

Meander Valley Council

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

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 13 November 2018

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 13 November 2018 at 1.30pm.**

Martin Gill
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 13 November 2018 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 9 October, 2018, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Nil

ANNOUNCEMENTS BY THE MAYOR:**Wednesday 10 October 2018**

Combined Staff meeting

Tourism Awards finalist announcement

Monday 29 October 2018

Citizenship Ceremony

Saturday 3 November 2018

Tasmanian Craft Fair official dinner

DECLARATIONS OF INTEREST:

TABLING OF PETITIONS:

Nil

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. PUBLIC QUESTIONS TAKEN ON NOTICE – OCTOBER 2018

Nil

2. PUBLIC QUESTIONS WITH NOTICE – NOVEMBER 2018

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – NOVEMBER 2018

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – OCTOBER 2018

1.1 Cr Ian Mackenzie

a) Sport and Recreation Venues and Sport and Recreation Facilities

- i. Would it be correct to say that council currently receives approximately \$110,000 from sports users of council's sport and recreation venues and Sport and Recreation facilities across MVC municipal area?

Response by Martin Gill, General Manager

It would be around \$120,000. (previously answered in October minutes)

ii. What % of that would come from Prospect Vale/Blackstone?

Response by Jonathan Harmey, Director Corporate Services

26%

iii. What % of that would come from Westbury?

Response by Jonathan Harmey, Director Corporate Services

15%

iv. What % of that would come from Deloraine?

Response by Jonathan Harmey, Director Corporate Services

45%

v. What % of that would come from Bracknell?

Response by Jonathan Harmey, Director Corporate Services

3%

1.2 Cr Bob Richardson

a) Recently I have received concerns from citizens in Westbury. Those concerns relate to roadside spraying of road verges. Both these people requested what chemical(s) were being used, and was glyphosate one of them. Both complainants reported activity within the Westbury township. One also reported erratic driving behaviour of the spray unit, which was reportedly weaving in and out of parked vehicles on Meander Valley Road, seemingly without regard to traffic. The operator seemed not to be wearing protective clothing. Spraying was being directed up to 8m from the operator.

i. If glyphosate wasn't used what was?

Response by Matthew Millwood, Director Works

The subject herbicide used to treat broadleaf weeds at Westbury during the period 20-25 September 2018 was Lontrel.

b) Council has undertaken to construct two more netball courts during 2018/19 to add to the existing six(?) in Deloraine. Meanwhile other similar sized population centres have no, or minimal, netball facilities. Could Council confirm that the Deloraine netball funding commitment in 2018/19 is north of \$550,000?

Could Council also confirm that, recently \$128,000 was spent on 6 (six) basketball rings?

Meanwhile, Westbury schoolchildren are required to walk to/from school, and other facilities, next to open drains, sometimes on roads, "mixing it" with traffic and young parents with prams and those disability scooters are required to travel on sub-standard footpaths and/or on nature strips where there are no property footpaths at all.

Could Council confirm that there is no allocation in the 2018/19 Capital Works (or maintenance) budgets for extension to the concrete footpath network and elimination of open drains?

Response by Jonathan Harmey, Director Corporate Services

In May 2018 Council approved the 2018-19 capital works project for Netball Courts, lighting and fencing at the Deloraine Community Complex of \$510,000, subject to external grant funding contributions of \$229,000 being received. Council's financial commitment to the project would therefore be \$281,000.

In the 2015-16 financial year Council approved \$110,000 for the construction of basketball rings with the final cost of the project being \$112,969. External contributions of \$40,909 were provided towards the project. Council's financial commitment to the project would therefore be \$72,060.

Response by Dino De Paoli, Director Infrastructure Services

Council did not approve a budget allocation in the 2018/2019 Capital Works program for improvements to the footpath network in Westbury. Council did approve \$110,000 in capital works funding for piping the open drain in King Street, between Jones to Taylor Street, and undertaking improvements to the Taylor Street stormwater catchment.

- c) Council officers, in response to questions over some time, have indicated that Council has a policy for preferred local purchases.

Why does Council continue to purchase sandwich lunches from Deloraine (I am sure that local suppliers could supply sandwiches and a few party pies)?

Australia Post is one of Australia's largest suppliers of office stationary with local agencies throughout the nation.

Is there any reason that Council has never sought a quote for supply of office stationary from the local post office?

Response by Jonathan Harmey, Director Corporate Services

Council purchases catering from a number of suppliers, it is correct that sandwich lunches have been purchased from the Deloraine Deli at times. Other items including party pies have been purchased from the Westbury IGA. Both the Deloraine Deli and Westbury IGA are local Meander Valley suppliers.

Council's procurement practices are guided by the Code for Tenders and Contracts 2015, available from Council's website. The code aims to provide opportunities for local suppliers. It is expected that all of the stationary orders are below the \$20,000 procurement value and therefore made in compliance with section 5.8.1 of the code. Council regularly seeks price reductions for consumables as we seek to provide efficient services to the community, Council may seek a quote for stationary from Australia Post in the future.

- d) For how much longer does Council think ratepayers from the former Westbury Municipality will be prepared to continue to cross-subsidise ratepayers in the former Deloraine Municipality. This applies to Capital Works (including those contributed by State and Federal Governments) and recurrent funds?

Response by Martin Gill, General Manager

Council generally approves the Capital Works Program in May each year and property rates and charges in June each year. The municipalities of Westbury and Deloraine were amalgamated in 1993. There have been twenty six (26) capital works programs and operating budgets completed where the location of capital works projects and determination of property rates and charges have been considered and discussed by Council.

A review of the capital works programs from the last 10 years undertaken by Council officers and presented to Council in 2017 indicated that no area within Meander Valley has received a disproportionate distribution of Council funds.

1.3 Cr Andrew Connor

- a) Senior Management costs

A 'letter to the editor' in the October 2018 issue of the Meander Valley Gazette claims that the cost to Council of senior management (1 General Manager + 4 Directors) during the 2016-2017 financial year was \$1,258,000.

Will Council respond to this letter and clarify that during the 2016-2017 financial year, the stated cost also contained payments to 3 former Directors and a former General Manager including their leave and termination entitlements?

Response by Jonathan Harmey, Director Corporate Services

The letter by B. Lee published in the October 2018 edition of the Meander Valley Gazette refers to note 41 in the 2016-17 financial statements, available from Council's website. Councillor Connor is correct that where the letter to the Gazette states five (5) employees are included in total values, note 41 states that nine (9) employees are included in the total values. The values do also include some leave and termination entitlements, vehicle values and superannuation payments of those nine (9) employees. The remuneration amounts published in the Gazette are calculated on a five (5) employee basis, are incorrect and misleading.

2. COUNCILLOR QUESTIONS WITH NOTICE – NOVEMBER 2018

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – NOVEMBER 2018

DEPUTATIONS BY MEMBERS OF THE PUBLIC

NOTICE OF MOTIONS BY COUNCILLORS

GOV 1 RESCIND DECISION 198/2018 – DEPUTY-MAYOR MICHAEL KELLY

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."



Martin Gill
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 items C&DS 1 to C&DS 3 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

C&DS 1 201 VETERANS ROW, WESTBURY - SUBDIVISION (3 LOTS)

1) Introduction

This report considers application PA\19\0042 for Subdivision (3 lots) on land located at 201 Veterans Row, Westbury (CT 140324/2).

2) Background

Applicant

PDA Surveyors

Planning Controls

The subject land is controlled by the *Meander Valley Interim Planning Scheme 2013* (referred to in this report as the 'Scheme').

Use & Development

The property at 201 Veterans Row in Westbury contains a dwelling and an outbuilding. The proposal is to subdivide this property into three (3) residential lots (see Table 1 below). The proposed subdivision layout is below (see Figure 1), while the Bushfire Hazard Management Plan is included as attached documents.

Lot	Area (m²±)	Frontage (m±)	Feature
Lot 1	8997	64.4	Dwelling and outbuilding, drain
Lot 2	5453	78.1 + 69.7	Vacant land, drain
Lot 3	5438	69.7	Vacant land
Total	19888 NOTE: folio plan area is 2.097ha (20970m ²)		

Table 1: subdivision details

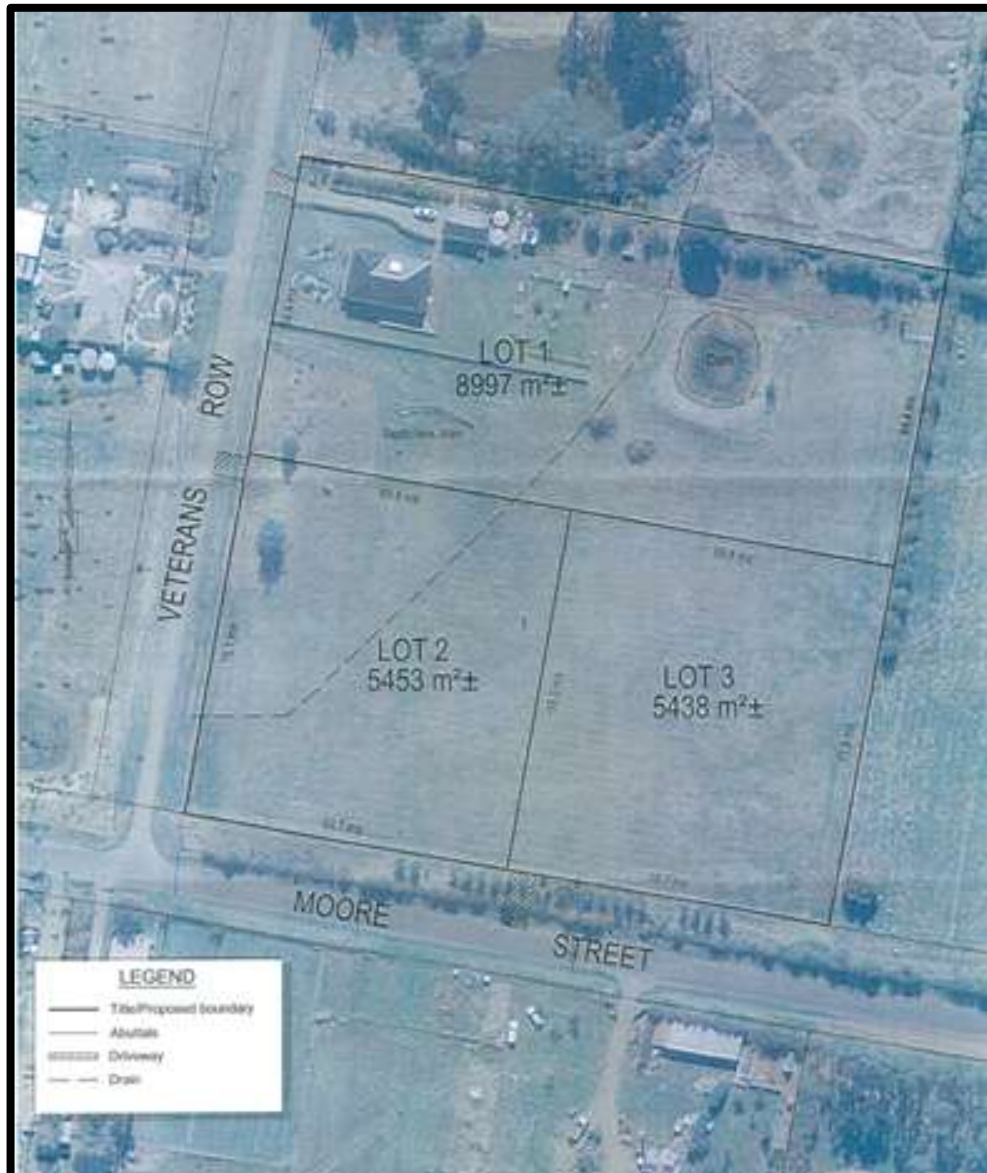


Figure 1: proposed Plan of Subdivision (PDA Surveyors, 2018)

Site & Surrounds

The property is located on the corner of Veterans Row (unsealed) and Moore Street (sealed), in Westbury. The property contains a dwelling and an outbuilding in the north-west corner. The remainder of the property is vacant.

There is a shallow internal open drain running through the property. The location of the internal open drain shown on the proposed Plan of Subdivision is not exact. The plan gives a general layout only.



Photo 1: dwelling and outbuilding



Photo 2: view from Veterans Row (looking north)



Photo 3: view from Veterans Row (looking south)



Photo 4: showing shallow open drain at south-west corner of land



Photo 5: view from Moore Street (looking east)

The surrounding land is characterised by residential development on un-serviced lots (see Figure 2 below).



Figure 2: aerial photo of subject property and surrounding land

Statutory Timeframes

Date Received:	14 September 2018
Request for further information:	Not applicable
Information received:	Not applicable
Advertised:	22 September 2018

Closing date for representations:	8 October 2018
Extension of time granted:	10 October 2018
Extension of time expires:	14 November 2018
Decision due:	13 November 2018

3) Strategic/Annual Plan Conformance

Council has a target under the Annual Plan to assess applications within statutory timeframes.

4) Policy Implications

Not applicable.

5) Statutory Requirements

Council must process and determine the application in accordance with the *Land Use Planning Approval Act 1993 (LUPAA)* and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

6) Risk Management

Risk is managed by the inclusion of appropriate conditions on the planning permit.

7) Consultation with State Government and other Authorities

Not applicable.

8) Community Consultation

The application was advertised for the statutory 14-day period.

Three (3) representations were received (attached documents). The representations are discussed in the assessment below.

9) Financial Impact

Not applicable.

10) Alternative Options

Council can either approve the application with amended conditions or refuse the application.

11) Officers Comments

Zone

The subject property is located in the Low Density Residential Zone. The land surrounding the site is located in the Low Density Residential Zone.



Figure 3: zone map

Use Class

Table 8.2 of the Scheme, categorises the proposed use class as:

- Residential

A Residential use is specified in Section 12.2 – Low Density Residential Use Table as being No Permit Required. Subdivision, however, is subject to Performance Criteria, making it Discretionary.

Applicable Standards

This assessment considers all applicable planning scheme standards.

In accordance with the statutory function of the State Template for Planning Schemes (Planning Directive 1), where use or development meets the Acceptable Solutions it complies with the planning scheme, however it may be conditioned if considered necessary to better meet the objective of the applicable standard.

Where use or development relies on performance criteria, discretion is applied for that particular standard only. To determine whether discretion should be used to grant approval, the proposal must be considered against the objectives of the applicable standard and the requirements of Section 8.10.

A brief assessment against all applicable Acceptable Solutions of the Low Density Residential Zone and Codes is provided below. This is followed by a more detailed discussion of any applicable Performance Criteria and the objectives relevant to the particular discretion.

Compliance Assessment

The following table is an assessment against the applicable standards of the Meander Valley Interim Planning Scheme 2013.

Low Density Residential Zone			
Scheme Standard		Comment	Assessment
12.3.1 Amenity			
A1	If for permitted or no permit required uses.	The subdivision is for residential purposes. Residential is a <i>No Permit Required</i> use class.	Complies
A2	Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	Not applicable.	
12.4.1.1 Site Coverage			
A1	The site coverage must not exceed 30% of the site.	The existing development will cover less than 30% of the proposed lot.	Complies
12.4.3.1 General Suitability			
A1	No Acceptable Solution	There is no Acceptable Solution.	Relies on Performance Criteria
12.4.3.2 Lot Area, Building Envelopes and Frontage			
A1	Each lot must: a) have a minimum area in accordance with Table 12.4.3.1; and	Lot 1 is 8997m ² ±, Lot 2 is 5453m ² ± and Lot 3 is 5438m ² ± (all are	Complies

	<p>a) be able to contain a 35 metres diameter circle with the centre of the circle not more than 35 metres from the frontage; and</p> <p>b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>c) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>d) be for the provision of public utilities; or</p> <p>e) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>g) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>greater than the Acceptable Solution of 5000m²).</p> <p>Both lots can accommodate a 35m diameter circle, with the centre within 35m from the frontage.</p> <p>The setback from the dwelling to the proposed boundary is greater than the Acceptable Solution of 3m.</p>	
A2	Each lot must have a frontage of at least 4 metres.	Lot 1 has a frontage of 64.4m±, Lot 2 has a frontage of 147.8m± and Lot 3 has a frontage of 69.7m± (all greater than the Acceptable Solution of 4m).	Complies
A3	<p>Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	All lots are unable to be connected to reticulated water and	Relies on Performance Criteria

		sewerage.	
A4	Each lot must be connected to a reticulated stormwater system.	All lots are unable to be connected to reticulated stormwater.	Relies on Performance Criteria

Bushfire-Prone Areas Code

Scheme Standard	Comment	Assessment
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E1.6.1 Subdivision: Provision of hazard management areas

A1	<p>(b) The proposed plan of subdivision:</p> <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone</i> 	<p>The application includes a Bushfire Hazard Management Plan prepared by a suitably qualified person.</p> <p>The Bushfire Hazard Management Plan states that the development is in compliance with E1.6.1 A1 (b).</p>	Complies
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	<p><i>areas</i>; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p>		
E1.6.2 Subdivision: Public and fire fighting access			
A1	<p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and</p>	<p>The Bushfire Hazard Management Plan states that the development is in compliance with E1.6.2 A1 (b).</p>	<p>Complies</p>

	<p>proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or accredited person.</p>		
E1.6.3 Subdivision - Provision of water supply for fire fighting purposes			
A1	In areas serviced with reticulated water by a Regional Corporation...	The property is located outside the area serviced by reticulated water.	Not Applicable.
A2	<p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</p>	The Bushfire Hazard Management Plan states that the development is in compliance with E1.6.3 A2 (b).	Complies

Road and Railway Assets Code

Scheme Standard	Comment	Assessment
E4.6.1 Use and road or rail infrastructure		
A1	Sensitive use within 50m of a category 1 or 2 road with a speed limit of more than 60km/h, a railway or future road or railway, does not increase the annual average daily traffic movements by more than 10%.	Not applicable.

A2	For roads with a speed limit of 60km/h or less the use must not generate more than 40 movements per day.	The proposed residential use of each lot will not generate more than 40 vehicle movements per day.	Complies
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic movements by more than 10%.	Not applicable.	
E4.7.2 Management of Road Accesses and Junctions			
A1	For roads with a speed limit of 60km/h or less the development must include one access providing both entry and exit, or two accesses providing separate entry and exit.	Each lot has only one (1) access.	Complies
A2	For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	Not applicable.	
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings			
A1	Sight distances at <ul style="list-style-type: none"> a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7; or c) If the access is a temporary access, the written consent of the relevant authority has 	Adequate sight distance achieved.	Complies

	been obtained.		
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Car Parking and Sustainable Transport Code			
Scheme Standard		Comment	Assessment
6.6.1 Car Parking Numbers			
A1	The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan.	The development does not compromise the existing parking associated with the dwelling. There is sufficient room for future parking on the proposed Lots 2 & 3.	Complies

Recreation and Open Space Code			
Scheme Standard		Comment	Assessment
E10.6.1 Provision of Public Open Space			
A1	The application includes consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	The General Manager has provided consent for a cash payment in lieu of public open space.	Complies

Performance Criteria

Low Density Residential Zone
12.4.3.1 General Suitability
<p>Objective</p> <p><i>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Low Density Residential Zone.</i></p>
<p>Performance Criteria P1</p> <p><i>Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the</i></p>

combination of:

- a) *slope, shape, orientation and topography of land;*
- b) *any established pattern of use and development;*
- 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.*

Comment:

As the Zone Purpose has been directly incorporated into the Performance Criteria, the Zone Purpose becomes a standard that the proposed development must satisfy.

The Zone Purpose states:

12.1.1 Zone Purpose Statements

- 12.1.1.1 *To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.*
- 12.1.1.2 *To provide for non-residential uses that are compatible with residential amenity.*
- 12.1.1.3 *To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.*

12.1.2 Local Area Objectives

Westbury

- a) *Westbury will be promoted as a key settlement for low density residential development based on the extent of the historic pattern of lots;*
- b) *Greater efficiency in land use in the provision of lower density lots can be gained through the rearrangement or subdivision of older titles located outside of the serviced core of the settlement.*
- a) *Future subdivision will be determined on the basis of capacity for on-site servicing, access and any potential for natural hazards.*

12.1.3 Desired Future Character Statements

Westbury

- a) *The low density character of the peripheral areas of the settlement are a distinctive feature of Westbury, reinforced by a strong grid pattern of roads and prominent hedge rows that border existing lots.*

b) Future development is to maintain a density and pattern that keeps the distinction between the inner serviced core and the peripheral low density zone.

The purpose of the subdivision is to create three (3) residential lots. The proposed lot sizes are 8997m²±, 5453m²± and 5438m²±. These lots are considered large when compared to other residential zones. Within Westbury, the other zones that provide for residential use are the General Residential and Urban Mixed Use zones. Within the General Residential Zone the Acceptable Solution for area is 700m² and for the Urban Mixed Use Zone the Acceptable Solution for area of 800m². As such, the proposed lot sizes maintain a density that is distinctively different from the other zones, and are in keeping with a low density residential character.

The land slopes from the north-east corner down towards the south-west corner. There is an internal shallow open drain that flows through Lots 1 and 2 into roadside drainage network (open drain) at the corner of Veterans Row and Moore Street. This internal drain is neither part of the stormwater drainage maintained by Council nor mapped as a watercourse. However, the drain does serve a drainage purpose. As such it is recommended that an easement (2m wide) be placed over this drain in favour of the Lots 1 and 2; and that each landowner is responsible for maintenance.

It is noted that the Plan of Subdivision does not show the exact location of the open shallow drain (see Figure 4 below). The plan gives a general layout only.

The surrounding land use is residential, with dwellings and outbuildings on un-serviced lots. All three (3) lots have dimensions that allow for a dwelling to be constructed, while meeting all the setback standards. Lot 2 provides the opportunity for a dwelling to be constructed off Veterans Row adjacent to the crossover and avoiding the internal open drain (see Figure 4 below). All three (3) lots are capable of accommodating wastewater and stormwater on-site.



Figure 4: aerial view of land with lot layout (yellow lines), drawn in by assessing planner.

The land is not heritage listed. There are no Local Heritage Precincts, Local Heritage Places or Archeologically Significant Sites in the planning scheme.

The land is not mapped as being at risk of landslip or salinity.

The proposed subdivision layout does not include any new roads. As such, the distinctive grid pattern of roads of Westbury's periphery area is maintained.

The hedges fronting Moore Street appear to be located within the road reserve. Some of this vegetation will need to be removed to accommodate a new driveway crossover.

The proposed subdivision is considered consistent with the zone purpose and the lot layout is suitable for future residential development.

12.4.3.2 Lot Area, Building Envelopes and Frontage

Objective

To ensure:

- a) *the area and dimensions of lots are appropriate for the zone; and*
- b) *the conservation of natural values, vegetation and faunal habitats; and*
- c) *the design of subdivision protects adjoining subdivision from adverse impacts; and*

d) *each lot has road, access, and utility services appropriate for the zone.*

Performance Criteria P3

Lots that are not provided with reticulated water and sewerage services must be:

- a) in a locality for which reticulated services are not available or capable of being connected; and*
- b) capable of accommodating an on-site wastewater management system.*

Comment:

The subject property is located within an area where sewer and water services are not available.

