introduction

The purpose of this report is to provide information to Council on capital works projects budget variations and to seek Council approval for additional funding and the reallocation of funding within the Capital Works Program where budget variations fall beyond the limit of the General Manager's financial delegation.

2) Background

Project budget allocations within the Capital Works Program that are submitted to Council for approval prior to the commencement of each financial year are prepared using a range of methods. In some instances and depending on the availability of resources and time constraints, projects can be thoroughly scoped and accurate estimates prepared using available empirical or supplier information. Conversely, project cost estimates may only be general allowances prepared using the best information available at the time.

During the financial year detailed design, adjustment to project scope and the undertaking of additional works during construction results in project expenditure under and over approved budget amounts.

The overall financial objective in delivering the Capital Works Program is to have a zero net variation in the program budget. As part of our ongoing management of projects, Council officers review project time lines, budgets and scope. Project savings are generally used to offset project overruns and additional funding can be requested to assist with balancing the budget or to finance new projects.

For this current review period a number of additional projects are listed for Council approval as discussed at the November workshop. This additional list has been prepared following the resolution by Council at the June 2015 Ordinary Meeting of Council to commit \$2.5 million of accumulated funds to new projects.

3) Strategic/Annual Plan Conformance

Council's Annual Plan requires Council officers to report on the progress of capital works projects.



4) Policy Implications

Not Applicable

5) Statutory Requirements

Section 82(4) of the *Local Government Act 1993* requires Council to approve by absolute majority any proposed alteration to Council's capital works budget outside the limit of the General Manager's financial delegation of \$20,000.

6) Risk Management

Not applicable

7) Consultation with State Government and other authorities

Not applicable

8) Community Consultation

Not applicable

9) Financial Impact

The recommended variations in this report will result in an increase of \$570,000 to the value of the 2015-2016 Capital Works Program. \$505,000 of this increase is allocated to new Councillor initiated projects. The net increase is \$520,000 due to the receipt of a \$50,000 Government grant.

Council Officers provided information at the November Workshop on anticipated additional operational expenses and the possible impact on rating attributable to the additional \$505,000 in new Councillor initiated projects.

10) Alternative Options

Council can amend or not approve the recommendation.

11) Officers Comments

In order to deliver the outcomes required from capital works projects outlined in the Annual Plan, Council officers regularly review project scope,



resourcing requirements and committed and forecast expenditure. Typically on a quarterly basis, project information is presented to Council where cost variations have occurred, and formal approval is requested from the Council to reallocate funding within the Capital Works Program where variations are beyond the General Manager's financial delegation, or where new project works not previously approved in the Capital Works Program are required to be financed.

The table below provides a listing of new projects for inclusion in the Capital Works Program and existing projects where reallocation of funding is required. The first eight (8) projects listed have been nominated by Councillors for inclusion in the program and were discussed at the November workshop. It is noted that other projects nominated at the Workshop will require further scoping by Council Officers and discussion by Council at a subsequent workshop prior to formal Council approval.



TABLE 1: 2015-2016 CAPITAL WORKS BUDGET – NEW PROJECTS AND REALLOCATION OF PROJECT FUNDING

No.	Project Name	Cost to date	Original Budget	Variation	New Budget	Delegation	Comments
-	Footpath construction in vicinity of Westbury Primary School	\$0	\$0	\$100,000	\$100,000	Council	Allocate funding from accumulated cash.
-	New footpath, Lansdowne Place at Deloraine High School	\$0	\$0	\$155,000	\$155,000	Council	Allocate funding from accumulated cash.
-	New footpath – South St to Church St, Meander Valley Rd, Carrick	\$0	\$0	\$40,000	\$40,000	Council	Allocate funding from accumulated cash.
-	Black Hills Road upgrade between Station Lane and Glenore Rd	\$0	\$0	\$60,000	\$60,000	Council	Allocate funding from accumulated cash.
-	Intersection improvement – Marriott St & Meander Valley Rd, Westbury	\$0	\$0	\$10,000	\$10,000	Council	Allocate funding from accumulated cash.
-	Installation of guard rail – Gulf Road	\$0	\$0	\$75,000	\$75,000	Council	Allocate funding from accumulated cash.
-	Construction of new bus shelter, Bartley St Hadspen	\$0	\$0	\$15,000	\$15,000	Council	Allocate funding from accumulated cash.
-	Drainage improvements – Jane St Bracknell	\$0	\$0	\$50,000	\$50,000	Council	Allocate funding from accumulated cash.
	Variation Subtotal			\$505,000			