Council's Environmental Health Officer has provided the following comments:

I have checked the property file to verify the location of the on-site wastewater management system servicing the existing house on Lot 1, as indicated on the proposed Plan of Subdivision. The absorption drain is approximately 12 metres from the proposed boundary to the south between Lot 1 and 2. This distance is considered to be a satisfactory setback distance from a property boundary to a land application area in the Directors Guidelines for On-Site Wastewater Management Systems, as it meets the Acceptable Solution.

Lots 2 and 3 are adequately sized for managing on-site wastewater from a residential dwelling, however attention will need to be given to the location of the land application area in relation to the drainage line which dissects Lot 2 when a site specific report is undertaken for development on this lot.

The proposed subdivision is considered to be consistent with the objective and each lot is capable of being serviced to a level appropriate to the zone.

Performance Criteria P4

Each lot must be capable of disposal of stormwater to a legal discharge point.

Comment:

Being in an area that is not serviced by reticulated water, stormwater will be

captured for domestic purposes.

The open shallow drain through Lots 1 and 2 drain into the roadside drain.

The proposed subdivision is considered to be consistent with the objective and each lot is capable of stormwater management to a level appropriate to the zone.

Representations

Three (3) representations were received (see attached documents). A summary of the representations is as follows:

- Land gets too wet in winter and floods
- Not in keeping with the character of the area, existing historical landscape
- Impacting on lifestyle of others – overlooking and overcrowded
- Impact on habitat, frogs, birds, other creatures

Comment:

The land slopes downwards towards the south-west corner of the land (see Figure 5 below). A shallow open drain runs through Lots 1 and 2. This drain empties into a Council maintained drain running under Veterans Row, which flows west along Moore Street. Council's Director Infrastructure Services provided the following comment:

Council's storm water system downstream of the proposed subdivision comprises pipe culverts and open roadside drains. Storm water from the property enters the drainage system on the north east corner of the Veterans Row-Moore Street intersection, and flows to the west on the northern side of Moore Street. A pipe culvert directs flow under Moore Street toward an open drain running down the common boundary between 39 and 59 Moore Street. Council does not maintain the drain within the properties.

The capacity of the drainage system in this area is typical of other locations in Westbury, and is considered to be adequate to handle smaller rainfall events from the existing catchment. Ponding is known to occur in road side drains in larger storm events, but it is noted that this catchment has not been modelled by Council officers.



Figure 5: aerial view with 0.5m contours shown

The subject property is not on the Tasmanian Heritage Register and the planning scheme does not contain any Local Heritage Precincts, Local Heritage Places or Archeologically Significant Sites. In 2006, Council undertook a Heritage Study for the entire municipality. This property was not identified in that report as having sufficient heritage significance to warrant listing in a local register.

The character of the area has been discussed above. It is considered that the proposed lot sizes maintain a density that is distinctively different from the other zones within Westbury, and are in keeping with a low density residential character.

All three (3) lots are larger in area and dimensions than the standard for this zone. Each lot is able to accommodate a dwelling that meets the Acceptable Solution for setbacks. The proposed lot layout is considered in keeping with the Zone Purpose. Any future development on these lots will be assessed against the planning scheme.

The land is not mapped as having Priority Habitat. Lots 2 and 3 are grassed and no native vegetation is proposed to be removed as part of this application. TasVeg mapping shows the land mapped as *Agricultural Land*. Council's Natural Resource Management Officer stated:

...I can advise that there is no data available, including the Tasmanian Government's that suggests there are natural values that require conservation on this title. There are no NRM issues identified in this proposal.

Conclusion

In conclusion, it is considered that the application for Use and Development for a Subdivision (3 lots) for land located at 201 Veterans Row, Westbury is acceptable in the Low Density Residential Zone and should be approved.

AUTHOR: Leanne Rabjohns
TOWN PLANNER

12) Recommendation

It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 201 Veterans Row, Westbury CT 125610/1 by PDA Surveyors, requiring the following discretions:

- 12.4.3.1 General Suitability
- 12.4.3.2 Lot Area, Building Envelopes and Frontage

be APPROVED, generally in accordance with the endorsed plans:

- a) PDA Surveyors – Plan of Subdivision – Ref: 41646-P01;***
- b) Scott Livingstone – Bushfire Hazard Management Report: Subdivision – dated 9 August 2018;***

and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
- 2. The vehicular crossover servicing proposed Lots 2 and 3 must be constructed in accordance with LGAT standard drawing TSD-R03-**

V1 and TSD-R04-V1, to the satisfaction of Council's Director Infrastructure Services. The crossover to Lot 2 is to be unsealed and the crossover for Lot 3 is to be sealed.

- 3. A 2m wide drainage easement is required over the open drain through Lots 1 and 2. The easement is to be in the favour of Lots 1 and 2.**
- 4. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
 - a) The developer must pay Council \$2,850.00 as a Public Open Space Contribution, a sum equivalent to 5% of the unimproved value of the approved lots.**
 - b) The driveway crossovers are to be completed, in accordance with Condition 2.**
 - c) An amended Plan of Subdivision is to be submitted showing the Drainage easement, in accordance with Condition 3 above.**

Note:

- 1. Separate consent is required from Council acting at the Road Authority for any works (including hedge removal) within the road reserve. Prior to the commencement of any works within the road reserve, including the approved driveway crossover, a completed Application for Works in the Road Reservation form (attached) must be completed and returned to Council.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 3. This permit takes effect after:**
 - a) The 14 day appeal period expires; or**
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
 - c) Any other required approvals under this or any other Act are granted.**

4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION:

APPLICATION FORM

PLANNING

Index No.	14634	
Doc No.		
RCVD	- 5 SEP 2018	MVC
Action Officer	SS	Dept. CDS
EO	OD	✓



- Application form & details MUST be completed **IN FULL**
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

OFFICE USE ONLY

Property No:	14654	Assessment No:	50 - 3900 - 0185
DA\	19/0063	PA\	19/0042

- Is your application the result of an illegal building work? Yes No Indicate by ✓ box
- Is a new vehicle access or crossover required? Yes No

PROPERTY DETAILS:

Address: Certificate of Title:

Suburb: Lot No:

Land area: / ha

Present use of land/building: (vacant, residential, rural, industrial, commercial or forestry)

Does the application involve Crown Land or Private access via a Crown Access Licence: Yes No

Heritage Listed Property: Yes No

DETAILS OF USE OR DEVELOPMENT:

- Indicate by ✓ box
- Building work
 - Change of use
 - Subdivision
 - Forestry
 - Demolition
 - Other

Total cost of development (inclusive of GST): Includes total cost of building work, landscaping, road works and infrastructure

Description of work:

Use of building: (main use of proposed building – dwelling, garage, farm building, factory, office, shop)

New floor area: m² New building height: m

Materials: External walls: Colour:

Roof cladding: Colour:

SEARCH OF TORRENS TITLE

VOLUME 140324	FOLIO 2
EDITION 5	DATE OF ISSUE 14-Feb-2018

SEARCH DATE : 10-Jul-2018

SEARCH TIME : 02.47 PM

DESCRIPTION OF LAND

Parish of WESTBURY Land District of WESTMORLAND

Lot 2 on Plan 140324

Derivation : For grantees see plan

Derived from A18590

SCHEDULE 1

E3148 TRANSFER to RICHARD EDWARD MARK PREVOST and LEONIE
JUNE BALCOMBE PREVOST Registered 14-Feb-2018 at 12.
01 PM

SCHEDULE 2

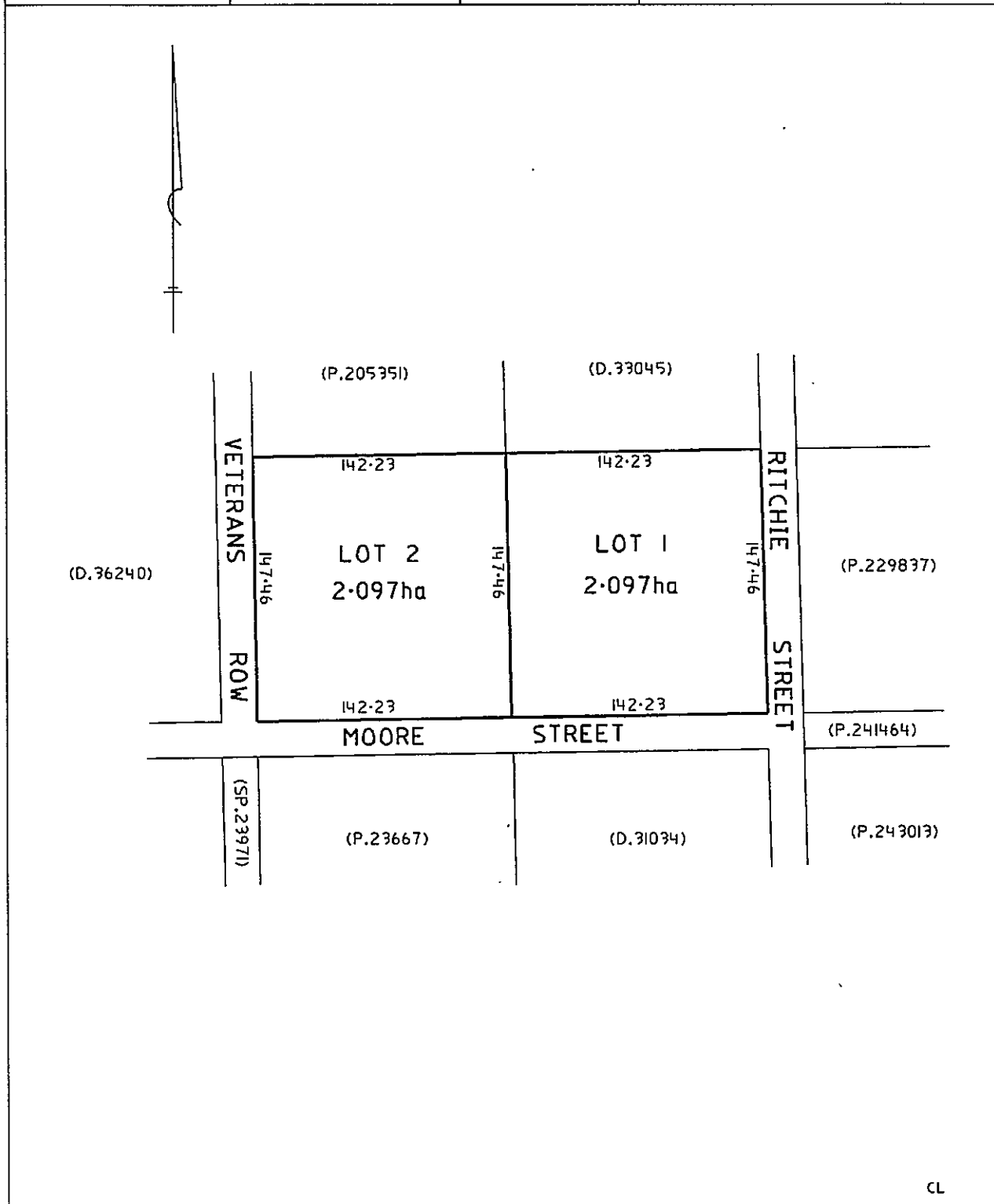
Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

<p>OWNER LAND TITLES ACT 1980</p> <p>FOLIO REFERENCE A.18590</p> <p>GRANTEE WHOLE OF LOT 117, 5A-OR-29P GTD. TO CATHERINE KEARY WHOLE OF LOT 118, 5A-OR-29P GTD. TO PETER COLLINS</p>	<h3>PLAN OF TITLE</h3> <p>LOCATION TOWN OF WESTBURY (SEC.AO)</p> <p>FIRST SURVEY PLAN No. C4/44LO.</p> <p>COMPILED BY LDRB</p> <p>SCALE 1: 2000 LENGTHS IN METRES</p>	<p>Registered Number</p> <h2>P.140324</h2> <p>APPROVED 28 OCT 2003</p> <p><i>Alice Kawa</i> Recorder of Titles</p>
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MAPSHEET MUNICIPAL CODE No. 4840-52 (121)	LAST UPI No 6502265 UPI No 6502266	LAST PLAN No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
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LAUNCESTON

J.W. Dent, OAM, B. SURV. (Tas.), M.SSSI. (Director)
M.B. Reid, B. GEOM.(HONS) (Tas.), M.SSSI M.AIPM (Associate)

HOBART

C.M. Terry, B. SURV. (Tas.), M.SSSI. (Director)
H. Clement, B. SURV. (Tas.), M.SSSI (Director)
M.S.G. Denholm, B. GEOM. (Tas.), M.SSSI (Director)
T.W. Walter, Dip. Surv & Map; (Director)
A.M. Peacock, B. APP. SC. (SURV), M.SSSI. (Consultant)
D. Panton, B.E. M.I.E. AUST., C.P.ENG. (Consultant)
A. Collins, Ad. Dip. Surv & Map, (Senior Associate)
M. McQueen, B.E., M.I.E. AUST., C.P.ENG. (Associate)
L.H. Kiely, Ad. Dip. Civil Eng, Cert IV I.T., (Associate)

KINGSTON

A.P. (Lex) McIndoe, B. SURV. (Tas.), M.SSSI. (Director)

BURNIE/DEVONPORT

A.J. Hudson, B. SURV. (Tas.), M.SSSI. (Director)
A.W. Eberhardt, B. GEOM. (Tas.), M.SSSI (Director)



PDA Surveyors

Incorporating
WALTER SURVEYS

Surveying, Engineering & Planning

ABN 71 217 806 325

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Launceston, Tasmania, 7250
Phone (03) 6331 4099

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Email: pda.ltn@pda.com.au
www.pda.com.au

Our Ref: 41646

3rd September, 2018

Meander Valley Council
PO Box 102
WESTBURY TAS 7303

Attention: Ms J Richardson

Dear Jan

RE: SUBDIVISION – MR R PREVOST - 201 VETERANS ROW, WESTBURY

We submit herewith on behalf of Rick Prevost subdivision to subdivide the land into three separate lots. We will now address the provisions of the low density residential zone as it relates to this subdivision:

12.4.3.1 General suitability.

The performance criteria are met in that the subdivision is consistent with the zoning purpose and it is consistent with performance criteria for this clause.

12.4.3.2 Lot area, building envelopes and frontage.

All lots are over 5000m² and all lots can contain a 35m circle. New boundaries are more than 3m from the house and the frontage of all lots is more than 4m. Performance criteria P3 is met in that reticulated water is not available in this particular location and on site waste water management systems are capable of being provided for in each lot. The existing septic tank and drains for Lot 1 have been included in that lot and the lots are large enough to be able to accommodate on site waste water management systems. Performance criteria P4 is met in that Lots 1 and 2 will be able to drain to the existing creek that runs through the property and Lot 3 is big enough to absorb stormwater within the boundaries of the property.

We enclose the following to enable you to assess the application:

- Three copies of the proposal plan
- Completed development application form
- Copy of the Title
- Bushfire report.

/2

OFFICES ALSO AT:

• 16 Ernu Bay Road, Deloraine, 7304 (03) 6362 2993
• 6 Queen Street, Burnie, 7330 (03) 6423 6875
• 68 Port Road, Devonport, 7310 (03) 6423 6875

• 127 Bathurst Street, Hobart, 7000
• 6 Freeman Street, Kingston, 7050
• 8/10 Main Road, Huonville, 7109

(03) 6234 3217
(03) 6229 2131
(03) 6264 1277

Could you please let us know if there is anything further that you require to enable you to assess this application. Can you please send us an invoice to Mr R Prevost, care of John.Dent@pda.com.au and we will arrange for payment of your fees for this application.

Yours faithfully
PDA Surveyors

Per:



JOHN DENT

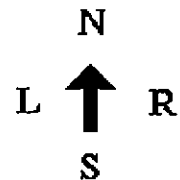
Bushfire Hazard Management Report: Subdivision 201 Veterans Row, Westbury.

Report for: PDA Surveyors

Property Location: 201 Veterans Row, Westbury

Prepared by: Scott Livingston
Livingston Natural Resource Services
12 Powers Road
Underwood, 7268

Date: 9th August 2018



Client: PDA Surveyors obo R & L Prevost

Property identification: 201 Veterans Row, Westbury, CT 140324/2 PID 2256456. Current zoning: Low Density Residential, Meander Valley Interim Planning Scheme 2013.

Proposal: A 3 lot subdivision is proposed from existing title CT 140324/201 at 201 Veterans Row Westbury.

A 3 lot subdivision is proposed from existing title 140324/2 at 201 Veterans Row, Westbury The area is bushfire prone, being less than 100m from vegetation greater than 1ha in size, (grassland).

There is sufficient area on lots to provide for BAL 12.5 habitable dwellings and will require a hazard management area – low threat vegetation on land within 14m in all directions from habitable buildings. Additional building areas are available for BAL 19 construction and will require a hazard management area – low threat vegetation on land within 10m in all directions from habitable buildings.

No additional roads are required, access to habitable buildings and water supply on lots must comply with the relevant elements of Table E2 Access from the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code*

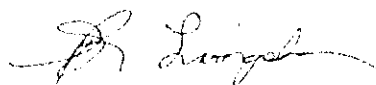
Lots must have a static water supply installed to the standards listed in Table 4 of the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas* prior to construction of habitable buildings.

Conclusion:

Assessment

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

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.

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LIMITATIONS

This report only deals with potential bushfire risk and does not consider any other potential statutory or planning requirements. This report classifies type of vegetation at time of inspection and cannot be relied upon for future development or changes in vegetation of assessed area.

DESCRIPTION

A 3 lot subdivision is proposed from existing title 140324/2 at 201 Veterans Row, Westbury. The property is zoned Low Density Residential, *Meander Valley Planning Scheme, 2013*. Proposed Lot 1 contains an existing dwelling and is considered exempt from Bushfire Provisions for the purposes of subdivision. The property has frontage to Veterans Row and Moore Street. Surrounding land is a mosaic of pasture (Grassland) with occasional shelter belts and managed land around dwellings.

See Appendix 1 for maps and site plan. Appendix 2 for photos.

BAL AND RISK ASSESSMENT

The land is considered to be within a Bushfire Prone Area due to proximity of bushfire prone vegetation, greater than 1 ha in area (grassland).

VEGETATION AND SLOPE

Lot 2	North	East	South	West
Vegetation within 100m Subdivision boundaries	0-33m grassland 33-100m low threat vegetation	0-100m grassland	0-20m low threat vegetation (road) 20-100m grassland	0-20m low threat vegetation (road) 20-100m grassland
Slope (degrees, over 100m)	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope

Lot 3	North	East	South	West
Vegetation within 100m Subdivision boundaries	0-100m grassland	0-100m grassland	0-100m grassland	0-70 grassland. 70-90m 100m low threat (road) 90-100m
Slope (degrees, over 100m)	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope

BUILDING AREA BAL RATING

Setback distances for BAL Ratings have been calculated based on the vegetation that will exist after development external to the subdivision and have also considered slope gradients. During development it is assumed undeveloped lots may be managed as grassland. Setback requirements may be able to be reduced following development and management of fuel loads on adjacent lots.

Where no setback is required for fire protection other Planning Scheme setbacks may need to be applied, other constraints to building such as topography have not been considered.

The BAL ratings applied are in accordance with the Australian Standard AS3959-2009, *Construction of Buildings in Bushfire Prone Areas*, and it is a requirement that any habitable building, or building within 6m of a habitable building be constructed to the BAL ratings specified in this document as a minimum.

Bushfire Attack Level (BAL)	Predicted Bushfire Attack & Exposure Level
BAL-Low	Insufficient risk to warrant specific construction requirements
BAL-12.5	Ember attack, radiant heat below 12.5kW/m ²
BAL-19	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5-19kW/m ²
BAL-29	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19-29kW/m ²
BAL-40	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 29-40kW/m ²
BAL-FZ	Direct exposure to flames radiant heat and embers from the fire front

Setbacks

	Grassland
BAL 12.5	
Upslope and flat	14m
BAL 19	
Upslope and flat	10m

PROPOSED LOT BAL RATING

It is assumed that lots within the subdivision may continue to be managed as grassland. Lot have a potential building area at BAL19, with a smaller building area available at BAL 12.5.

Lot	Setbacks	
	BAL 12.5	BAL 19
2	14m from northern and eastern lot boundaries	10m northern and eastern lot boundaries
3	14m from northern, western and eastern lot boundaries	10m northern, western and eastern lot boundaries

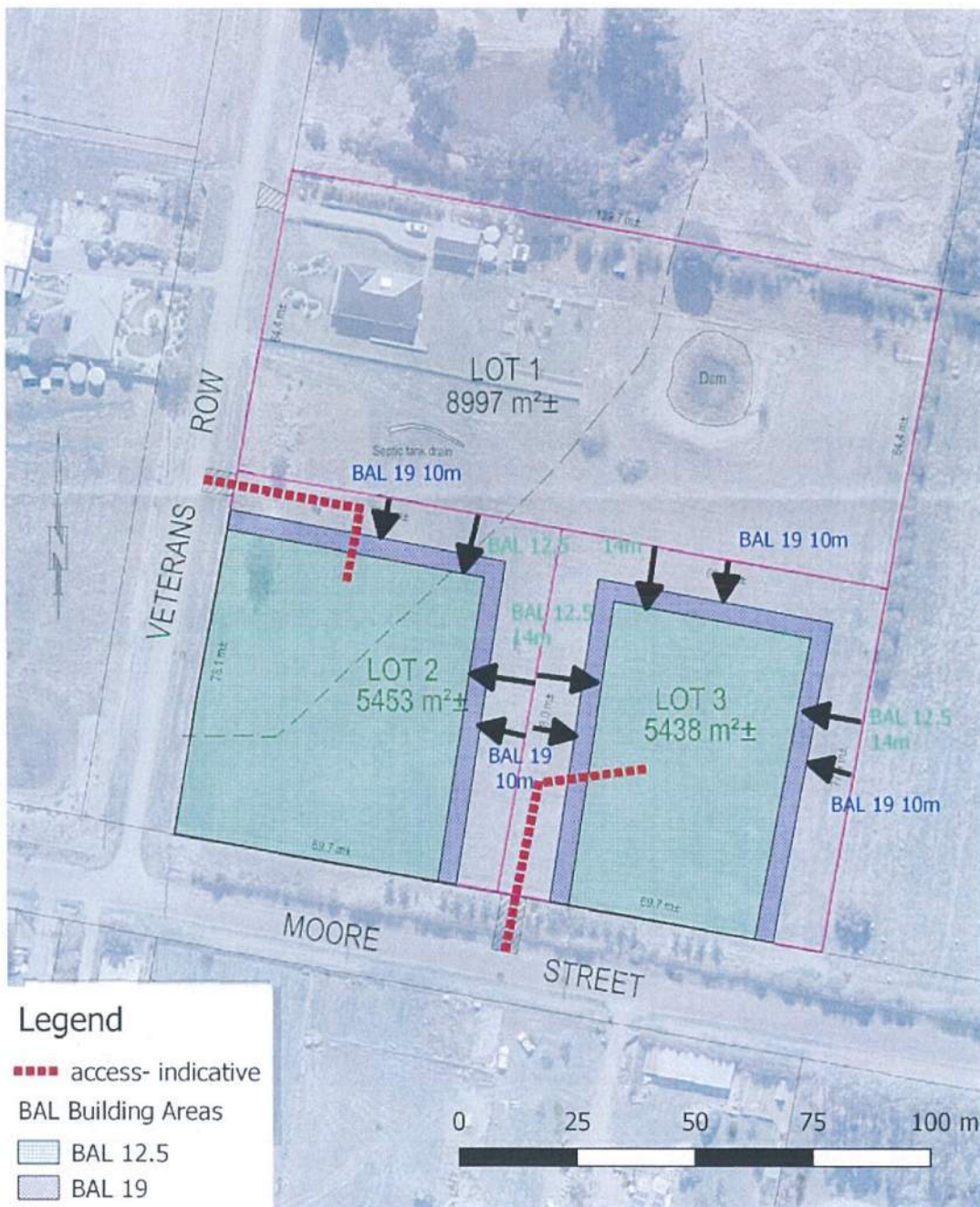


Figure 1: Building Area BAL Rating

HAZARD MANAGEMENT AREAS

- If construction is to BAL 12.5: All land within 14m in all directions from habitable buildings to be managed as low threat vegetation.
- If construction is to BAL 19: All land within 10m in all directions from habitable buildings to be managed as low threat vegetation.

Low threat vegetation includes maintained lawns (mown to < 100mm), gardens and orchards.

ROADS

Lots will have access from Veterans Row or Moore Street. No additional roads required for the subdivision.

PROPERTY ACCESS

Access to lots must comply with the relevant elements of Table E2 Access from the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code*. Access to the water supply is likely to be in excess of 30m and required to meet Element B.

Table E2: Standards for Property Access

	Column 1 Element	Column 2 Requirement
A.	Property access length is less than 30 metres; or access is not required for a fire appliance to access a water	There are no specified design and construction requirements.
B.	Property access length is 30 metres or greater; or access for a fire appliance to a water connection point.	<p>The following design and construction requirements apply to property access:</p> <ol style="list-style-type: none"> (1) All-weather construction; (2) Load capacity of at least 20 tonnes, including for bridges and culverts; (3) Minimum carriageway width of 4 metres; (4) Minimum vertical clearance of 4 metres; (5) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (6) Cross falls of less than 3 degrees (1:20 or 5%); (7) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (8) Curves with a minimum inner radius of 10 metres; (9) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (10) Terminate with a turning area for fire appliances provided by one of the following: <ol style="list-style-type: none"> (a) A turning circle with a minimum inner radius of 10 metres; or (b) A property access encircling the building; or

C.	Property access length is 200 metres or greater.	The following design and construction requirements apply to property access: (1) The Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.
D.	Property access length is greater than 30 metres, and access is provided to 3 or	The following design and construction requirements apply to property access: (1) Complies with Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

FIRE FIGHTING WATER SUPPLY

The subdivision is not serviced by a reticulated supply. New habitable buildings must have a static water installed to the standards listed in Table 4 of the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code*.

Column	Element	Column 2 Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and b) The distance must be measured as a hose lay, between the water point and the furthest part of the building area.

Column 2 Requirement	
Column Element	Requirement
B. Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> a) May have a remotely located offtake connected to the static water supply; b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; d) Must be metal, concrete or lagged by non-combustible materials if above ground; and e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C. Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a water connection point for a static water supply must:</p> <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) Visible; (ii) Accessible to allow connection by fire fighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage including damage by vehicles

Column 2	
Column Element	Requirement
D. Signage for static water connections	<p>The water connection point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must</p> <ul style="list-style-type: none"> (a) comply with: Water tank signage requirements within AS 2304-2011 <i>Water storage tanks for fire protection systems</i>; or (b) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or (c) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.
E. Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> (a) No more than three metres from the water connection point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres constructed to the same standard as the carriageway; and

CONCLUSIONS

A 3 lot subdivision is proposed from existing title 140324/2 at 201 Veterans Row, Westbury. The area is bushfire prone, being less than 100m from vegetation greater than 1ha in size, (grassland).

There is sufficient area on lots to provide for BAL 12.5 habitable dwellings and will require a hazard management area – low threat vegetation on land within 14m in all directions from habitable buildings. Additional building areas are available for BAL 19 construction and will require a hazard management area – low threat vegetation on land within 10m in all directions from habitable buildings.

No additional roads are required, access to habitable buildings and water supply on lots must comply with the relevant elements of Table E2 Access from the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code*

Lots must have a static water supply installed to the standards listed in Table 4 of the *Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code* prior to construction of habitable buildings.

REFERENCES

Meander Valley (2013) *Meander Valley Interim Planning Scheme*.

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

Planning Commission (2017), *Draft Planning Directive No. 5.1 Bushfire-Prone Areas Code (issued as Interim Planning Directive No. 1.1)*

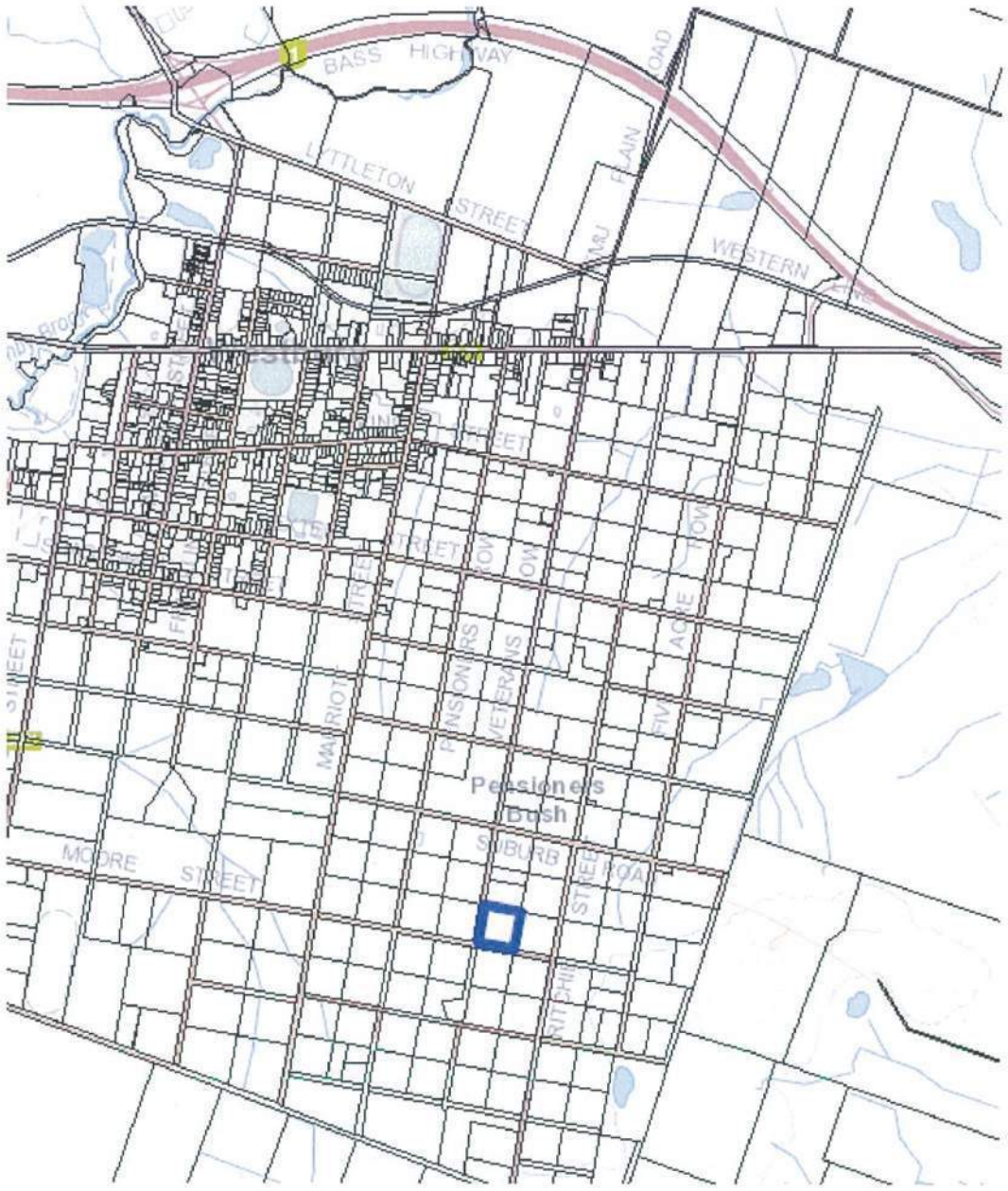


Figure 2: Location, property in blue



Figure 3: Aerial Image

PLAN OF SUBDIVISION



PDA Surveyors
WALTER SURVEYS
 Surveying, Engineering & Planning

3/23 Bessone Street,
 Launceston, Tasmania, 7250
 www.pda.com.au
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 Devonport & Burnie
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 FAX: +61 03 6334 3096
 EMAIL: pda@pda.com.au

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

201 Veterans Row, Westbury, TAS 7303
 Meander Valley Council
 Meander Valley Interim Planning Scheme 2013
 12.0 Low Density Residential

Owners: Richard Edward Mark Prevost
 Leonie June BAICombe Prevost
 Title References: FR 140324/2.

Schedule Of Easements: As shown.

Scale: 1:800 Date: 13 July 2018 PDA Reference: 41646-P01

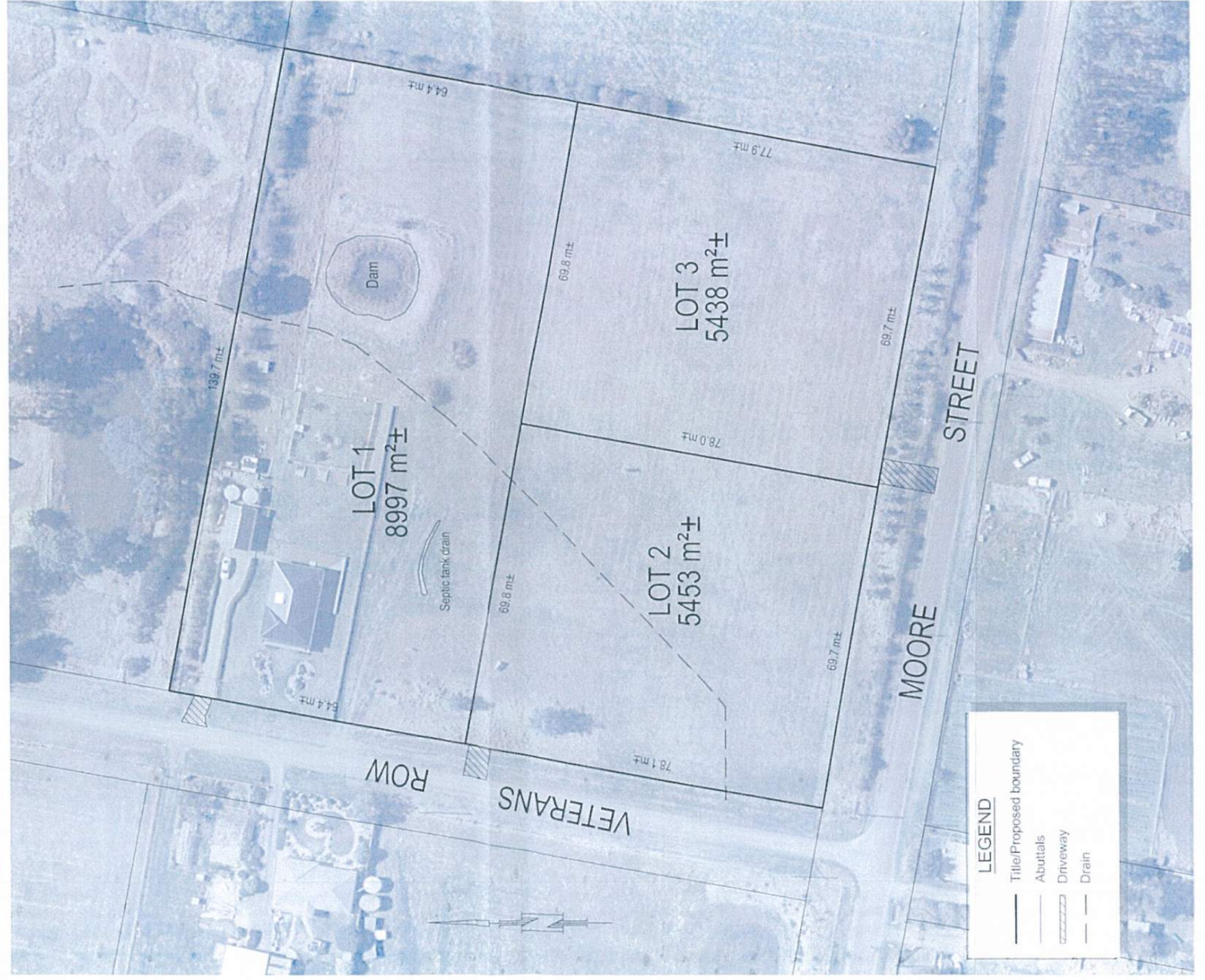


Figure 4: Proposed Subdivision Plan

APPENDIX 2 – PHOTOS



Figure 5: East across Lot from Veterans Row



Figure 6: North along Veterans row



Figure 7: East along Moore St.



Figure 8: North across Lot from Moore St.

Bushfire Hazard Management Plan: Lot 2 & 3, Subdivision of CT 140324/2, 201 Veterans Row, Westbury.

Construction: BAL 12.5, BAL 19

Buildings in Bushfire Prone Area to be built in accordance with the Building Code of Australia and Australian Standard AS3959

Building Areas

Lot	Setbacks	
	BAL 12.5	BAL 19
2	14m from northern and eastern lot boundaries	10m northern and eastern lot boundaries
3	14m from northern, western and eastern lot boundaries	10m northern, western and eastern lot boundaries

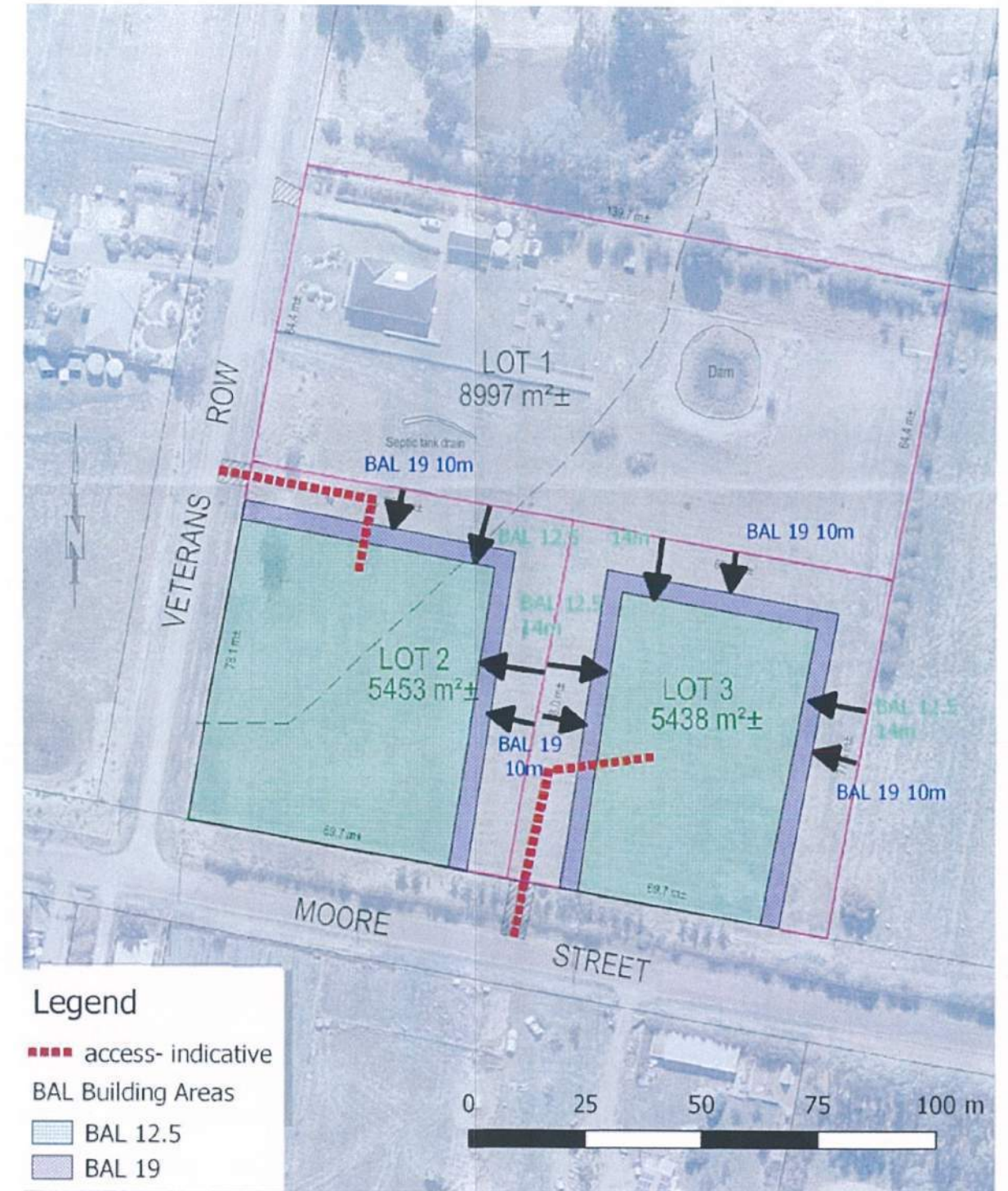
Hazard Management Areas (HMA)

All land within the 16m downslopes and 14m in other directions from habitable buildings to be managed as low threat vegetation, including maintained lawns, gardens and orchards. Other areas of the lots may be managed as grassland.

Hazard management areas include the area to protect the buildings as well as the access and water supplies. All land within the area shown below is to be managed and maintained in a minimum fuel condition. Other areas of the lot may be managed as grassland.

Maintenance Schedule:

- Removal of fallen limbs, leaf & bark litter
- Cut lawns to less than 100mm and maintained
- Remove pine bark and other flammable garden mulch
- Prune larger trees to establish and maintain horizontal and vertical canopy separation
- Minimise storage of petroleum fuels
- Maintain road access to the dwelling and water connection point.
- Remove fallen limbs, leaf & bark from roofs, gutters and around buildings.



It is **important** to prepare your Bushfire Survival Plan, read your Community Protection Plan and know your Nearby Safer Place. These can be obtained from your Council or the Tasmanian Fire Service. For more information, visit www.fire.tas.gov.au

Scott Livingston
Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
Date 9/8/18
SRL18/53S

N
L ↑ R
S

Scott Livingston

Bushfire Hazard Management Plan: Lot 2 & 3, Subdivision of CT 140324/2, 201 Veterans Row, Westbury

Water Supply

a static water supply to following standards must be installed for each building area:

The following requirements apply:

- a. the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and
- b. the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

A static water supply:

- a. may have a remotely located offtake connected to the static water supply;
- b. may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;
- c. must be a minimum of 10,000l per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;
- d. must be metal, concrete or lagged by non-combustible materials if above ground; and
- e. if a tank can be located so it is shielded in all directions in compliance with section 3.5 of *Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas*, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by:
 - i. metal;
 - ii. non-combustible material; or fibre-cement a minimum of 6mm thickness.

Fittings and pipework associated with a fire fighting water point for a static water supply must:

- a. have a minimum nominal internal diameter of 50mm;
- b. be fitted with a valve with a minimum nominal internal diameter of 50mm;
- c. be metal or lagged by non-combustible materials if above ground;
- d. if buried, have a minimum depth of 300mm;
- e. provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;
- f. ensure the coupling is accessible and available for connection at all times;
- g. ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);
- h. ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and
- i. if a remote offtake is installed, ensure the offtake is in a position that is:
 - i. visible;
 - ii. accessible to allow connection by fire fighting equipment;
 - iii. at a working height of 450 – 600mm above ground level; and
 - iv. protected from possible damage, including damage by vehicles.

The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:

- a. comply with water tank signage requirements within *Australian Standard AS 2304-2011 Water storage tanks for fire protection systems*; or
- b. Comply with the Tasmania Fire Service Water Supply Guideline published by Tasmania Fire Service

A hardstand area for fire appliances must be:

- a. no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);
- b. no closer than 6m from the building area to be protected;
- c. a minimum width of 3m constructed to the same standard as the carriageway; and
- d. connected to the property access by a carriageway equivalent to the standard of the property access

Property Access

Access to a to a habitable building and/or water supply point it must be constructed to the following standards:

The following design and construction requirements apply to property access:

- a. All-weather construction;
- b. Load capacity of at least 20 tonnes, including for bridges and culverts;
- c. Minimum carriageway width of 4 metres;
- d. Minimum vertical clearance of 4 metres;
- e. Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- f. Cross falls of less than 3 degrees (1:20 or 5%);
- g. Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- h. Curves with a minimum inner radius of 10 metres;
- i. Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and
- j. Terminate with a turning area for fire appliances provided by one of the following:
 - i) A turning circle with a minimum inner radius of 10 metres; or
 - ii) A property access encircling the building; or a hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.

Note:

It should be borne in mind that the measures contained in this Bushfire Management Plan cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire and extreme weather conditions.

Scott Livingston
Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
Date 9/8/18

SRL18/53S



BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993

1. Land to which certificate applies²

Land that is the Use or Development Site that is relied upon for bushfire hazard management or protection.

Name of planning scheme or instrument:

Meander Valley Interim Planning Scheme 2013

Street address:

201 Veterans Row, Westbury

Certificate of Title / PID:

CT 140324/2 PID 2256456

Land that is not the Use or Development Site that is relied upon for bushfire hazard management or protection.

Street address:

Certificate of Title / PID:

2. Proposed Use or Development

¹ This document is the approved form of certification for this purpose, and must not be altered from its original form.

² 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.