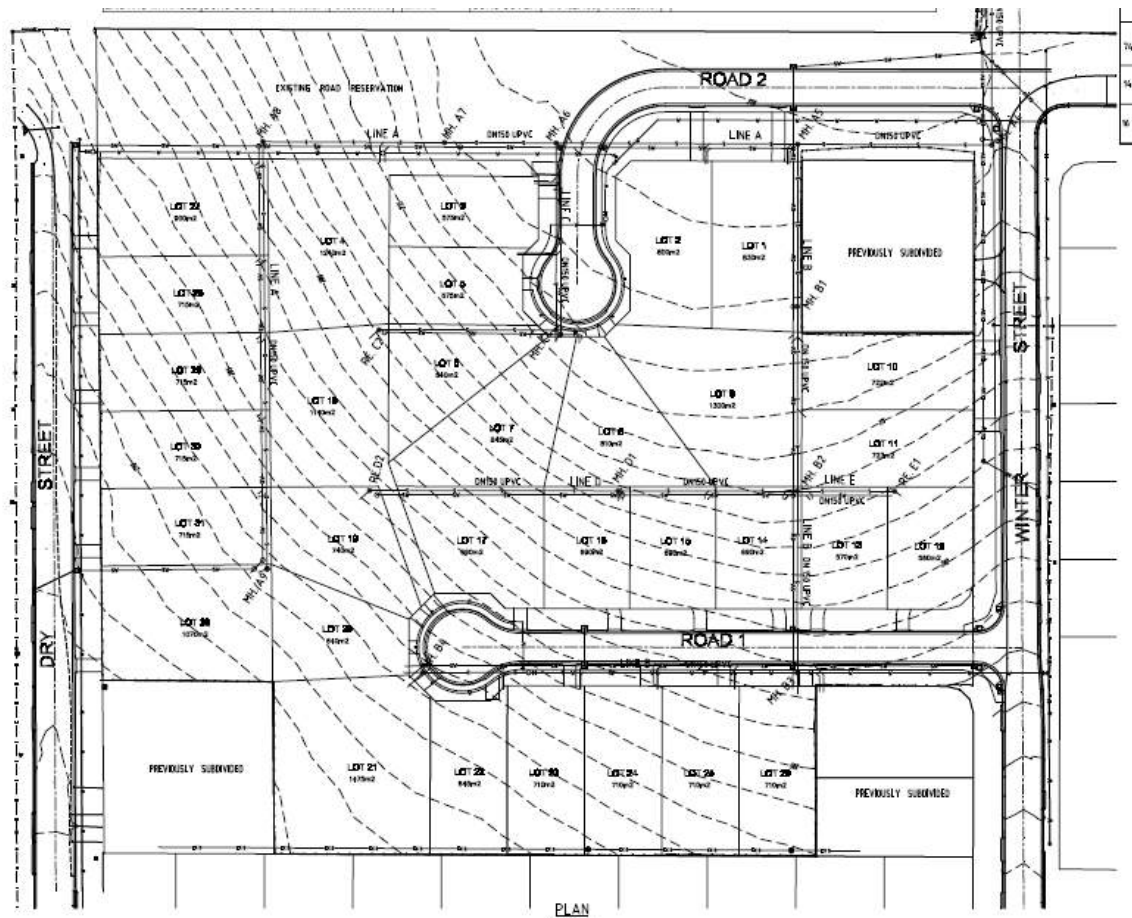


No.	Project Name	Cost to date	Original Budget	Variation	New Budget	Delegation	Comments
5829	Morrison Street Subdivision Contribution, Deloraine	\$3175	\$45,000	-\$35,250	\$9,750	Council	Reallocate funds to Project No. 5837 for Dry Street Contribution.
5837	Dry Street Subdivision Contribution, Deloraine	\$0	\$0	\$35,250	\$35,250	Council	New project and funding allocated from Project 5829.
6289	Mt Leslie Road, Prospect Vale – Parking Improvements	\$0	\$0	\$15,000	\$15,000	Council	Allocate funding from accumulated cash.
6288	Westbury Road – Prospect Vale Park Entrance Roundabout	\$5,015	\$0	\$50,000	\$50,000	Council	Approve funding allocation received from State Government Grant
	Variation Subtotal			\$65,000			
	Totals		\$45,000	\$570,000	\$615,000		



Dry Street Subdivision Contribution

The Dry Street residential subdivision in Deloraine comprised 32 lots across 3 stages (refer plan below).



Dry Street subdivision layout, Deloraine

The third and final stage of work has been completed in Dry Street and the developer has now requested payment of Council's contribution for infrastructure costs associated with Stage 3, in line with Council's commitment when the planning permit for the subdivision was approved. The contribution was based on Council's Subdivision Roadworks Contribution Policy effective at the time.

The Council contribution to the Stage 3 works will be \$33,570.67, which is 50% of the total costs for work in the road reserve. This cost has been assessed by Council officers and is considered to be acceptable.

There is currently no specific allocation in Council's Capital Works Program for this contribution. It is recommended that Council approve the allocation of \$35,250 in capital funding, which includes overheads, from Project 5829 Morrison Street Subdivision Contribution Deloraine, to a new project number for the Dry Street subdivision contribution. It is noted that there has been no recent activity on the Morrison Street subdivision and Council officers will recommend that the budget for

Morrison Street be reinstated as part of considerations for the 2016-2017 capital works budget.