Description of Use or Development:

3 lot subdivision from 1 existing title

Code Clauses:

E1.4 Exempt Development

E1.5.1 Vulnerable Use

E1.5.2 Hazardous Use

E1.6.1 Subdivision

3. Documents relied upon

Documents, Plans and/or Specifications

Title: Plan of Subdivision

Author: PDA Surveyors

Date: 13/7/2018

Version: 1

Bushfire Hazard Report

Title: Bushfire Hazard Management Report, 201 Veterans Row, Westbury

Author: Scott Livingston

Date: 9/8/2018

Version: 1

Bushfire Hazard Management Plan

Title: Bushfire Hazard Management Plan 201 Veterans Row, Westbury

Author: Scott Livingston

Date: 9/8/2018

Version: 1

Other Documents

Title:

Author:

Date: _____

Version:

4. Nature of Certificate

E1.4 – Use or development exempt from this code

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.4 (a)	Insufficient increase in risk	

E1.5.1 – Vulnerable Uses

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.5.1 P1	Residual risk is tolerable	
<input type="checkbox"/> E1.5.1 A2	Emergency management strategy	
<input type="checkbox"/> E1.5.1 A3	Bushfire hazard management plan	

E1.5.2 – Hazardous Uses

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.5.2 P1	Residual risk is tolerable	
<input type="checkbox"/> E1.5.2 A2	Emergency management strategy	
<input type="checkbox"/> E1.5.2 A3	Bushfire hazard management plan	

E1.6 – Development standards for subdivision

E1.6.1 Subdivision: Provision of hazard management areas

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.6.1 P1	Hazard Management Areas are sufficient to achieve tolerable risk	
<input type="checkbox"/> E1.6.1 A1 (a)	Insufficient increase in risk	
<input checked="" type="checkbox"/> E1.6.1 A1 (b)	Provides BAL 19 for all lots	Bushfire Hazard Management Plan 201 Veterans Row Westbury
<input type="checkbox"/> E1.6.1 A1 (c)	Consent for Part 5 Agreement	

E1.6.2 Subdivision: Public and fire fighting access

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.6.2 P1	Access is sufficient to mitigate risk	
<input type="checkbox"/> E1.6.2 A1 (a)	Insufficient increase in risk	
<input checked="" type="checkbox"/> E1.6.2 A1 (b)	Access complies with Tables E1, E2 & E3.	Bushfire Hazard Management Plan 201 Veterans Row Westbury

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/> E1.6.3 A1 (a)	Insufficient increase in risk	
<input type="checkbox"/> E1.6.3 A1 (b)	Reticulated water supply complies with Table E4	
<input type="checkbox"/> E1.6.3 A1 (c)	Water supply consistent with the objective	
<input type="checkbox"/> E1.6.3 A2 (a)	Insufficient increase in risk	
<input checked="" type="checkbox"/> E1.6.3 A2 (b)	Static water supply complies with Table E5	Bushfire Hazard Management Plan 201 Veterans Row Westbury
<input type="checkbox"/> E1.6.3 A2 (c)	Static water supply is consistent with the objective	

5. Bushfire Hazard Practitioner³

Name:	Scott Livingston	Phone No:	0438 951 021
Address:	12 Powers Road	Fax No:	
	Underwood	Email Address:	scottlivingston.lnra@gmail.com
	Tasmania		7250
Accreditation No:	BFP – 105	Scope:	1, 2, 3A, 3B, 3C

6. Certification

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

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 the use or development from bushfire to warrant any specific bushfire protection measure in order to be consistent with the objectives for all the applicable standards identified in Section 4 of this Certificate.

or

There is an insufficient increase in risk from bushfire to warrant the provision of 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.

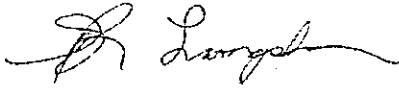
and/or

The Bushfire Hazard Management Plan/s identified in Section 3 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.

³ A Bushfire Hazard Practitioner is a person accredited by the Chief Officer of the Tasmania Fire Service under Part IVA of Fire Service Act 1979. The list of practitioners and scope of work is found at www.fire.tas.gov.au.

Signed:

certifier



Date: 9/8/2018

Certificate No: SRL18/53S

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM**

Section 321

To: *Owner /Agent*

Form **55**

Address

Suburb/postcode

Qualified person details:

Qualified person:

Address: Phone No:

Fax No:

Licence No: Email address:

Qualifications and Insurance details: *(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)*

Speciality area of expertise: *(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)*

Details of work:

Address:

201 Veterans Row

Lot No: 2,3

Westbury

7303

Certificate of title No: 140324/2

The assessable item related to this certificate:

Bushfire Attack Level (BAL)

(description of the assessable item being certified)

Assessable item includes –

- a material;
- a design
- a form of construction
- a document
- testing of a component, building system or plumbing system
- an inspection, or assessment, performed

Certificate details:

Certificate type:

Bushfire Hazard

(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work:

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:

Bushfire Attack Level Assessment Report and Bushfire Hazard Management Plan

Relevant

NA

calculations:

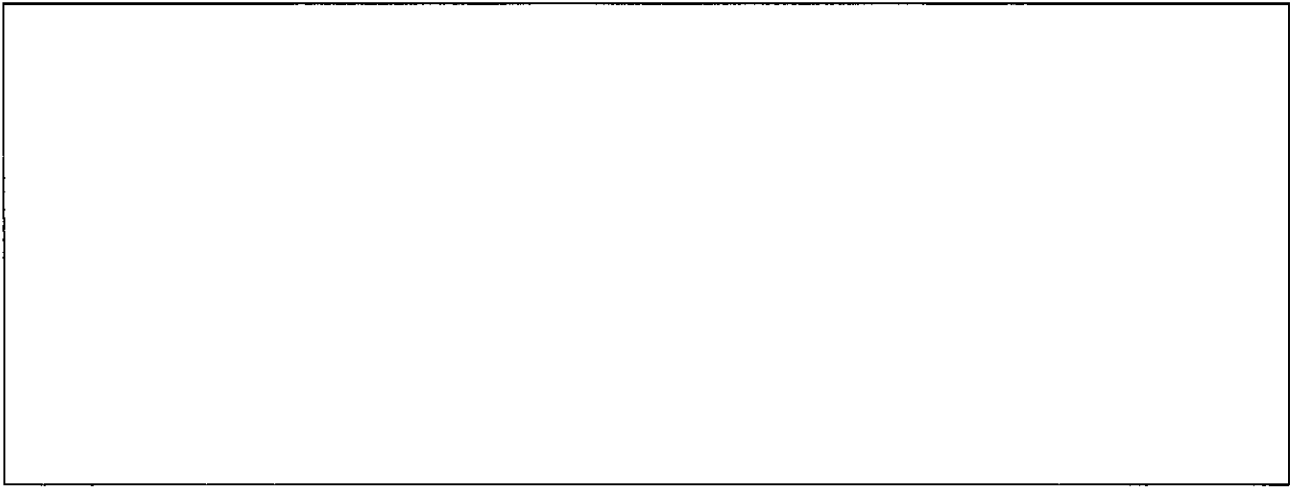
Australian Standard 3959

- Interim Planning Directive No.1.1
- Building Amendment Regulations 2016
- Director of Building Control, Determination
 - Application of Requirements for Building in Bushfire Prone Areas. (Aug 2017)
- Guidelines for development in bushfire prone areas of Tasmania

Substance of Certificate: (what it is that is being certified)

1. Assessment of the site Bushfire Attack Level (BAL) to Australian Standards 3959
2. Bushfire Hazard Management Plan

Scope and/or Limitations



I certify the matters described in this certificate.

Signed:

Certificate No:

Date:

Qualified person:

SRL18/53S

9/8/2018

PLAN OF SUBDIVISION

3/23 Brisbane Street,
Launceston, Tasmania, 7250
www.pda.com.au
Also at: Hobart, Kingston,
Devenport & Burnie
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FAX: +61 03 6334 3098
EMAIL: pda.ltr@pda.com.au



201 Veterans Row, Westbury, TAS 7303
Meander Valley Council
Meander Valley Interim Planning Scheme 2013
12.0 Low Density Residential

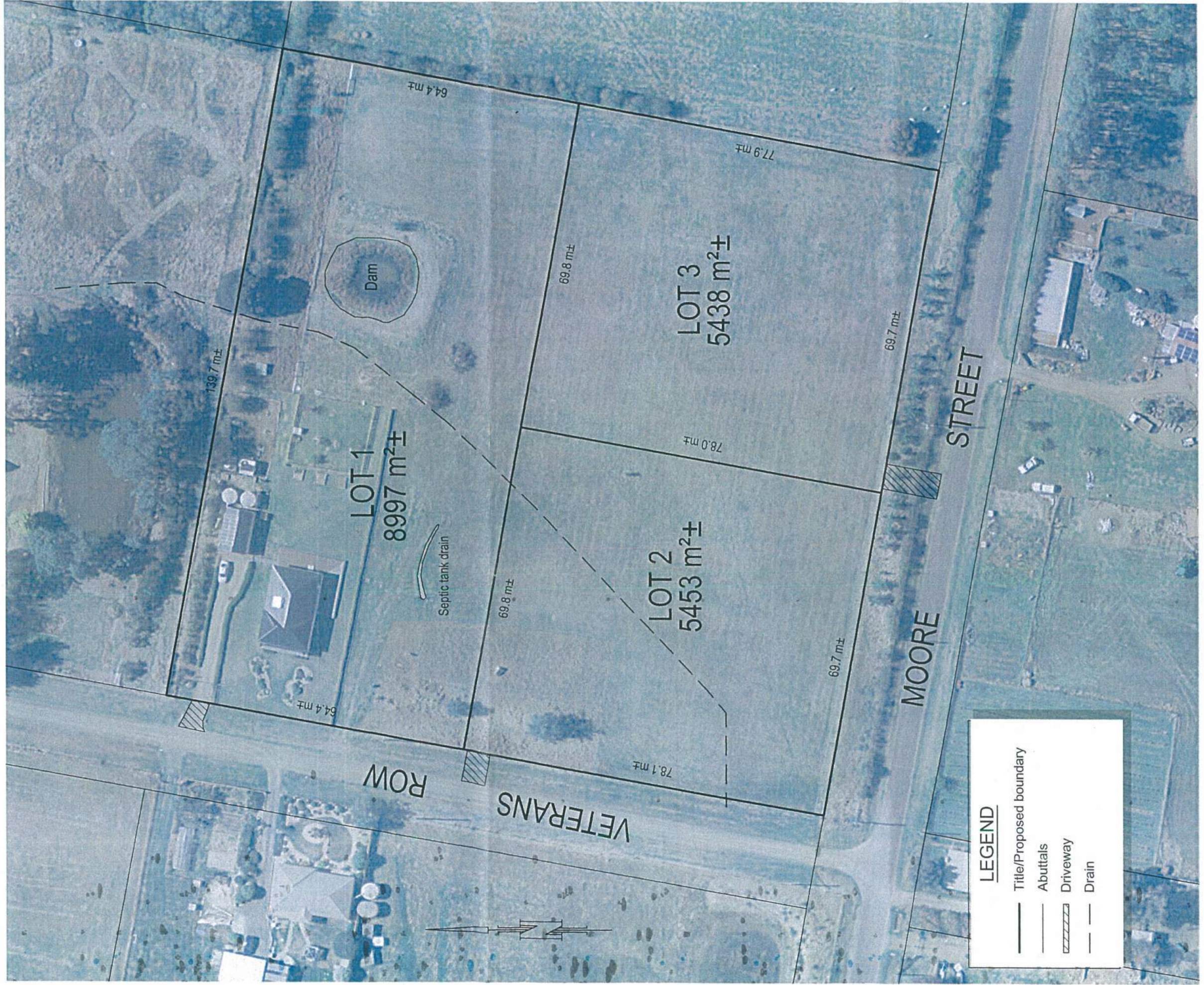
This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Owners
Richard Edward Mark Prevost
Leonie June Balcombe Prevost

Title References
FR 140324/2.

Schedule Of Easements
As shown.

Scale 1:800 Date 13 July 2018 PDA Reference 41646-P01



PLAN OF SUBDIVISION

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EMAIL: pda.ltr@pda.com.au



PDA Surveyors
Surveying, Engineering & Planning
ABN 71 217 000 350

Address: 201 Veterans Row, Westbury, TAS 7303
Council: Meander Valley Council
Planning Scheme: Meander Valley Interim Planning Scheme 2013
Zone & Overlay: 12.0 Low Density Residential

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Owners: Richard Edward Mark Prevost
Leonie June Balcombe Prevost
Title References: FR 140324/2.

Schedule Of Easements: As shown.

Scale: 1:800 Date: 13 July 2018 PDA Reference: 41646-P01



PLAN OF SUBDIVISION



PDA Surveyors
 Surveying, Engineering & Planning
 49/171 217 606 325

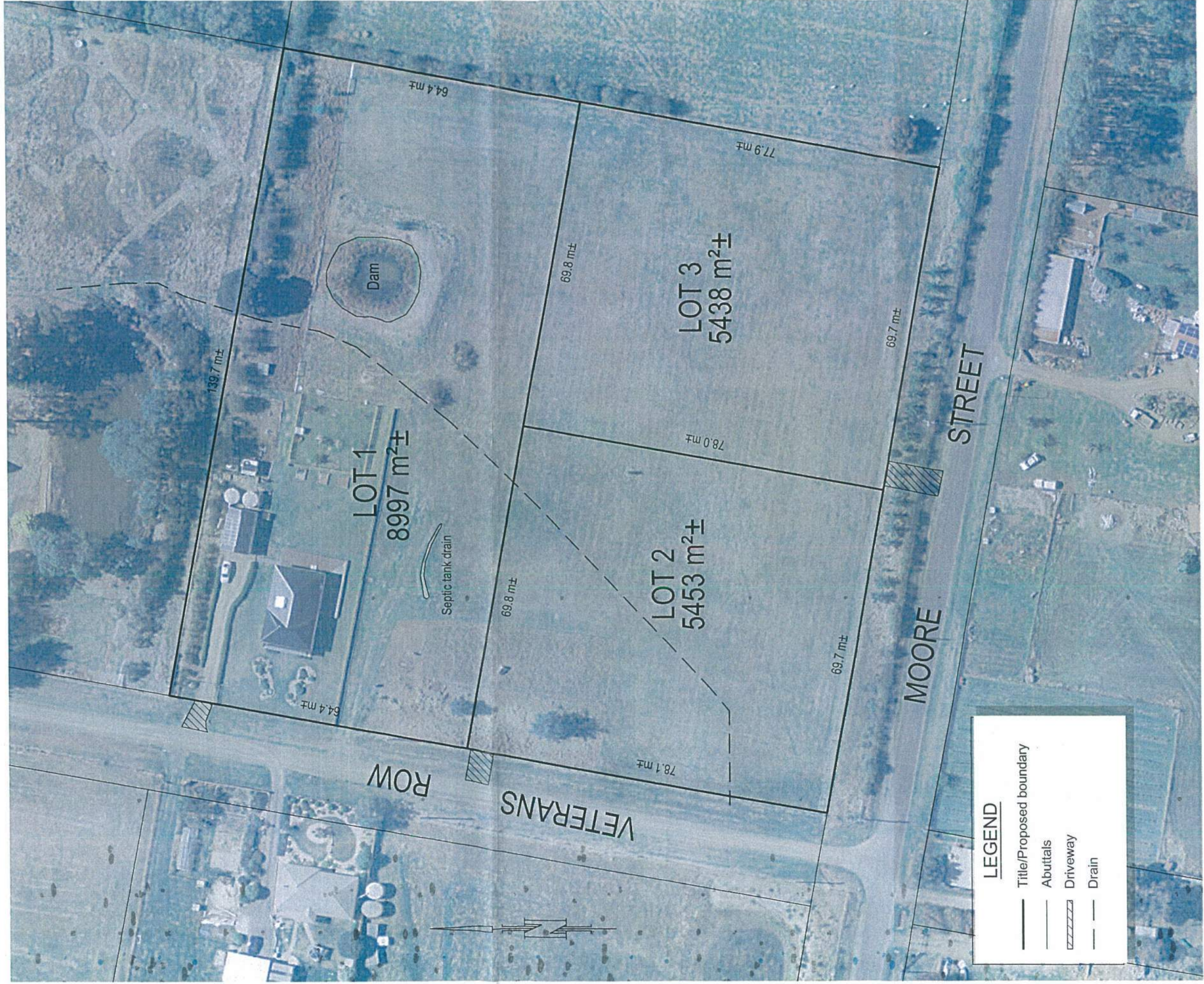
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 FAX: +61 03 6334 3088
 EMAIL: pda.ltr@pda.com.au

Owners	Richard Edward Mark Prevost	Address	201 Veterans Row, Westbury, TAS 7303
	Leontie June Balcombe Prevost		Council
Title References	FR 140324/2.	Planning Scheme	Meander Valley Interim Planning Scheme 2013
		Zone & Overlay	12.0 Low Density Residential

Schedule Of Easements
 As shown.

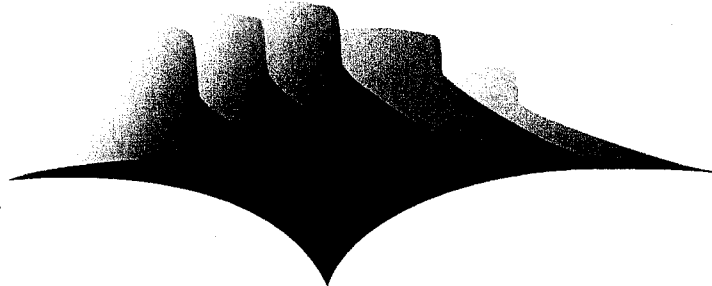
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LEGEND

- Title/Proposed boundary
- Abuttals
- ▨ Driveway
- Drain



Meander Valley Council

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

Public Open Space contribution

In accordance with Clause E10.0 of the Meander Valley Interim Planning Scheme 2013 the General Manager gives consent that no land is required for public open space but instead there is to be a cash payment in lieu for PA\19\0042 Subdivision (3 lots) at 201 Veterans Row, Westbury CT 140324/2.

Signed:

Martin Gill
GENERAL MANAGER

7 September 2018

From: Karen Murray
Sent: 6 Oct 2018 08:50:15 +1000
To: Planning @ Meander Valley Council
Subject:

Pa\19\0042

Dear General Manager, Meander Valley Council,

We, Beryl Murray of 96 Suburb Road, Westbury Tasmania 7303 and Karen Murray of 24 Five Acre Row, Westbury Tasmania 7303 object to the proposed subdivision of land into 3 lots at 201 Veterans Row, Westbury Tasmania 7303 for the prospect of building purposes.

As long term residents of the area in question, we believe this particular area is unable to support the number of dwellings intended because of the structure of the land. This particular block can get extremely wet in the winter, which in previous years has been flooded for the entire winter months. During the rain event of 2016 this entire area was flooded for quite some time.

There are a few questions that need to be addressed regarding the habitat of certain types of amphibians, small birds and other creatures that live in this particular wet environment - what happens to these creatures when their environment is destroyed? Where do they go? If land keeps being taken from these creatures this is the beginning of extinction and we all know how that is going for the environment.

We know of a young professional couple who purchased their property very near this proposed subdivision - actually across the road, believing these blocks were unable to be subdivided. They relocated from the city to escape the noise, pollution etc for a better life for themselves and young children and here they are - about to be overlooked and overcrowded. Were they misled in their purchase? What happened to limiting "Urban Sprawl" and keeping developments closer to the town centre?

This type of development is more suitable to the town centre. Most of the blocks in this particular area are of 5 acres or the very least 2 1/2 acres. Three lots on 5 acres is not acceptable and is not in keeping with the character and ambience of the area. This area is zoned low density residential - by allowing these types of subdivisions in this particular area is overcrowding and being overlooked. People purchase these larger blocks for a lifestyle change, their own escape to the country, their own personal space - that's why we CHOOSE to move to the area so we don't have neighbours that are right at our backdoor.

I don't know anywhere in the world where people who live in the country have the same services as those in the city. If you want the same as city folk, move to the city.

Who wants to be overlooked and overcrowded - not the people who already live here. We didn't ask for it nor should we have to put up with it.

Signed: Beryl Murray,
96 Suburb Road,
Westbury Tasmania 7303
Contact number: 0488 037 387

Signed: Karen Murray
24 Five Acre Row,
Westbury Tasmania 7303
Contact number: 0419 574 536

Index No. 14654			
Doc No.			
RCV'D	- 2 OCT 2018	MVC	
Action Officer	L.R.	Dept.	C.D.S.
EO		OD	✓

Dennis Tucker,
39 Reid Street,
Westbury, Tas. 7303

1.10.2018

PA\19\0042

Dear General manager, Meander Valley Council,

I, Dennis Tucker of 39 Reid Street Westbury Tasmania 7303 object to the proposed subdivision of land into 3 lots situated at 201 Veterans Row Westbury Tasmania 7303 for the prospect of building purposes.

As a long term permanent resident of the area I believe this particular block is unable to support the number of dwellings intended because of the structure of the land. This particular block in question can get extremely wet in the winter which in previous years has been under water for the entire winter months. During the rain event of 2016 this particular area was flooded.

This type of subdivision is not in keeping with the character of the area. The blocks of land in this particular area are of 5 acres or at the very least 2 1/2 acres. If at the very least, this subdivision was kept to 2 x 2 1/2 acre lots this would be acceptable - just - but 3 lots on 5 acres is overcrowding. What happened to limiting "Urban Sprawl" and keeping developments closer to the town centre?

People purchase these larger blocks for a lifestyle change, personal space and their own escape to the country. who wants to be overlooked and overcrowded - not the people who already live here. We didn't ask for it nor should we have to put up with it.

Dennis Tucker

From: Lisa Xypteras
Sent: 7 Oct 2018 10:15:37 +1100
To: Planning @ Meander Valley Council
Subject: Pa\19\0042

To the General Manager of the Meander Valley Council,

We write to you to oppose the proposed development at 201 Veterans Row. Our family moved to Westbury and chose our house at 202 Veterans Row for its beautiful scenery, landscape and the peace and quiet. At this time the regulations were that block sizes were to be kept to 2.5 acre lots. To see this has changed is so incredibly dissapointing to say the least.

We didn't move here to live in a built up area! We moved here for the lifestyle and for our little boys to grow in a rural environment and all of the joys and life experiences that it brings. We can understand the land being divided into two, but THREE?! It just sounds like greed, with no respect for the existing community, the existing historical landscape or the habitats of the abundant wildlife in the area.

We encourage you to please look at all of these proposed developements so very carefully. Westbury is such a beautiful quaint little town with so much character. It would be beyond devastating to see it morph into just another suburb.

With Kind Regards,

Lisa and Jeffrey Xypteras.

C&DS 2 45 BLACKSTONE ROAD, BLACKSTONE HEIGHTS

RESIDENTIAL OUTBUILDING

1) Introduction

This report considers application PA\19\0052 for Residential Outbuilding on land located at 45 Blackstone Road, Blackstone Heights CT 51678/133.

2) Background

Applicant

Prime Design

Planning Controls

The subject land is controlled by the *Meander Valley Interim Planning Scheme 2013* (referred to in this report as the 'Scheme').

Use & Development

The proposal is to construct a Residential Outbuilding. The building is 12m x 8m x 4.88m (high). The outbuilding is to be used to store private wood working and welding tools. The full plans are included in the attached documents.



Figure 1: aerial view of subject land

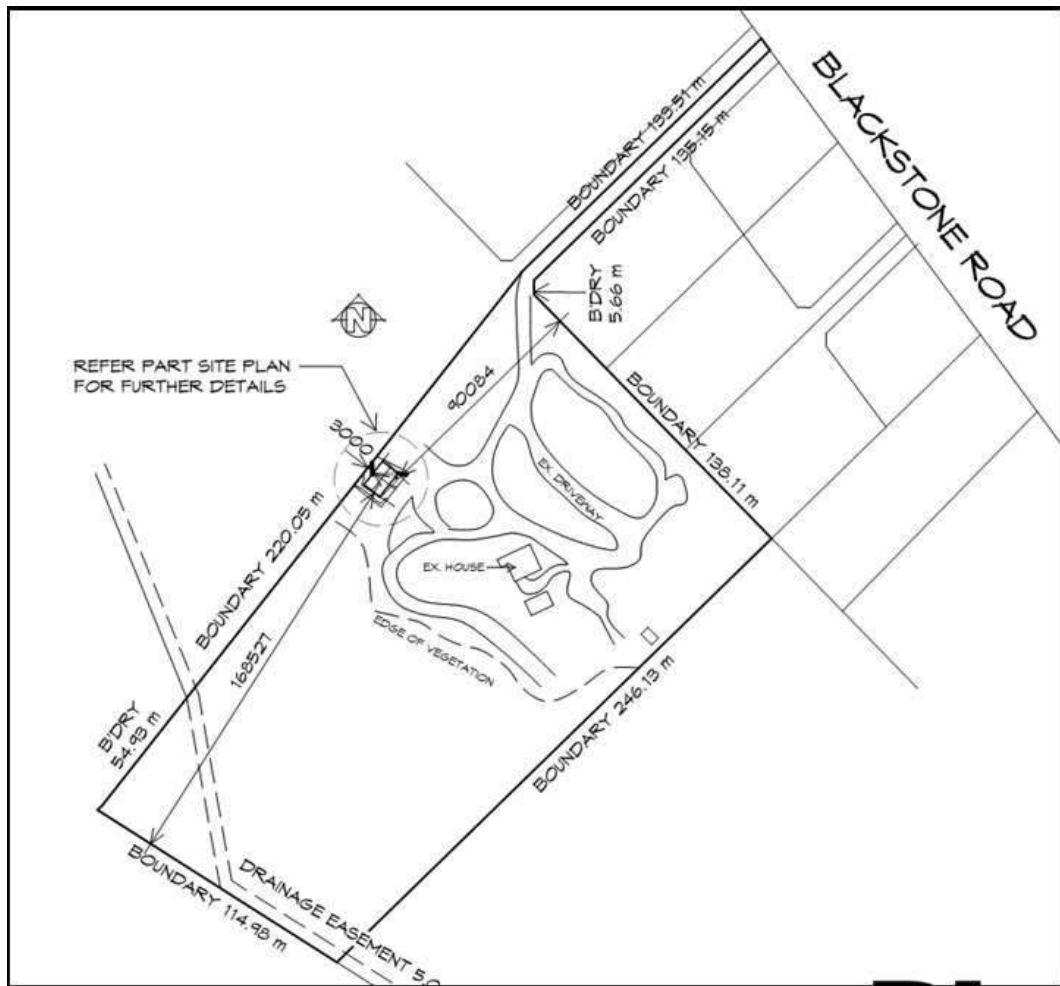


Figure 2: site plan

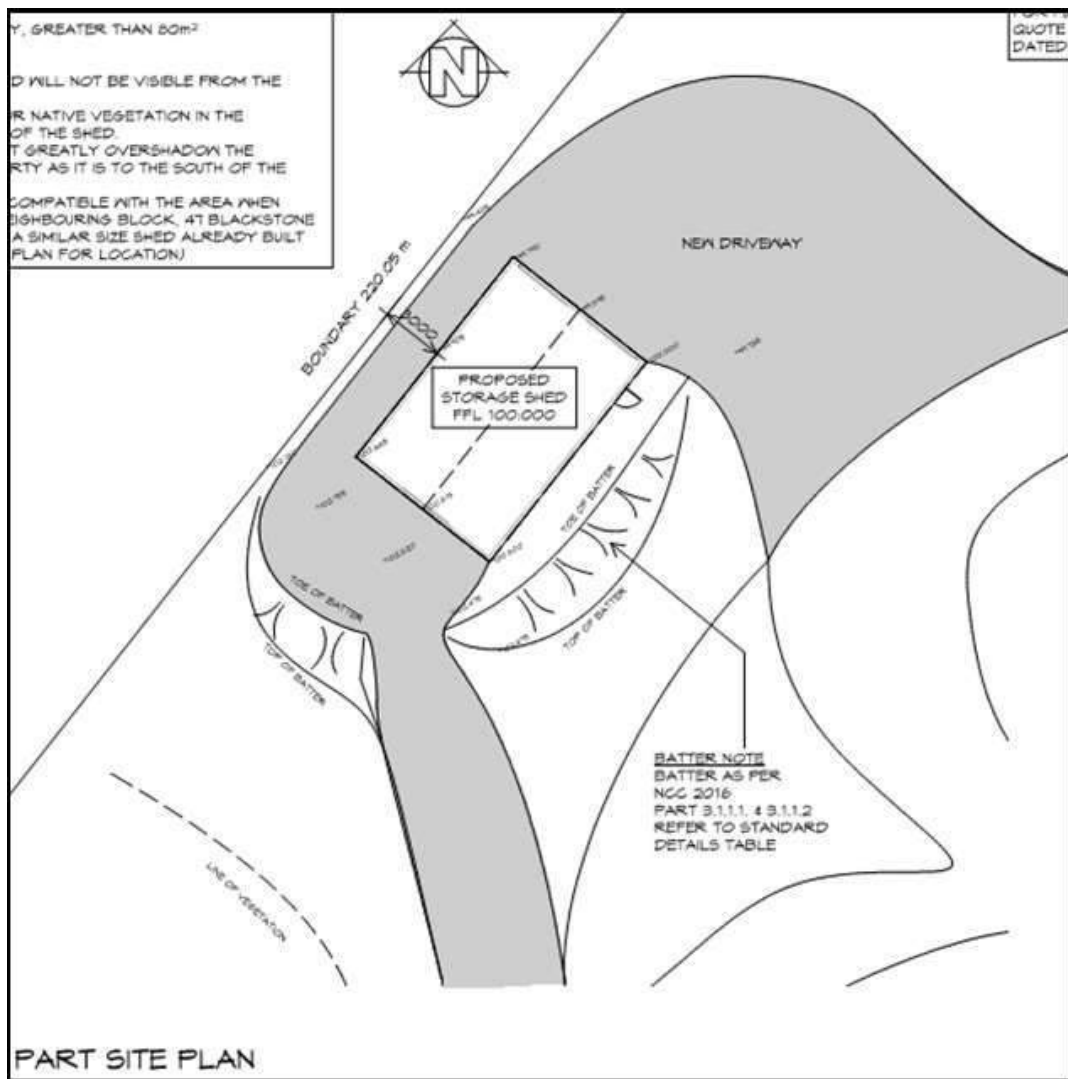


Figure 3: part site plan

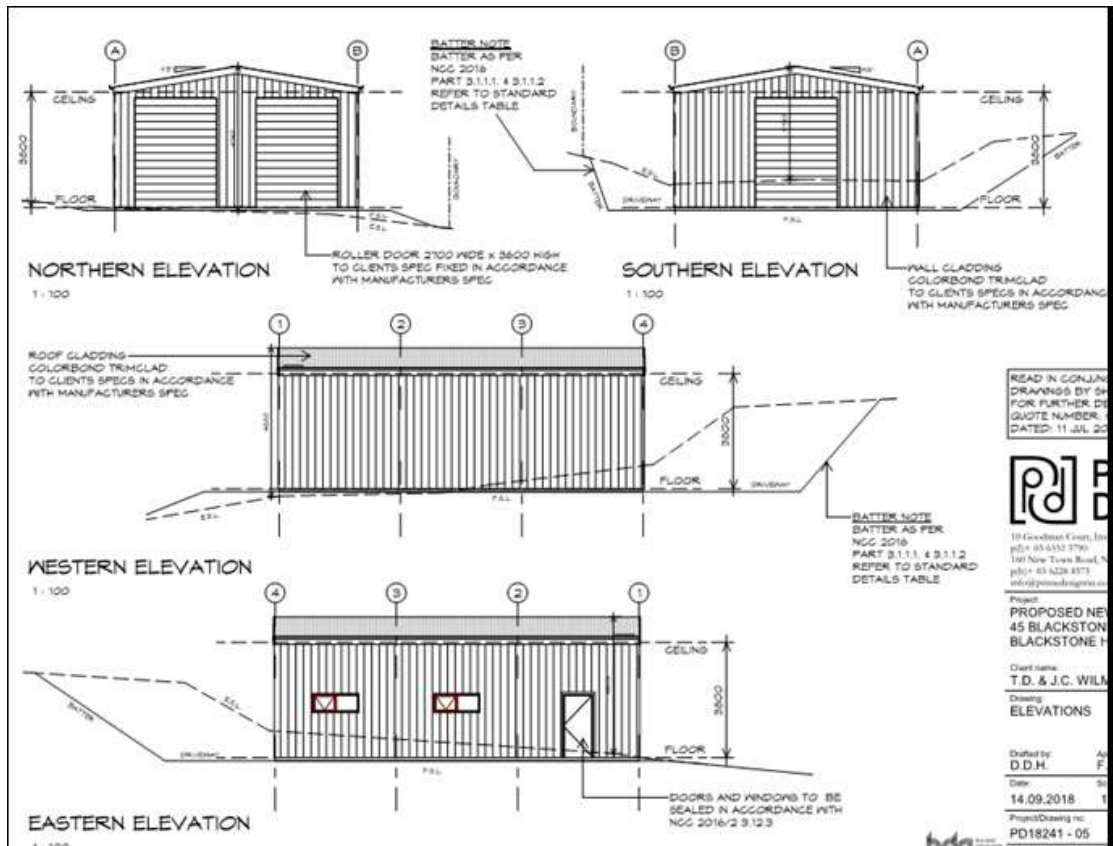


Figure 4: elevations

Site & Surrounds

The property is an internal lot off Blackstone Road. The access strip is 133.51m long. The land slopes upwards from Blackstone Road. The rear of the lot is bushland.

Between Blackstone Road and the subject lot are residential lots. To the side boundaries are large lifestyle lots. To the rear of the property is bushland.



Photo 1: subject site

Statutory Timeframes

Date Received:	14 September 2018
Request for further information:	Not applicable.
Information received:	Not applicable.
Advertised:	22 September 2018
Closing date for representations:	8 October 2018
Extension of time granted:	10 October 2018
Extension of time expires:	14 November 2018
Decision due:	13 November 2018

3) Strategic/Annual Plan Conformance

Council has a target under the Annual Plan to assess applications within statutory timeframes.

4) Policy Implications

Not applicable.

5) Statutory Requirements

Council must process and determine the application in accordance with the *Land Use Planning Approval Act 1993 (LUPAA)* and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

6) Risk Management

Risk is managed by the inclusion of appropriate conditions on the planning permit.

7) Consultation with State Government and other Authorities

Not applicable.

8) Community Consultation

The application was advertised for the statutory 14-day period.

One (1) representation was received (attached document). The representation is discussed in the assessment below.

9) Financial Impact

Not applicable.

10) Alternative Options

Council can either approve the application with amended conditions or refuse the application.

11) Officers Comments

Zone

The subject property is located in the Low Density Residential Zone. The land surrounding the site is located in the Low Density Residential and Rural Resource Zones.

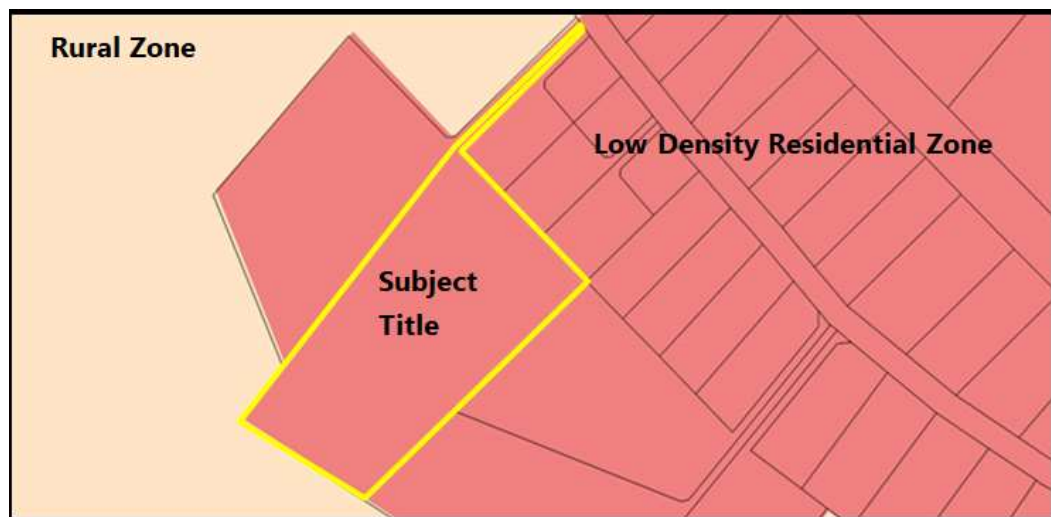


Figure 5: zone map

Use Class

Table 8.2 of the Scheme, categorises the proposed use class as:

- Residential

A Residential use is specified in Section 12.2 – Low Density Residential Use Table as being No Permit Required. However, the application is subject to Performance Criteria, making it Discretionary.

Applicable Standards

This assessment considers all applicable planning scheme standards.

In accordance with the statutory function of the State Template for Planning Schemes (Planning Directive 1), where use or development meets the Acceptable Solutions it complies with the planning scheme, however it may be conditioned if considered necessary to better meet the objective of the applicable standard.

Where use or development relies on performance criteria, discretion is applied for that particular standard only. To determine whether discretion should be used to grant approval, the proposal must be considered against the objectives of the applicable standard and the requirements of Section 8.10.

A brief assessment against all applicable Acceptable Solutions of the Low Density Residential Zone and Codes is provided below. This is followed by a more detailed discussion of any applicable Performance Criteria and the objectives relevant to the particular discretion.

Compliance Assessment

The following table is an assessment against the applicable standards of the Meander Valley Interim Planning Scheme 2013.

Low Density Residential Zone			
Scheme Standard		Comment	Assessment
12.3.1 Amenity			
A1	If for permitted or no permit required uses.	The outbuilding is for residential purposes. Residential is a No Permit Required use class	Complies
A2	Commercial vehicles for discretionary uses must only operate between 7.00am and	Not applicable.	

	7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.		
12.4.1.1 Site Coverage			
A1	The site coverage must not exceed 30% of the site.	The existing and proposed development will cover less than 30% of the proposed lot.	Complies
12.4.1.2 Building Height			
A1	Building height must not exceed 8 metres.	The overall height is 4.88m which is less than Acceptable Solution of 8m.	Complies
12.4.1.3 Frontage Setbacks			
A1	<p>A1.1</p> <p>Primary frontage setbacks must be a minimum:</p> <ul style="list-style-type: none"> a) of 6 metres; and b) for infill lots, within the range of the setbacks of buildings on adjoining lots; and <p>A1.2</p> <p>Buildings must be set back a minimum of 3 metres from any other frontage.</p>	The front setback is greater than the Acceptable Solution of 6m.	Complies
12.4.1.4 Rear and Side Setbacks			
A1	Buildings must be set back 5m from the rear boundary.	The rear boundary setback is greater than the Acceptable Solution of 5m.	Complies
A2	Buildings must be set back from side boundaries 3 metres.	The side boundary setback is 3m, and the Acceptable	Complies

		solution is 3m.	
12.4.1.5 Outbuildings and Ancillary Structures			
A1	Outbuildings must not have a: a) combined gross floor area of greater than 80m ² ; and b) maximum wall height of greater than 3.5 metres; and c) maximum height greater than 4.5 metres.	The proposed outbuilding has a floor area of 96m ² and an overall height of 4.88m. Both figures are above the Acceptable Solution.	Relies on Performance Criteria

Car Parking and Sustainable Transport Code			
Scheme Standard		Comment	Assessment
6.6.1 Car Parking Numbers			
A1	The number of car parking spaces must not be less than the requirements of: c) Table E6.1; or d) a parking precinct plan.	The development does not compromise the existing parking associated with the dwelling or increase demand for car parking.	Complies
E6.7.1 Construction of Car Parking Spaces and Access Strips			
A1	All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	The outbuilding is associated with an existing dwelling. A new internal driveway has been formed to serve the outbuilding, however it is not relied on for parking or manoeuvring.	Complies

E6.7.2 Design and Layout of Car Parking

A1	<p>A1.1</p> <p>Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2</p> <p>Within the General Residential Zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	Not applicable.	
A2	<p>A2.1</p> <p>Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) for more than 4 cars, enter and exit the site in a forward direction; and c) have access width not less than and not 10% greater than Table E6.2; and d) have a width of access and manoeuvring space to parking spaces not less than Table E6.3 where: <ul style="list-style-type: none"> (i) there are three or more spaces; and (ii) where parking is more than 30m 	Not applicable.	

	<p>from the road; or (iii) the sole vehicle access is to a category 1, 2, 3 or 4 road; and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standard AS 2890.1</i>.</p>		
--	---	--	--

Performance Criteria

Low Density Residential Zone
12.4.1.5 Outbuildings and Ancillary Structures
<p>Objective</p> <p><i>To ensure that:</i></p> <ul style="list-style-type: none"> <i>a) outbuildings do not detract from the amenity or established neighbourhood character; and</i> <i>b) dwellings remain the dominant built form within an area.</i>
<p>Performance Criteria P1</p> <p><i>Outbuildings must be designed and located having regard to:</i></p> <ul style="list-style-type: none"> <i>a) visual impact on the streetscape; and</i> <i>b) any adverse impacts on native vegetation; and</i> <i>c) overshadow adjoining properties; and</i> <i>d) compatibility with the size and location of outbuildings in the neighbourhood.</i>
<p>Comment:</p> <p>The proposed outbuilding is located over 200m from Blackstone Road. Combined with the slope of the land and existing standing vegetation, it is anticipated that the proposed outbuilding will not be visible from Blackstone Road.</p>



Photo 2: view from Blackstone Road

The site had been previously cleared of native vegetation. Recent earthworks have been undertaken in preparation for the outbuilding.

Being located 3m from the side boundary, there will be some overshadowing onto the adjoining property. However, the neighbouring dwelling is located over 70m away and the shadow falls onto bushland only.

The neighbouring property at 47 Blackstone Road has an outbuilding that measures 12m x 18m x 5m (high). The subject outbuilding is 12m x 8m x 4.88m (high). The dimensions of the subject outbuilding are considered compatible with surrounding outbuildings.

The proposed outbuilding is considered consistent with the objective and is not anticipated to be visible from Blackstone Road.

Representations

One (1) representation was received (see attached documents). A summary of the representation is as follows:

- no objection to the proposed outbuilding
- road fronting subject property damaged and scarred
- effect construction will have on the road and footpath

- how long the construction period will be
- repair work to the road surface from construction vehicles

Comment:

The representation states no objection to the proposed outbuilding. However concerns were raised regarding the current state and the potential impact of the construction vehicles on the fronting road and footpath.

Council's Director Infrastructure Services provided the following comment:

The matters identified in the representation were inspected by Council's Director Works. Both are considered minor issues. Although there is no formal footpath on Blackstone Road in this location at this point in time, the strength of the road shoulder will be addressed at the time of footpath construction should this proceed in the near future. General road pavement maintenance and surfacing issues will be managed by Council's Works Department in consideration of other works priorities.

Construction of the outbuilding is expected to commence before March 2019 and the construction period (including concreting) is anticipated to last 3-4 weeks.

Conclusion

In conclusion, it is considered that the application for Use and Development for a Residential Outbuilding is Acceptable in the Low Density Residential Zone.

AUTHOR: Leanne Rabjohns
TOWN PLANNER

12) Recommendation

It is recommended that application for Use and Development for a Residential Outbuilding on land located at 45 Blackstone Road, Blackstone Heights CT 51678/133 by Prime Design, requiring the following discretions:

12.4.1.5 Outbuildings and Ancillary Structures

be APPROVED, generally in accordance with the endorsed plans:

a) Prime Design – Project Number: PD18241 – Drawing Number: 01, 02, 03, 04 7 05.

and subject to the following conditions:

- 1. The use of outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.**

Note:

- 1. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 2. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:**
 - a) Building approval**
 - b) Plumbing approval****All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.**
3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so

notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION:

APPLICATION FORM

PLANNING

Land Use Planning and Approvals Act 1993



- Application form & details **MUST** be completed **IN FULL**.
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

OFFICE USE ONLY

Property No:	<input type="text"/>	Assessment No:	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>
DA\	<input type="text"/>	PA\	<input type="text"/>				

- Is your application the result of an illegal building work? Yes No Indicate by ✓ box
- Is a new vehicle access or crossover required? Yes No

PROPERTY DETAILS:

Address:	<input type="text" value="45 BLACKSTONE ROAD"/>	Certificate of Title:	<input type="text" value="51670/133"/>
Suburb:	<input type="text" value="BLACKSTONE HEIGHTS"/>	<input type="text" value="7248"/>	Lot No: <input type="text" value="133"/>
Land area:	<input type="text" value="3.478 ha"/>	m ² / ha	
Present use of land/building:	<input type="text" value="RESIDENTIAL"/>	<small>(vacant, residential, rural, industrial, commercial or forestry)</small>	
Does the application involve Crown Land or Private access via a Crown Access Licence:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Heritage Listed Property:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box

<input checked="" type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Forestry	<input type="checkbox"/> Demolition	
<input type="checkbox"/> Other		

Total cost of development (inclusive of GST): Includes total cost of building work, landscaping, road works and infrastructure

Description of work:

Use of building: (main use of proposed building – dwelling, garage, farm building, factory, office, shop)

New floor area: m² New building height: m

Materials: External walls: Colour:

Roof cladding: Colour:

SEARCH OF TORRENS TITLE

VOLUME 51678	FOLIO 133
EDITION 7	DATE OF ISSUE 08-Apr-2011

SEARCH DATE : 23-Aug-2018

SEARCH TIME : 03.18 PM

DESCRIPTION OF LAND

Parish of LAUNCESTON, Land District of CORNWALL
 Lot 133 on Sealed Plan 51678
 Derivation : Part of 1536 Acres Located to T.S. Kelsey
 Prior CT 4826/80

SCHEDULE 1

D8775 TRANSFER to TREVOR DAVID WILMSHURST and JOY CATHERINE
 WILMSHURST Registered 08-Apr-2011 at noon