Nutt Street Extension, Deloraine

Nutt Street is located on the northern side of Deloraine off Emu Bay Road. At the January 2014 Ordinary Meeting of Council a report was presented to Council on the proposed residential subdivision of land at the eastern end of Nutt Street. A recommendation was made in relation to the provision of a contribution by Council toward the cost for construction of an extension of 140 meters in length to Nutt Street. Council resolved to contribute \$25,000 toward the project (Minute No.14/2014). The image below shows the Nutt Street location (blue line represents approx. 140m in length).



Nutt Street, Deloraine

A formal application for subdivision of land at the eastern end of Nutt Street has not yet been received by Council, however, Council's Development Services Department has been involved in recent discussions with a developer on a number of planning matters.

The \$25,000 contribution by Council has not been included in Council's Capital Works Program. Further to discussion at the November Workshop, it is recommended by Council Officers that capital funding for this commitment is allocated during the setting of the capital works budget for the 2016-2017 financial year.



Mt Leslie Road, Prospect Vale - Parking Improvements at St Patricks

This project was identified as an outcome from the Prospect Vale Blackstone Heights Structure Plan. An implementation plan for a number of projects arising from the Structure Plan has been presented to Council at the September Workshop, with this specific Mt Leslie Road project noted as a short term objective. Council officers are progressing this project on the understanding that Council supports the project in principal and requires further information on the options and costs to be considered before formal commitment is provided for a construction budget.

The extent of Mt Leslie Road that is subject to congestion during school hours at St Patricks College is between the roundabout on Westbury Road and Montpelier Drive to the west.

A surveying consultant has been engaged to complete field survey work and an engineering consult has also been engaged to assist with the development of concepts to address parking issues, and pedestrian and motorist safety.

It is recommended that Council approve an allocation of \$15,000 from accumulated cash to the capital works project number established for this project.

Westbury Road – Prospect Vale Park Entrance Roundabout

The construction of a new roundabout on Westbury Road near the Galvline property was identified as part of the Westbury Road Transport Study project. This roundabout is integral to the construction of a new access to the Prospect Vale Park sports complex (refer image below).



Concept layout – proposed Westbury Road roundabout

The State Government through the Department of State Growth has provided Council with a grant to engage a consultant to design the proposed works. The grant of \$50,000 was received in September.

It is requested that Council endorse this new project, with subsequent funding requirements reviewed with Council prior to the issue of any tender for the construction of the designed works.

For this review period the reallocation of funding between projects and the inclusion of new projects in the Capital Works Program requires Council approval. Overall, there is a \$520,000 net variation to the Program budget.

AUTHOR: Dino De Paoli
DIRECTOR INFRASTRUCTURE SERVICES

12) Recommendation

It is recommended that Council approve the following changes to the 2015-2016 Capital Works Program.

Project	Project Name	Original Budget	Variation	New Budget
-	<i>Footpath construction in vicinity of Westbury Primary School</i>	\$0	\$100,000	\$100,000
-	<i>New footpath, Lansdowne Place at Deloraine High School</i>	\$0	\$155,000	\$155,000
-	<i>New footpath – South St to Church St, Meander Valley Rd, Carrick</i>	\$0	\$40,000	\$40,000
-	<i>Black Hills Road upgrade between Station Lane and Glenore Rd</i>	\$0	\$60,000	\$60,000
-	<i>Intersection improvement – Marriott St & Meander Valley Rd, Westbury</i>	\$0	\$10,000	\$10,000
-	<i>Installation of guard rail – Gulf Road</i>	\$0	\$75,000	\$75,000
-	<i>Construction of new bus shelter, Bartley St Hadspen</i>	\$0	\$15,000	\$15,000



Project	Project Name	Original Budget	Variation	New Budget
-	Drainage improvements – Jane St Bracknell	\$0	\$50,000	\$50,000
5829	Morrison Street Subdivision Contribution, Deloraine	\$45,000	-\$35,250	\$9,750
5837	Dry Street Subdivision Contribution, Deloraine	\$0	\$35,250	\$35,250
6289	Mt Leslie Road, Prospect Vale – Parking Improvements	\$0	\$15,000	\$15,000
6288	Westbury Road – Prospect Vale Park Entrance Roundabout	\$0	\$50,000	\$50,000
	Totals	\$45,000	\$570,000	\$615,000

DECISION:



ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor xx moved and Councillor xx seconded ***"that Council move into Closed Sessions to discuss the following items."***

CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 10 November 2015, 2015.

GOV 6 LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

GOV 7 AUSTRALIA DAY NOMINATIONS

(Reference Part 2 Regulation 15(2)(f) Local Government (Meeting Procedures) Regulations 2015)

The meeting moved into Closed Session at x.xxpm

Cr xxx moved and Cr xxx seconded ***"that Council move out of Closed Session and endorse those decisions taken while in Closed Session."***

The meeting re-opened to the public at x.xxpm

Cr xxx moved and Cr xxx seconded ***"that the following decisions were taken by Council in Closed Session and are to be released for the public's information."***

The meeting closed at

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CRAIG PERKINS (MAYOR)