SCHEDULE 2

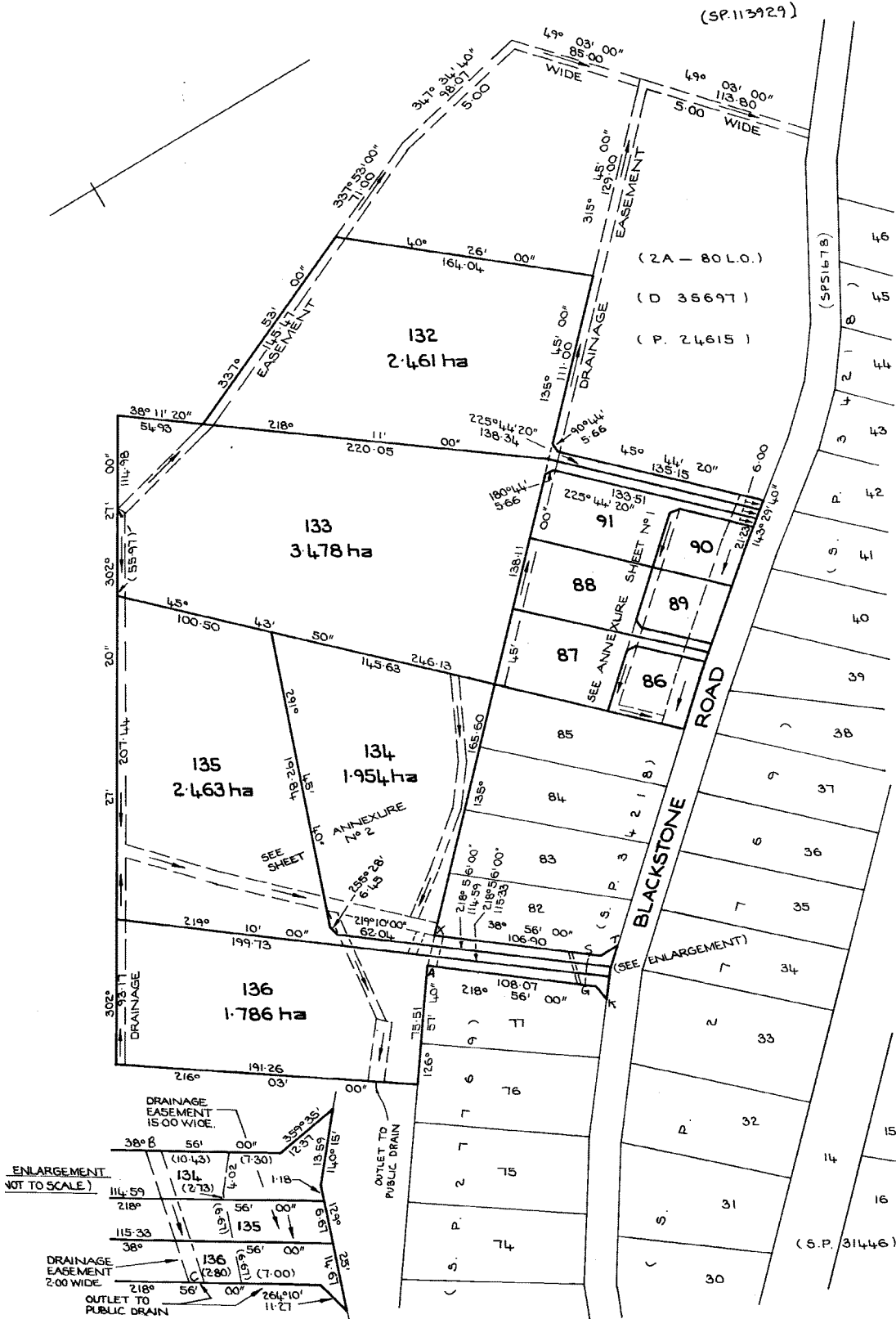
Reservations and conditions in the Crown Grant if any
 SP 51678 EASEMENTS in Schedule of Easements
 SP 51678 COVENANTS in Schedule of Easements
 SP 51678 FENCING COVENANT in Schedule of Easements
 D8786 MORTGAGE to Westpac Banking Corporation Registered
 08-Apr-2011 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

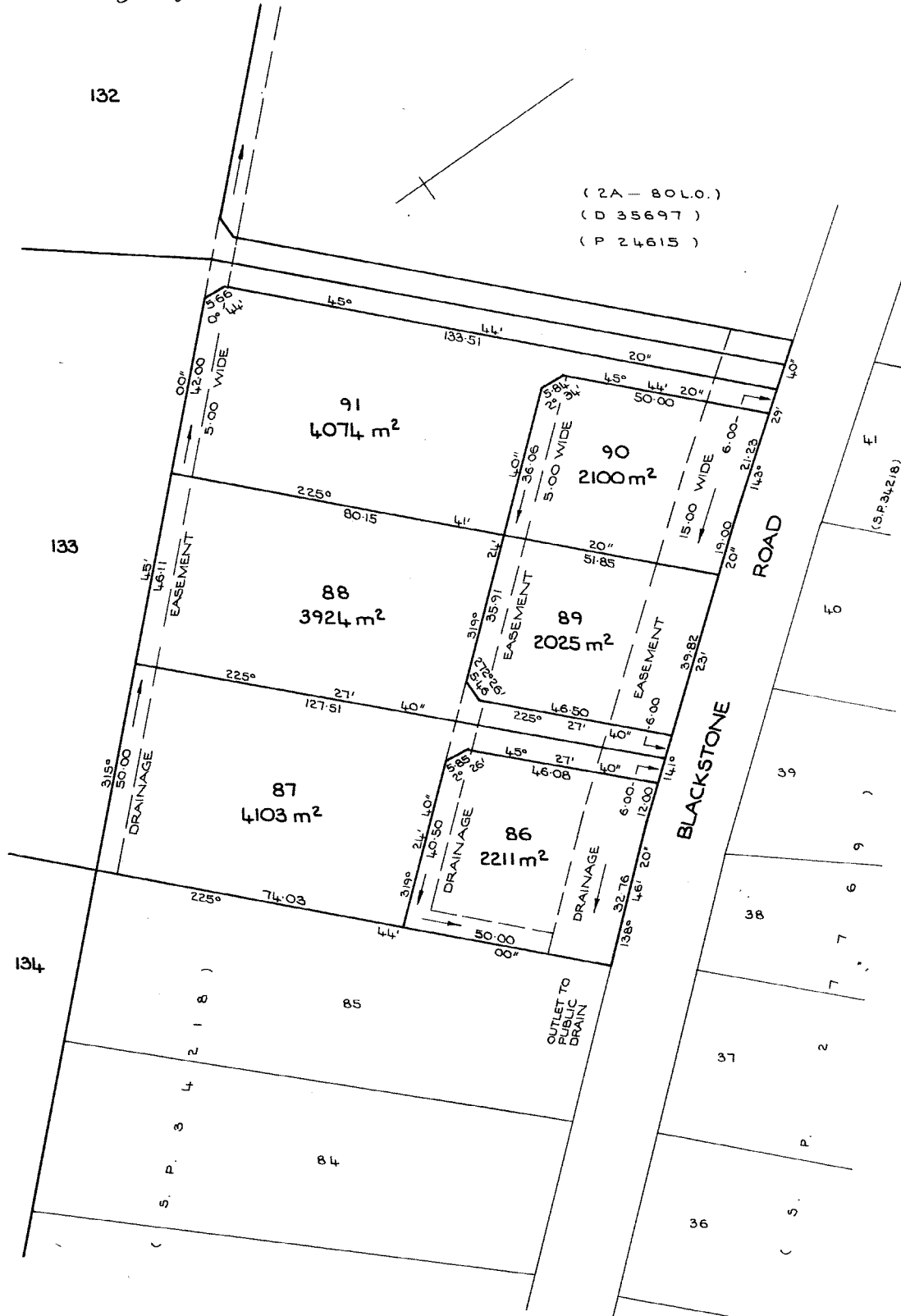
17/10/91

Owner: SANEITH PTY. LTD.	<p>PLAN OF SURVEY by Surveyor C. J. COHEN OF COHEN AND ASSOCIATED PTY. LTD. of land situated in the</p>	Registered Number: SP51678
Title Reference: CT VOL 4518 FOL 62 CT 4803-73		<p>LAND DISTRICT OF CORNWALL PARISH OF LAUNCESTON</p> <p>Approved Effective from 17 NOV 1991</p> <p><i>Michael J. ...</i> Recorder of Titles</p>
Grantee: PART OF 1536 ACRES LOCATED TO THOMAS SCUTT KELSEY.	SCALE 1:2000 MEASUREMENTS IN METRES	



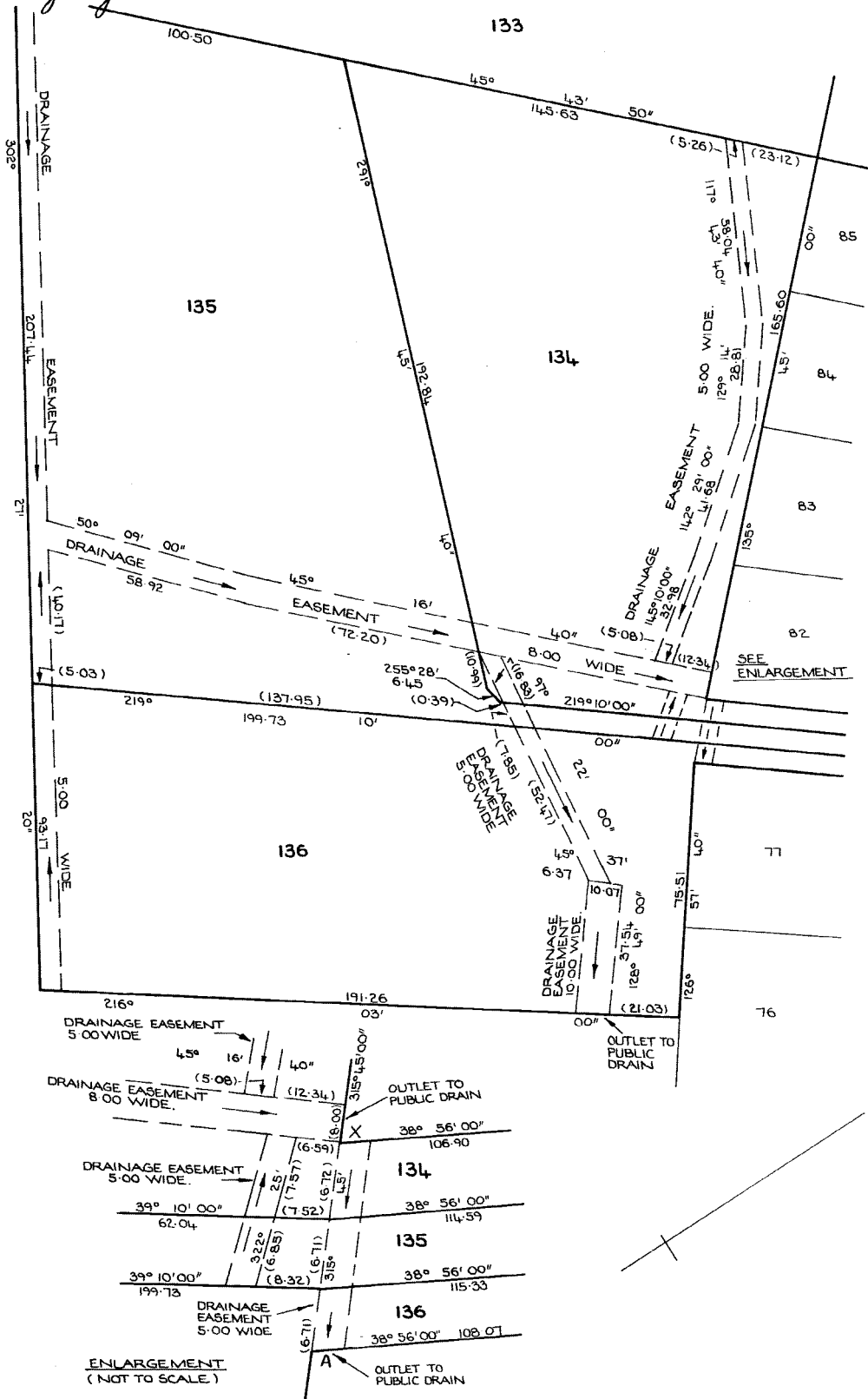
05-K 1109

<p>ANNEXURE SHEET No. 1 (of 2 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 20/6/89 and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: SP51678</p>
<p>Signed for the purposes of identification</p>	<p>Surveyor: <i>C. J. COHEN</i> OF COHEN AND ASSOCIATES... PTY. LTD</p>	<p>Scale 1: 150</p>
<p>Council Clerk <i>X [Signature]</i></p>	<p>Owner: SANEITH PTY. LTD.</p>	<p>Measurements in Metres</p>
<p>Title Reference: C.T. VOL 1318 FOL 82 4803-73</p>		



05-K-1109

ANNEXURE SHEET No. 2 (of 2 annexures) to plan by Surveyor	This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 20/6/89 and that certificate extends to the detail shown on this sheet.	Registered Number: SP51678
	Signed for the purposes of identification Council Clerk: <i>[Signature]</i>	Surveyor: C. J. COHEN OF COHEN AND ASSOCIATES PTY. LTD Owner: SANEITH PTY. LTD
Title Reference: C. T. VOL 4518 FOL 62 4803-73		



PROPOSED NEW SHED 45 BLACKSTONE ROAD, BLACKSTONE HEIGHTS T.D. & J.C. WILMSHURST

BUILDING DRAWINGS

<u>No</u>	<u>DRAWING</u>
01	SITE PLAN
02	PART SITE PLAN
03	LOCALITY PLAN
04	FLOOR/ROOF PLAN
05	ELEVATIONS

READ IN CONJUNCTION WITH SHED
DRAWINGS BY SHEDS N' HOMES
FOR FURTHER DETAILS.
QUOTE NUMBER: rebtl1807016
DATED: 11 JUL 2018

SHED AREA 97.16 m2 (10.45 SQUARES)

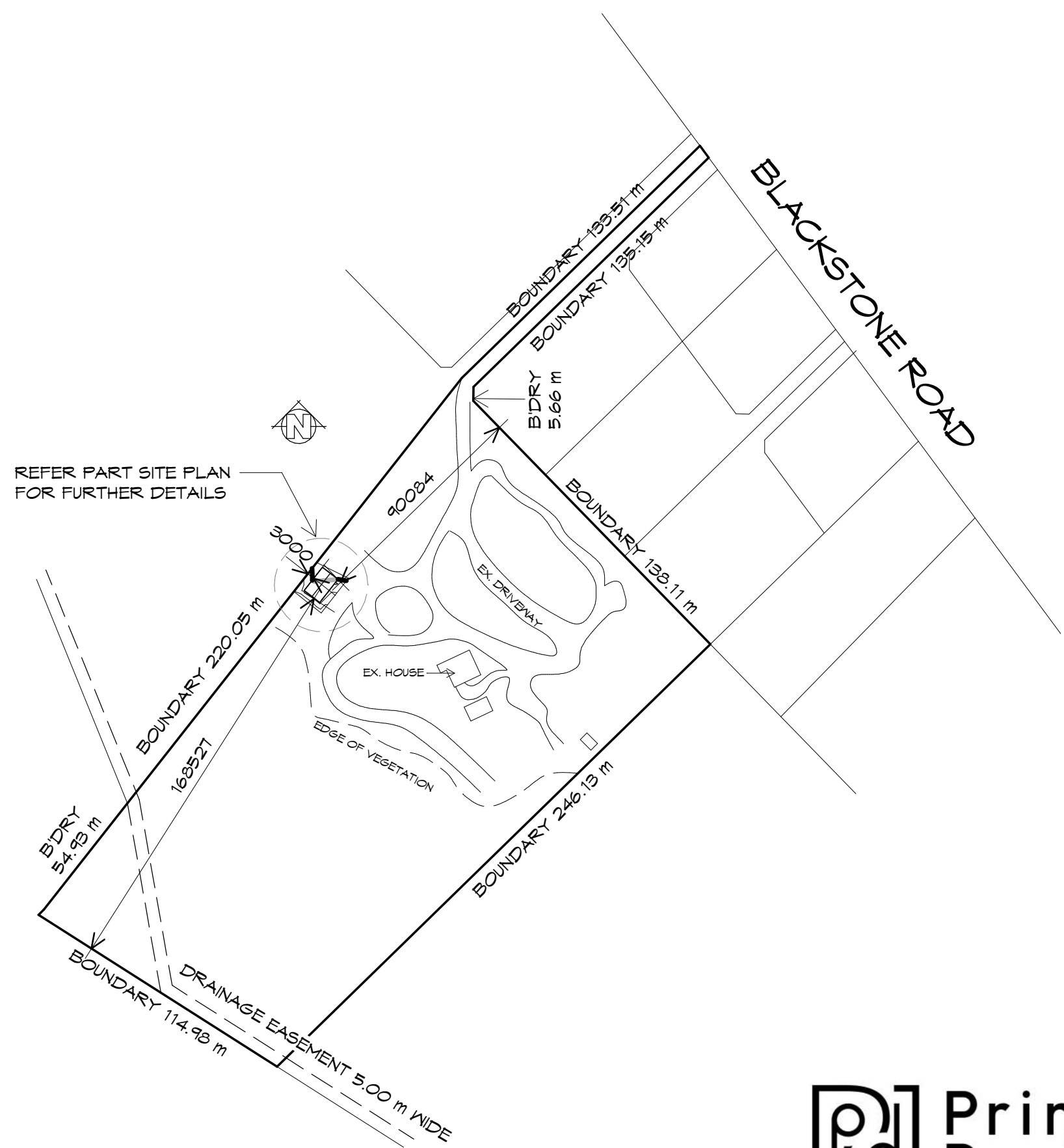
GENERAL PROJECT INFORMATION
TITLE REFERENCE: 133/51678
SITE AREA: 3.478ha
DESIGN WIND SPEED: N2
SOIL CLASSIFICATION: H1
CLIMATE ZONE: 7
ALPINE AREA: NO
CORROSIVE ENVIRONMENT: NO
BAL RATING:
OTHER KNOWN HAZARDS: NONE KNOWN



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160 New Town Road, New Town, Hobart 7008
p(h)+03 6228 4575
info@primedesigntas.com.au primedesigntas.com.au
Accredited Building Practitioner: Frank Geskus -No CC246A

SEPTEMBER 2018

PLANNING



REFER PART SITE PLAN FOR FURTHER DETAILS

GENERAL NOTES

- CHECK & VERIFY ALL DIMENSIONS & LEVELS ON SITE
- WRITTEN DIMENSIONS TO TAKE PREFERENCE OVER SCALED
- ALL WORK TO BE STRICTLY IN ACCORDANCE WITH NCC, ALL S.A.A.. CODES & LOCAL AUTHORITY BY-LAWS
- ALL DIMENSIONS INDICATED ARE FRAME TO FRAME AND DO NOT ALLOW FOR WALL LININGS
- CONFIRM ALL FLOOR AREAS
- ALL PLUMBING WORKS TO BE STRICTLY IN ACCORDANCE WITH A.S. 3500 & APPROVED BY COUNCIL INSPECTOR
- BUILDER/PLUMBER TO ENSURE ADEQUATE FALL TO SITE CONNECTION POINTS IN ACCORDANCE WITH A.S. 3500 FOR STORMWATER AND SEWER BEFORE CONSTRUCTION COMMENCES
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE ENGINEER'S STRUCTURAL DRAWINGS
- ALL WINDOWS AND GLAZING TO COMPLY WITH A.S. 1288 & A.S. 2047
- ALL SET OUT OF BUILDINGS & STRUCTURES TO BE CARRIED OUT BY A REGISTERED LAND SURVEYOR AND CHECKED PRIOR TO CONSTRUCTION
- IF CONSTRUCTION OF THE DESIGN IN THIS SET OF DRAWINGS DIFFER FROM THE DESIGN AND DETAIL IN THESE AND ANY ASSOCIATED DOCUMENTS BUILDER AND OWNER ARE TO NOTIFY DESIGNER
- BUILDER'S RESPONSIBILITY TO COMPLY WITH ALL PLANNING CONDITIONS
- BUILDER TO HAVE STAMPED BUILDING APPROVAL DRAWINGS AND PERMITS PRIOR TO COMMENCEMENT OF CONSTRUCTION
- CONSTRUCTION TO COMPLY WITH AS 3959, READ IN CONJUNCTION WITH BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT REPORT.

READ IN CONJUNCTION WITH SHED DRAWINGS BY SHEDS N' HOMES FOR FURTHER DETAILS.
QUOTE NUMBER: rebt1807016
DATED: 11 JUL 2018

SITE PLAN

1 : 2000



10 Goodman Court, Invermay Tasmania 7248,
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p(h)+ 03 6228 4575
info@primedesigntas.com.au primedesigntas.com.au

C&DS 2

Project:
**PROPOSED NEW SHED
45 BLACKSTONE ROAD,
BLACKSTONE HEIGHTS**

Client name:
T.D. & J.C. WILMSHURST

Drafted by: **D.D.H.** Approved by: **F.G.G.**

Drawing:
SITE PLAN

Date: **14.09.2018** Scale: **1 : 2000**

Project/Drawing no: **PD18241 - 01** Revision: **01**
Page 101



Accredited building practitioner: Frank Geskus -No CC246A

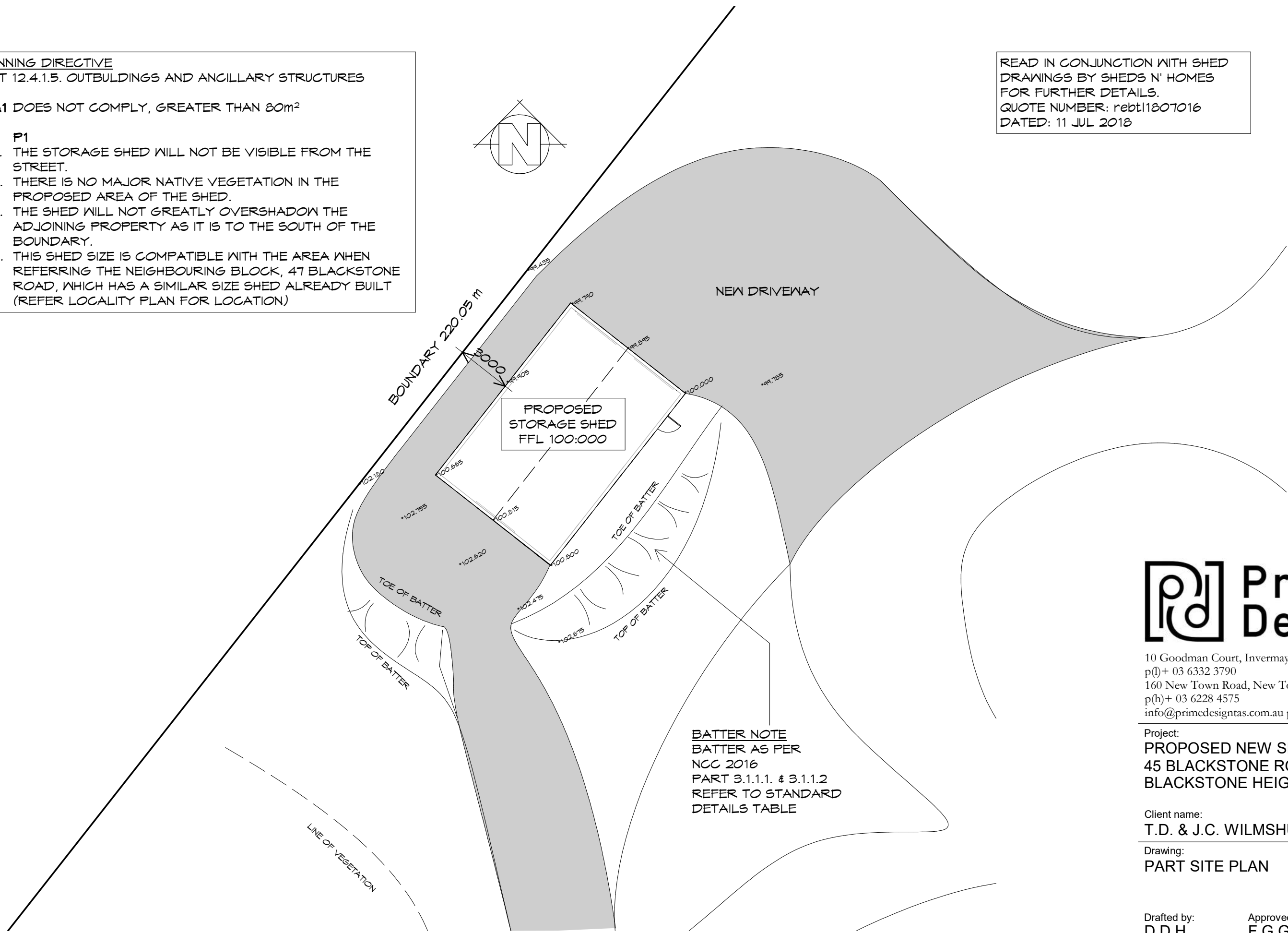
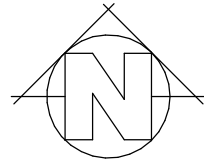
PLANNING DIRECTIVE
PART 12.4.1.5. OUTBUILDINGS AND ANCILLARY STRUCTURES

A1 DOES NOT COMPLY, GREATER THAN 80m²

P1

- a. THE STORAGE SHED WILL NOT BE VISIBLE FROM THE STREET.
- b. THERE IS NO MAJOR NATIVE VEGETATION IN THE PROPOSED AREA OF THE SHED.
- c. THE SHED WILL NOT GREATLY OVERSHADOW THE ADJOINING PROPERTY AS IT IS TO THE SOUTH OF THE BOUNDARY.
- d. THIS SHED SIZE IS COMPATIBLE WITH THE AREA WHEN REFERRING THE NEIGHBOURING BLOCK, 47 BLACKSTONE ROAD, WHICH HAS A SIMILAR SIZE SHED ALREADY BUILT (REFER LOCALITY PLAN FOR LOCATION)

READ IN CONJUNCTION WITH SHED DRAWINGS BY SHEDS N' HOMES FOR FURTHER DETAILS.
 QUOTE NUMBER: rebt11807016
 DATED: 11 JUL 2018



PLANNING
 NOTE: DO NOT SCALE OFF DRAWINGS



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Project:
PROPOSED NEW SHED
45 BLACKSTONE ROAD,
BLACKSTONE HEIGHTS

Client name:
T.D. & J.C. WILMSHURST

Drawing:
PART SITE PLAN

Drafted by: D.D.H.	Approved by: F.G.G.
Date: 14.09.2018	Scale: 1 : 200

Project/Drawing no: PD18241 - 02	Revision: 01
Accredited building practitioner: Frank Geskus -No CC246A	

PART SITE PLAN

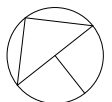


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 160 New Town Road, New Town, Hobart 7008
 p(h)+ 03 6228 4575
 info@primedesigntas.com.au primedesigntas.com.au

Project:
PROPOSED NEW SHED
45 BLACKSTONE ROAD,
BLACKSTONE HEIGHTS

Client name:
T.D. & J.C. WILMSHURST

Drawing:
LOCALITY PLAN

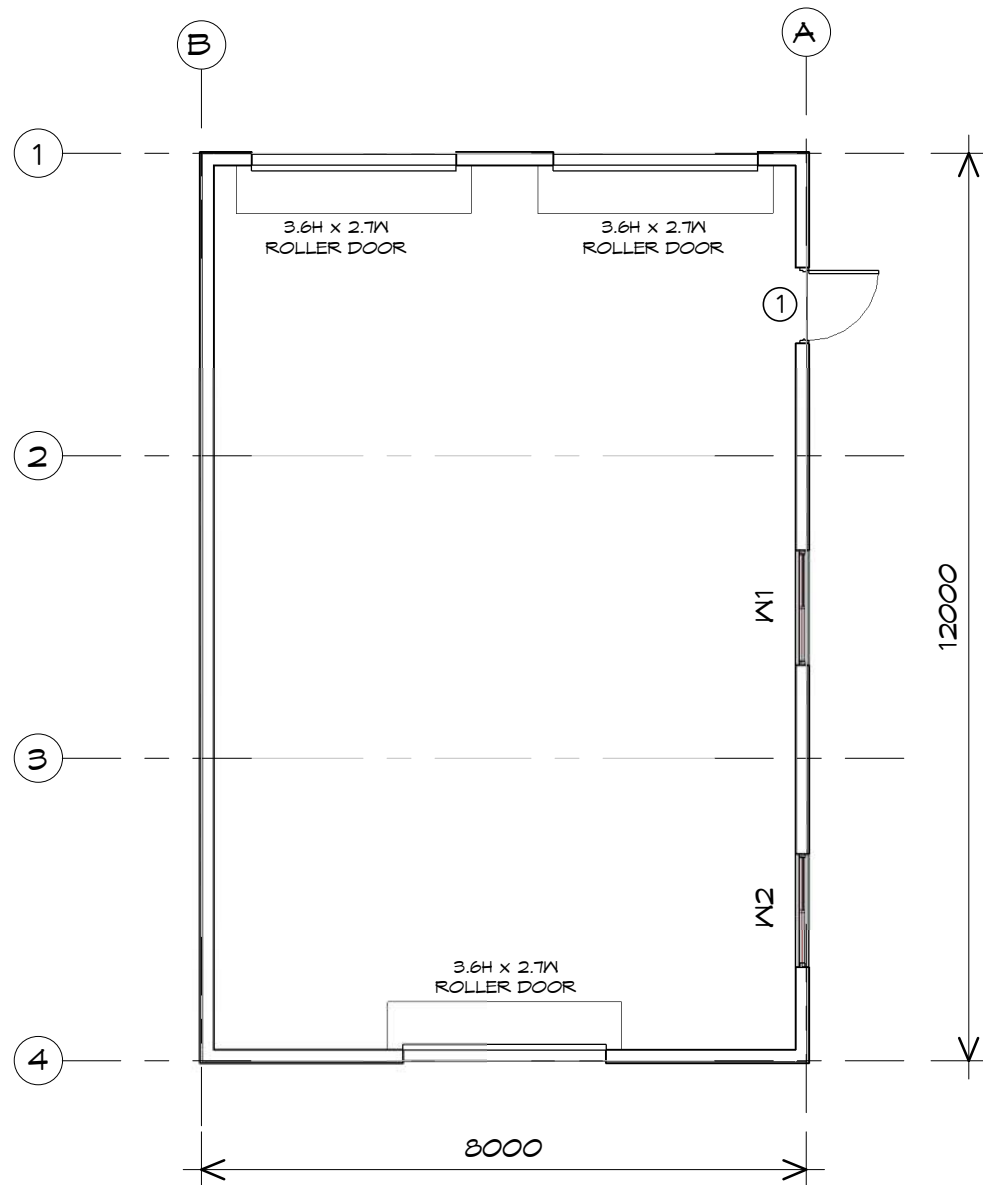
Drafted by: D.D.H.	Approved by: F.G.G.	
Date: 14.09.2018	Scale: 1 : 2000	

Project/Drawing no: PD18241 - 03	Revision: 01 Page 103
Accredited building practitioner: Frank Geskus -No CC246A	

LOCALITY PLAN

THIS SITE IS ZONED LOW DENSITY RESIDENTIAL THEREFORE REQUIRES/DOES NOT REQUIRE A BUSHFIRE ASSESSMENT.
 RESIDENCE IS/IS NOT OVER 100m/200m FROM UNMANAGED BUSH GREATER THAN 1 HECTARE.
 REFER TO BUSHFIRE ASSESSMENT REPORT FOR MANAGMENT PLAN

C&DS 2



FLOOR PLAN

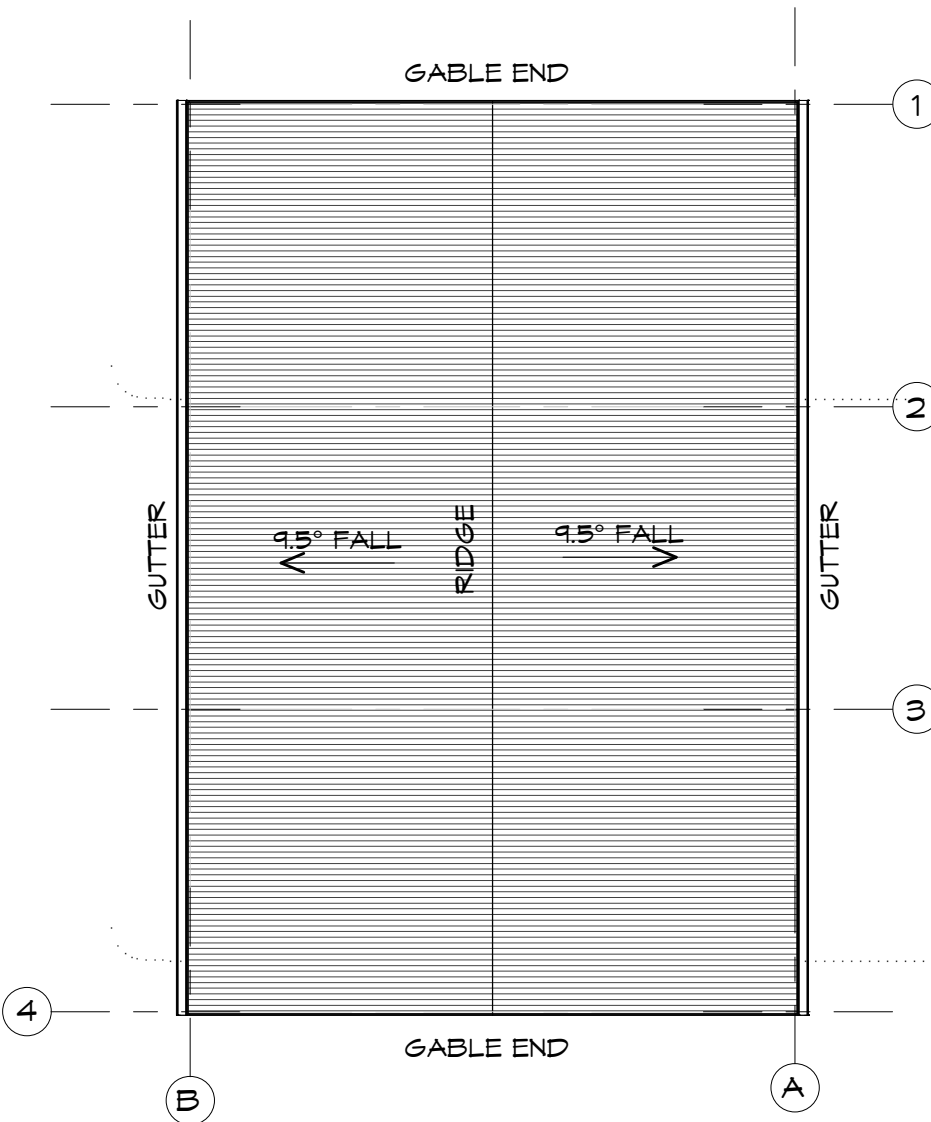
1 : 100

DOOR SCHEDULE			
MARK	WIDTH	TYPE	REMARKS
1	920	EXTERNAL PA DOOR	

WINDOW SCHEDULE				
MARK	HEIGHT	WIDTH	TYPE	REMARKS
W1	600	1510	AWNING WINDOW	
W2	600	1510	AWNING WINDOW	

ALUMINIUM AWNING WINDOWS SINGLE GLAZING COMPLETE WITH FLY SCREENS TO SUIT ??? BAL RATING. ALL WINDOW MEASUREMENTS TO BE VERIFIED ON SITE PRIOR TO ORDERING

Meander Valley Council Ordinary Meeting Agenda - 13 November 2018



ROOF PLAN

1 : 100

SHED AREA 97.16 m2 (10.45 SQUARES)

READ IN CONJUNCTION WITH SHED DRAWINGS BY SHEDS N' HOMES FOR FURTHER DETAILS. QUOTE NUMBER: rebt11807016 DATED: 11 JUL 2018

NOTE:
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF BUILDING AND GARAGE, UNLESS OTHERWISE STATED. DECKS AND OUTDOOR AREAS ARE CALCULATED SEPARATELY.



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info@primedesigntas.com.au primedesigntas.com.au

C&DS 2

Project:
PROPOSED NEW SHED
45 BLACKSTONE ROAD,
BLACKSTONE HEIGHTS

Client name:
T.D. & J.C. WILMSHURST

Drafted by:
D.D.H.

Approved by:
F.G.G.

Drawing:
FLOOR/ROOF PLAN

Date:
14.09.2018

Scale:
1 : 100

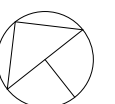
Project/Drawing no:
PD18241 - 04

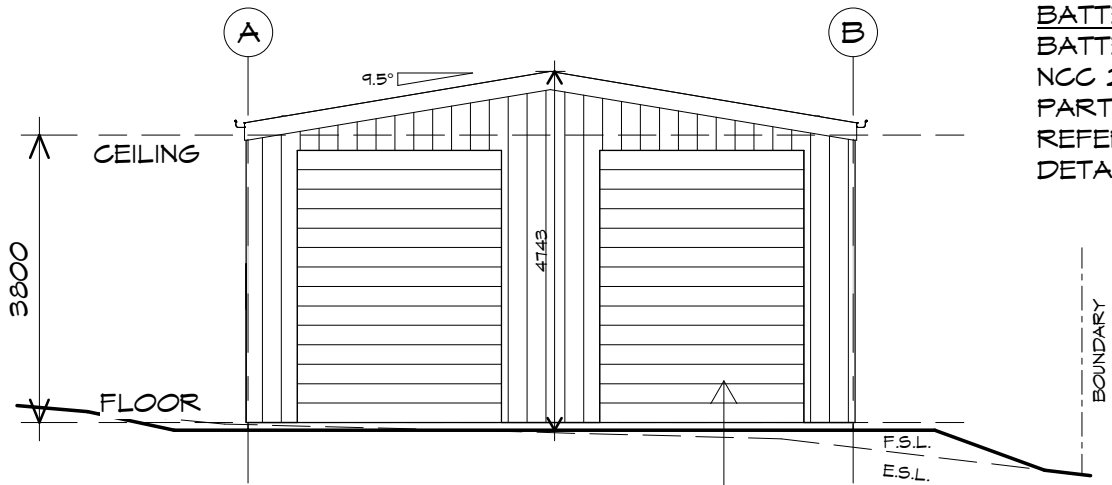
Revision:
01
Page 104



Accredited building practitioner: Frank Geskus -No CC246A

PLANNING
 NOTE: DO NOT SCALE OFF DRAWINGS



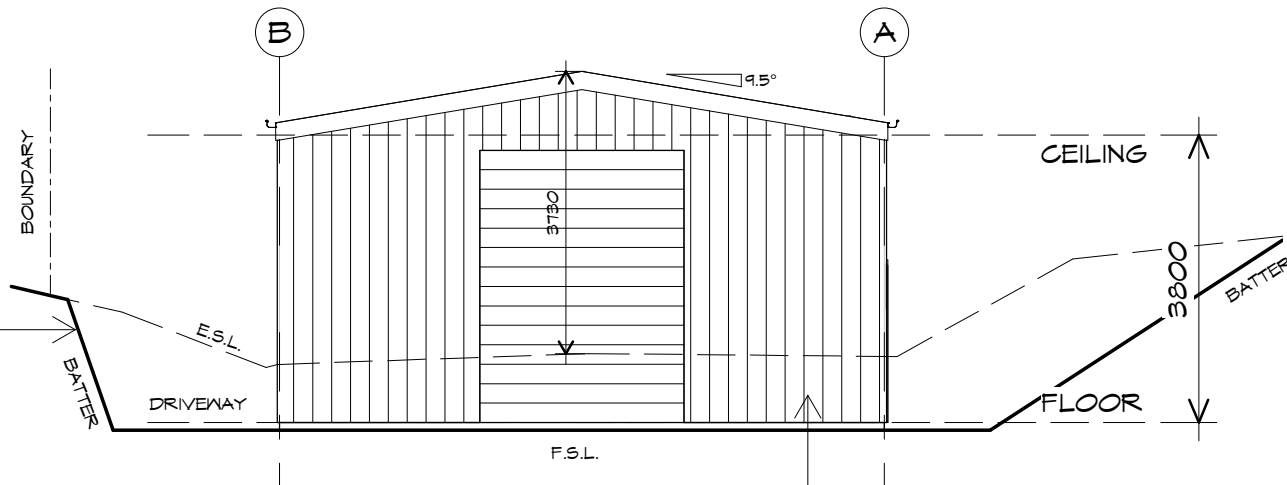


BATTER NOTE
 BATTER AS PER
 NCC 2016
 PART 3.1.1.1. & 3.1.1.2
 REFER TO STANDARD
 DETAILS TABLE

NORTHERN ELEVATION

1 : 100

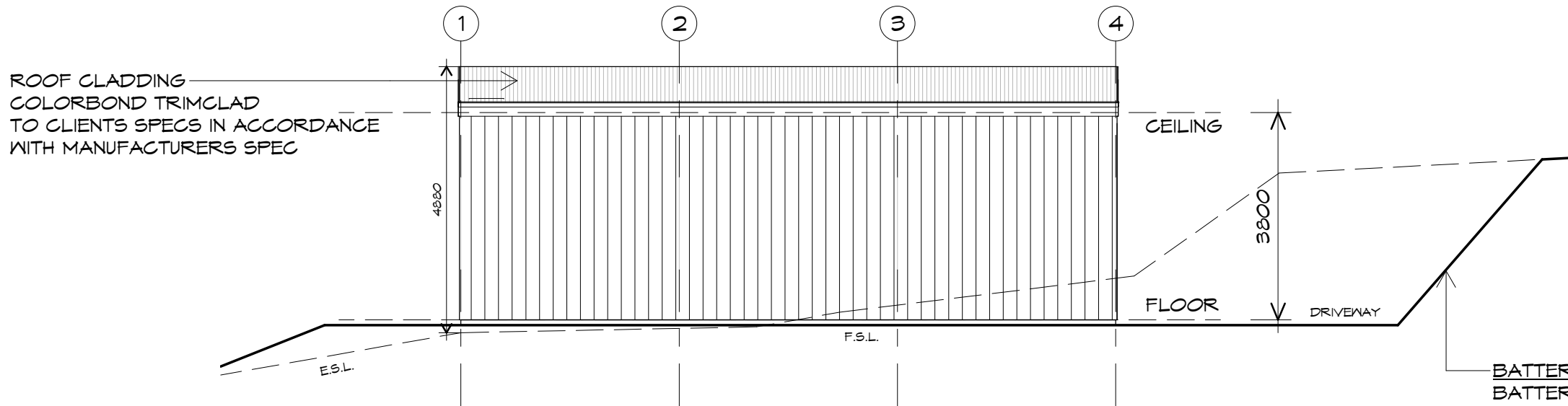
ROLLER DOOR 2700 WIDE x 3600 HIGH
 TO CLIENTS SPEC FIXED IN ACCORDANCE
 WITH MANUFACTURERS SPEC



SOUTHERN ELEVATION

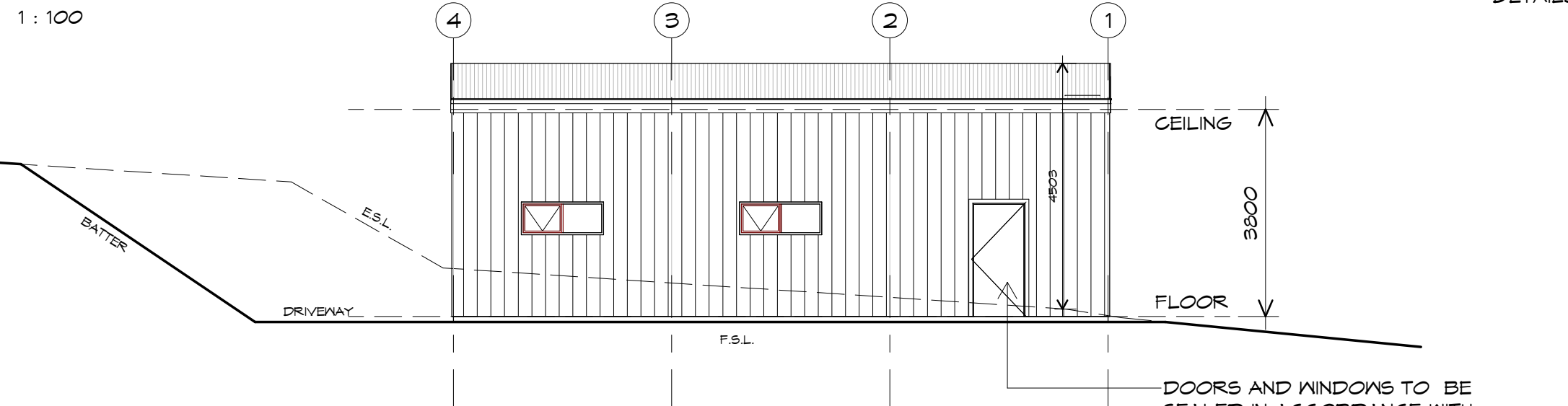
1 : 100

WALL CLADDING
 COLORBOND TRIMCLAD
 TO CLIENTS SPECS IN ACCORDANCE
 WITH MANUFACTURERS SPEC



WESTERN ELEVATION

1 : 100



EASTERN ELEVATION

1 : 100

DOORS AND WINDOWS TO BE
 SEALED IN ACCORDANCE WITH
 NCC 2016/2 3.12.3

PLANNING
 NOTE: DO NOT SCALE OFF DRAWINGS

READ IN CONJUNCTION WITH SHED
 DRAWINGS BY SHEDS N' HOMES
 FOR FURTHER DETAILS.
 QUOTE NUMBER: rebt11807016
 DATED: 11 JUL 2018



10 Goodman Court, Invermay Tasmania 7248,
 p(l)+ 03 6332 3790
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 info@primedesigntas.com.au primedesigntas.com.au

Project:
PROPOSED NEW SHED
45 BLACKSTONE ROAD,
BLACKSTONE HEIGHTS

Client name:
T.D. & J.C. WILMSHURST

Drawing:
ELEVATIONS

Drafted by: D.D.H.	Approved by: F.G.G.
Date: 14.09.2018	Scale: 1 : 100

Project/Drawing no: PD18241 - 05	Revision: 01 Page 105
Accredited building practitioner: Frank Geskus -No CC246A	

From: T W
Sent: 1 Oct 2018 16:12:19 +1000
To: Planning @ Meander Valley Council
Subject: Re : PA/ 19/0052

To whom it may concern

We recently received a letter from the Meander Valley Council (MVC) regarding a planning approval / application for a residential outbuilding at 45 Blackstone Road, Blackstone Heights.

Whilst we have no objection to an outbuilding being built on this site, what we are concerned about - and we think the MVC should be too - is the effect of large vehicles and heavy plant machinery on the road surface at the entrance of 45 Blackstone Road, and the footpath opposite. In the past, 45 Blackstone Road has experienced frequent activity with lorries moving large amounts of soil and rock from the property, as well as semi trailers loading and unloading heavy plant machinery such as earth movers, cranes, etc..., at the entrance to 45 Blackstone Road. This has resulted in the road surface at the entrance to number 45, becoming damaged and scarred, a state which it is still in as I write. In addition, because of the narrow entrance to the site, any trucks or other large vehicles wanting access to number 45, have had to cross over the road onto the footpath in order to give themselves enough room to swing their vehicles around to proceed onto the track up to the site. A few years ago the MVC laid gravel along the footpath beside Blackstone Road for the benefit of the many walkers and runners that use the path. However, because of the number of lorries swinging onto the footpath opposite the entrance to 45 Blackstone Road, there are now large ruts in this section of the path, and gravel that was once there is now embedded in the soil.

In conclusion, we wish again to state that though we have no objection to the proposed development at 45 Blackstone Road, we do have concerns about how the ongoing construction of the outbuilding will effect the road and footpath opposite the site entrance. We would therefore be interested to know how long the construction period is likely to last, and whether the MVC has any plans in place to repair any potential damage caused to the previously mentioned road surface and footpath once the construction period has ended.

We await your reply and remain...,

yours respectfully

Mr. & Mrs. Wilson

C&DS 3 AMENDMENT 1/2019 - MEANDER VALLEY INTERIM PLANNING SCHEME 2013 – REZONING, SUBDIVISION (2 LOTS TO 2 LOTS) & RESIDENTIAL STRUCTURE (PONTOON WALKWAY) – 35 LONGVISTA ROAD & LONGVISTA ROAD, BLACKSTONE HEIGHTS

1) Introduction

The purpose of this report is to amend the Meander Valley Interim Planning Scheme 2013 (the Scheme) to change the zoning of a portion of public land at Longvista Road, Blackstone Heights in order to facilitate an adjustment of the boundary between two (2) lots. The amendment and application includes:

- rezoning a portion of land located at Longvista Road, Blackstone Heights (CT: 141734/8) from Open Space Zone to Environmental Management Zone and Low Density Residential Zone;
- a subdivision proposal to adjust the boundary between Longvista Road (CT: 141734/8) and 35 Longvista Road (CT: 29894/12) Blackstone Heights; and
- the use and development of a residential structure (pontoon walkway).

2) Background

Longvista Road, Blackstone Heights (CT: 141734/8) is owned by Meander Valley Council and is a public open space area for recreation activities. The area is known as Blackstone Park. A proportion of Longbottom Inlet is also located within the title. The title is located in both Meander Valley Council and West Tamar Council municipal areas.

Meander Valley Council has previously considered and approved the sale of the northern proportion of this land to the owner of 35 Longvista Road, Blackstone Heights, pursuant to section 178 of the *Local Government Act 1993*. A contract of sale agreement for the disposal of the land is currently in place. This amendment and application is to facilitate the transfer of land to 35 Longvista Road.

The property at 35 Longvista Road contains a house and as such, the use assigned to the proposed boundary adjustment and pontoon walkway is residential. The land is currently zoned Open Space under the Scheme and a residential use is prohibited in this zone. As such, the proposed amendment is to re-zone that portion of land subject to the boundary adjustment to Environmental Management Zone and Low Density Residential Zone, consistent with adjoining lots. Both of these zones permit a residential use, which provides for the consideration of the subdivision (boundary adjustment) and residential structure (pontoon walkway).

Statutory Timeframes

Decision – Initiation and Certification:	Tuesday 13 November 2018
Advertising:	Saturday 17 November 2018 Saturday 24 November 2018
Closing date for representations:	Monday 17 December 2018

3) Strategic/Annual Plan Conformance

The recommendation furthers the objectives of the Council's Community Strategic Plan 2014 – 2024 as follows:

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

4) Policy Implications

Not applicable.

5) Statutory Requirements

Amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA), to establish the Tasmanian Planning Scheme, were gazetted on 17 December 2015. The State Planning Provisions have been made by the Minister and came into effect on 2 March 2017. However, the provisions of the Tasmanian Planning Scheme do not come into operational effect until such time as Local Provisions Schedule have been considered and heard and the Minister declares the planning scheme.

In the interim, the process for the consideration of planning scheme amendments continues in accordance with LUPAA as it was written prior to 17 December 2015. These provisions are defined as the 'former provisions' in Schedule 6 – Savings and Transitional Provisions in the amended LUPAA.

Under Sections 34(1)(b) and 35 of the former provisions of LUPAA, Council may, of its own motion, initiate and certify a draft amendment to the planning scheme. An application for a permit for use and development under Section 43(A) can be considered concurrently with the amendment in a combined process.

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

- 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;
- be satisfied that the amendment is supported by strategy;
- demonstrate that the amendment is not inconsistent with local provisions or 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;
- consider the potential for land use conflicts with use and development permissible in an adjoining Local Government Area;
- have regard to the impact of the amendment on the use and development of the region in environmental, economic and social terms; and
- consider the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

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

Public notification is a part of this process, and discussed in detail in the Community Consultation section below.

6) Risk Management

Risk is managed through the appropriate consideration of future use and development controls for the Environmental Management and Low Density Residential zones.

Risk is managed by the inclusion of appropriate conditions on the planning permit.

7) Consultation with State Government and other Authorities

Upon initiation and certification of the amendment and determination of the permit, Council is required to refer the amendment and development to TasWater.

8) Community Consultation

Upon initiation and certification of the amendment, Council is required to advertise the amendment in two (2) Saturday newspapers and provide for public comment for a period of 28 days, plus any days that the Council office is closed during that period.

If the proposed combined permit and amendment is initiated and certified at the November Council meeting the advertising period will be as follows:

Decision – Initiation and Certification:	Tuesday 13 November 2018
Advertising:	Saturday 17 November 2018
	Saturday 24 November 2018
Closing date for representations:	Monday 17 December 2018

Council must consider any public representations received and provide a report to the Commission at the conclusion of the exhibition period. The Commission may hold hearings in regards to the representations received prior to making a decision on the amendment.

9) Financial Impact

The amendment and boundary adjustment will provide for the transfer of land to No. 35 Longvista Road, Blackstone Heights. The proceeds from the sale of the land, which has been previously approved by Council, will be invested into Blackstone Park.

10) Alternative Options

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

Council can either approve the development application with amended conditions or refuse the development application.

11) Officers Comments

Proposal Outline

The purpose of the proposal is to:

- amend the Scheme by rezoning a portion of Council owned land at Longvista Road, Blackstone Heights (CT: 141734/8) from Open Space Zone to Environmental Management Zone and Low Density Residential Zone;
- subdivide the land proposed to be rezoned so it can be joined to the residential use at 35 Longvista Road, Blackstone Heights; and
- consider the use and development of a pontoon walkway.

Note: The boundary adjustment and pontoon walkway cannot be considered without the Scheme being amended as requested to allow for a residential use.

Figure 1 below shows the area of land proposed to be re-zoned and the boundary adjustment with 35 Longvista Road, Blackstone Heights. The subject land is owned by Meander Valley Council but is located within both West Tamar Council and Meander Valley Council municipal areas. Photo 1 is an aerial map showing the subject titles.



Figure 1: zoning map showing the area of land to be rezoned

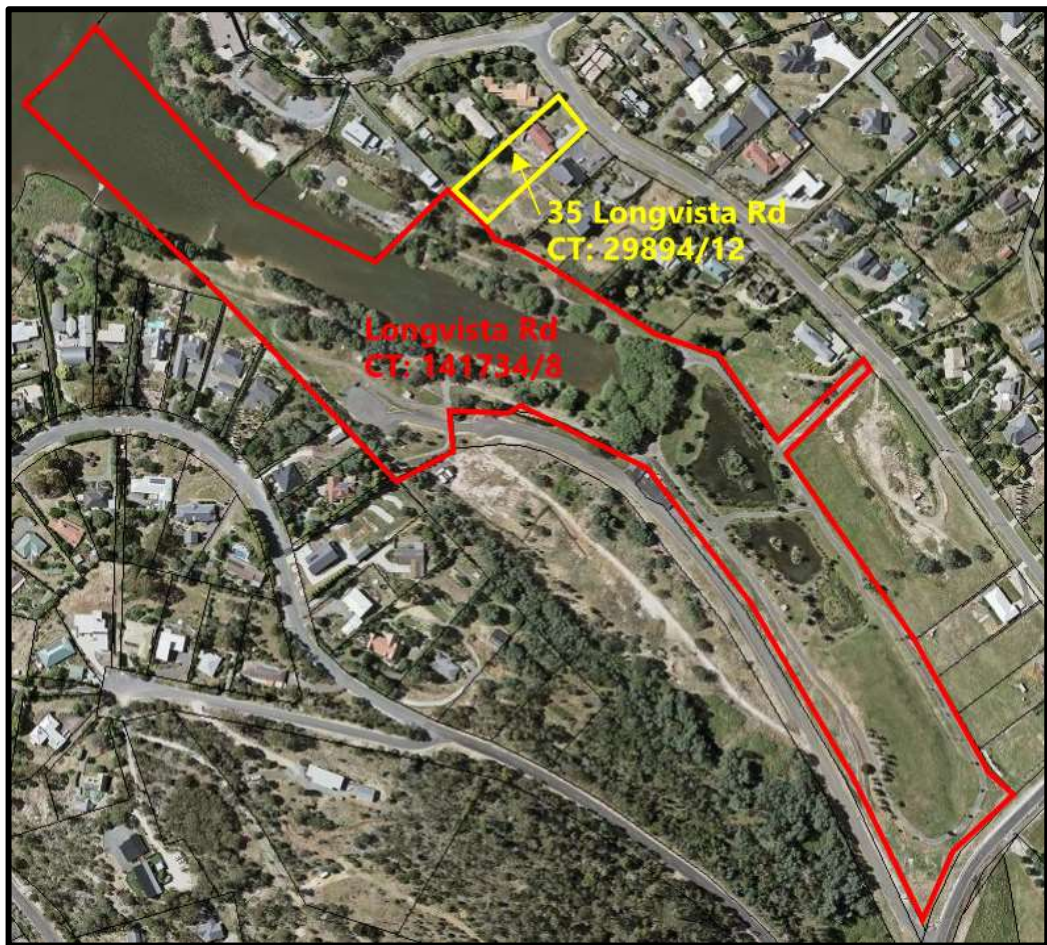


Photo 1: aerial photo identifying the land subject to the application

Subject Land

Element	Overview	
Address	Blackstone Park - Longvista Road, Blackstone Heights	35 Longvista Road, Blackstone Heights
Certificate of Title	141734/8	29894/12
PID	2594666	7367980
Current Zone	19 – Open Space	12 – Low Density Residential
Existing Use	Open Space (Park)	Single Dwelling
Land Area	7.619ha	2651m ²
Proposed Land Area	7.4ha	4868m ²
Proposed zoning change	Rezone a portion of land zoned Open Space to Environmental Management and Low Density Residential.	
Proposed Use of land to be rezoned	Residential (Single Dwelling)	

Table 1: summary of property details

The subject land is located to the north eastern edge of Blackstone Park and does not form part of the main parkland area utilised for recreation purposes. Photo 2 below shows the proposed area subject to the amendment including the Local Government boundary line.



Photo 2: aerial photo identifying the land to be rezoned and transferred to 35 Longvista Road, Blackstone Heights. Source www.thelist.tas.gov.au 2018

The land has a steep embankment to the water of Longbottom Inlet that is not prioritised for public access to the water in the future as part of the park facilities. Currently, public water access is provided through the park to the southern side of the inlet, via a graded slope located a short distance from the car park, toilet and BBQ facilities.

Similarly, the land is not prioritised for further development of recreation facilities due to the slope and the extent of works that is required to develop the area to an appropriate public standard. There are multiple areas within the park that are developed for recreation with associated facilities.

In the current context, the subject land is an unutilised, peripheral area required to be maintained by Council, yet without providing any real recreational benefit to the public.

Photos 3 to 5 below are of the subject site.



Photo 3: view to the east across the site



Photo 4: view of embankment to Longbottom Inlet on the subject land



Photo 5: view of pontoon installed on subject land

It is noted that there is an informal track to the northern edge of Longbottom Inlet that appears to service 2A Bayview Drive, however, there is no formal entitlement to this access and private vehicular access is not provided across Blackstone Park. However, a Right of Way has been included on the Plan of Subdivision providing a right of pedestrian access to Blackstone Park from 2A Bayview Drive as a result of the consultation undertaken when Council determined to sell this area of land. Country Club Tasmania has formal access to their pump station and pump well on 2A Bayview Drive (pumps water from Lake Trevallyn to the golf course dams) via a pipeline easement and right of way, which will be carried through to any future titles issued. This will not be impacted upon by the proposal.

Blackstone Park has been developed with car parking areas, walking tracks BBQ facilities and play equipment for recreational use which is consistent with the open space zoning.

35 Longvista Road is an adjoining property to the park and contains a single dwelling located towards the front of the property. The land slopes upwards from the boundary with Blackstone Park to Longvista Road. There is an elevation change of approximately 19m across the title. The area of land to be joined to 35 Longvista Road, falls 8.5m (approx.) from the rear boundary of 35 Longvista Road to the water edge. This is equivalent to a gradient of 21%.

Surrounding Land

Blackstone Park bounds many residential properties and forms the main outlook for dwellings within the immediate area. The topography of the area is undulating, characterised by steep embankments towards the edge of the water on the northern side and rises up significantly to the development areas and further up to Longvista Road. The same generally occurs on the southern side. The adjoining residential properties at 2A Bayview Drive, and No's 1B and 1A Bayview Drive have river frontage and private residential infrastructure accessing Longbottom Inlet and Lake Trevallyn. The wider area has been developed predominately with single dwellings and the area is expected to grow with residential subdivision approvals in place.

Each property that adjoins Blackstone Park has frontage to a Council maintained road which provides adequate vehicular and pedestrian access to the property. There are pedestrian connection paths to Blackstone Park leading from Blackstone Road, Longvista Road and Kelsey Road.

Environmental Hazards and Constraints

Landslide Hazard

The properties are not identified as being subject to landslide hazard as defined by the Scheme.

Bushfire Hazard

A Bushfire Hazard Assessment Report has determined that there is insufficient increase in risk to the development from bushfire and provided an exemption.

Flora and Fauna

A Natural Values Atlas Report has been obtained for the site. This report has identified that there were no known natural values on the site.

Scenic and Landscape Value

The area is visible from the opposite side of the inlet however, the landscape will not change with the subdivision configuration. The pontoon is consistent with the other pontoons developed in the area. The portion of land does not have any scenic or landscape values.

Urban Salinity

The properties are subject to the Urban Salinity mapping of the Scheme. However, the proposed development is exempt from the code pursuant to Clause E15.4(d) on the basis that the subdivision involves less than three (3) lots.

Waterways

The properties are located partly within Longbottom Inlet, which forms part of Lake Trevallyn. A flood easement is provided for on the title.

Proposed Subdivision

It is proposed to subdivide 2217m² of land from Lot 8 Longvista Road, and join it to 35 Longvista Road, Blackstone Heights. This will provide 35 Longvista Road with water frontage. A Right of Way is proposed as part of the subdivision to provide the owners of 2A Bayview Drive with pedestrian access to Blackstone Park. The proposed plan of subdivision is contained within the attachments. 35 Longvista Road, Blackstone Heights has existing service connections. No additional servicing is required as a result of the boundary adjustment.

Proposed Pontoon Walkway

A pontoon has been constructed and is a subject of the application as part of this combined permit and amendment process.

As described above, the pontoon is constructed in both Meander Valley and West Tamar municipalities. The portion of pontoon within Meander Valley is the walkway being approximately 3m long by 1.2m wide and constructed on the ground. It provides the access to the remaining floating pontoon.

Draft Amendment – Rezoning

The following section provides an overview of the proposed rezoning and an assessment against the key requirements of the Act.

Rationale for Proposed Amendment

The benefits of accessible local parks and open spaces within urban areas are active and passive recreation, social opportunities and enhanced amenity. Open space areas that are usable attract use from local residents

and also visitors to the area. The proposed land to be rezoned is considered unsuitable for open space as it is not feasible to develop into useable, public recreation space due to topographical constraints and cost with very limited overall benefit in the context of the facilities available across Blackstone Park.

The land proposed to be joined with 35 Longvista Road, Blackstone Heights is currently not utilised for open space activities, other than as an informal thoroughfare for the owners of 2A Bayview Drive to Blackstone Park. The terrain is steep and not readily useable and difficult to maintain. The remaining area of Blackstone Park has been improved to create an attractive, safe and usable open space area and there is adequate space, within this area of land to service the community. The main open space area has been developed with car parking areas, play grounds, trails, BBQ facilities and toilets which are located predominately to the southern side of Longbottom Inlet and connected to the north through formed trails. The use of Blackstone Park will not be detrimentally impacted through the transfer of land to 35 Longvista Road.

Council has previously made a decision to transfer the land to the owner of 35 Longvista Road, Blackstone Heights and undertook the appropriate process under the *Local Government Act 1993*. The amendment is required to provide for the adjustment of the boundary and facilitate the sale of the land.

The provision of public open space will remain unchanged as a result of the boundary adjustment and the proceeds of the sale of the land will be directly re-invested in improvements to Blackstone Park.

Proposed Amendment

The proposed amendment rezones land currently zoned Open Space to a split zoning of Environmental Management and Low Density Residential zones. A split zoning is proposed so as to remain consistent with the zoning of the adjoining residential properties to the north.

The proposed rezoning provides for the subdivision and transfer of land to private ownership for a residential use.

Figure 2 shows the current zoning of the subject and adjoining properties, whilst Figure 3 shows the proposed rezoning.



Figure 2: zoning Map of subject and adjoining land



Figure 3: Land proposed to be rezoned (pink - Low Density Residential Zone, Teal- Environmental Management Zone)

Objectives of Schedule 1 of the Act

Sections 20(1)(a) and 43(c)(a) of the Act require a planning scheme and amendment to a planning scheme to seek to further the objectives set out in Schedule 1 of the Act. The following section provides an assessment of the proposed amendment against each objective.

Schedule 1 Part 1

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

It is considered that the proposed rezoning promotes the sustainable development of Meander Valley's physical resources by enabling the transfer of underutilised public land into private ownership. The embankment can therefore be sustainably managed privately which is consistent with the residential lots to the northwest of the subject area. The northern titles are privately owned with the extent of the title being both in land and water. There are no known threatened flora or fauna species within proximity to the site.

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

The proposed Low Density Residential Zone is consistent with the existing residential use of 35 Longvista Road. The proposed split zoning to Environmental Management Zone and Low Density Residential Zone is also consistent with the zoning of the adjoining property and properties further to the northwest. Therefore, the proposed zoning of the land is considered to be fair and orderly when assessed against the zoning of the adjoining properties.

c) to encourage public involvement in resource management and planning.

Should the draft amendment be initiated and certified by Council, public involvement will be achieved in accordance with the objective by virtue of the public exhibition period prescribed by section 38 of the Act. Members of the public are entitled to view the application and submit representations pursuant to section 39 of the Act.

d) to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\)](#) , [\(b\)](#) and [\(c\)](#).

The rezoning does not facilitate economic development.

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

The combined permit and amendment process directly involves the community, Meander Valley and West Tamar Councils and the Tasmanian Planning Commission. This involvement is through the consideration of the application including the public exhibition period, consideration of the merits of the proposal and the administration of the regulatory process.

Schedule 1 Part 2

a) to require sound strategic planning and co-ordinated action by State and local government.

The combined permit and amendment proposal has been assessed against the relevant strategic documents that have been prepared under the auspices of Meander Valley Council as required by section 20(1) of the Act.

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.

The combined permit and amendment proposal seeks to change the instrument that governs use and development of each property. It is considered that the proposed rezoning will be appropriate for the locale in terms of allowing use and development that is directly compatible with the surrounding area.

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

The land is adjacent to an established urban area which as a result of residential development has modified the land to include infrastructure and services. The rezoning from Open Space to Low Density Residential and Environmental Management zones will result in an extension of the adjoining residential use. However, no further development (other than the

subdivision and pontoon walkway) is proposed as a result of the combined permit and amendment, and if the land is proposed to be further developed in the future it will be subject to the planning instrument at the time. It is considered that the proposed amendment will provide for the efficient and sensible extension of the uses that will be compatible with surrounding use and development without compromising environmental or ecological values within the municipality.

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.

The proposed Scheme amendment has been assessed against the relevant State Policies and land use strategies which consider environmental, social, economic and conservation priorities.

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.

The combined permit and amendment process enables a proposed amendment to a planning scheme to be considered with an application for use and development on land that would not ordinarily be allowed if the planning scheme was not amended as requested. Section 43A of the former provisions of the Act provides for a consolidated and coordinated approval process.

Consideration of the subdivision and pontoon is also required by West Tamar Council. The application has been notified by West Tamar Council and is currently being considered. Note: The land in West Tamar Council is zoned Environmental Management allowing for the application to be considered without the need for a rezoning.

f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.

The land subject to the rezoning is not considered usable to meet the passive and active recreational needs of the parks users.

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

There are no known local historic or aboriginal heritage values applicable to the site. Notwithstanding this, the provisions of the *Aboriginal Heritage act 1976* will apply to any development of the subject site.

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.

The land proposed to be rezoned does not benefit the community in its current form as it is unusable due to the steepness of the terrain, and generates a cost to council through maintaining the area. Therefore the benefit of the community will be realised through the sale of the land which will see the proceeds from the sale invested into Blackstone Park and resources spent primarily on the usable area.

i) to provide a planning framework which fully considers land capability.

The subject site is not classified as agricultural land in accordance with the State Policy on the Protection of Agricultural Land 2009 on the basis that it is within an established urban area. The limited development allowable by the rezoning takes into account the flood level of Lake Trevallyn with the two proposed zones being reflective of the capability of the land to accommodate use and development.

Meander Valley Council Community Strategic Plan 2014 to 2024

Section 20(1)(c) requires planning schemes to have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the *Local Government Act 1993* as adopted by the council at the time the planning scheme is prepared. Although this section is not explicitly part of the draft amendment process as directed by the Act, it is considered appropriate to assess the proposed draft amendment against this section on the basis that it proposes to amend the Scheme that was prepared in accordance with section 20(1) of the Act.

The Meander Valley Council Community Strategic Plan 2014 to 2024 (the Plan) is a key policy document overarching the Council which provides direction to the roles in which the Council undertakes the delivery of services in order to enhance and maintain the quality of life for residents in social, economic and environmental terms. The following section identifies the most relevant parts of the Plan and provides an assessment of how the proposed draft amendment responds to each strategic outcome.

Future Direction (1) – A sustainable natural and built environment	
1.1	Contemporary planning supports and guides growth and development across Meander Valley.
	Response The proposed combined permit and amendment process will be guided by current planning legislation.
1.2	Liveable townships, urban and rural areas across the local government area with individual character.
	Response The combined permit and amendment will not impact the liveability of the township as the connectivity with Blackstone Park will remain unchanged. Additionally, a Right of Way will be provided for the owners of 2A Bayview Drive, Blackstone Heights so that they will have a formal connection to Blackstone Park. The land to be transferred is not ideal for public open space activities.

Prospect Vale Blackstone Heights Structure Plan 2015

The proposed combined permit and amendment does not compromise the Prospect Vale Blackstone Heights Structure Plan 2015 which was formally received by Council in 2014. This plan was developed to guide development for the next 20 years, identifying where new housing should be located, the future character of the area, and the facilities needed to service the growing community. The details in the document specifically relate to the site are considered below:

Planning Strategies
Promote safe access to the water at Lake Trevallyn
Response The steepness of the terrain of the land proposed to be rezoned, does not promote safe public access to the water to enter Longbottom Inlet and into Lake Trevallyn. The land does not lend itself to be developed for water access given its limited connection to the facilities in Blackstone Park including the car park and road network. Significant work is required to utilise this area as a public water access.

Northern Tasmania Regional Land Use Strategy 27 June 2018

Section 300(1) of the Act specifies that an amendment may only be made to a local provision of a scheme, or to insert or remove a local planning

provision from a planning scheme where it is consistent with the regional land use strategy for the area. Accordingly, an assessment of the proposed rezoning, subdivision and pontoon against the relevant sections of the Northern Tasmania Regional Land Use Strategy (NTRLUS) is provided in the following section.

Overview

The NTRLUS is the statutory regional plan for Northern Tasmania. It applies to all land in the northern region of Tasmania and sets out the strategy and policy basis to facilitate and manage change, growth and development to 2032.

The NTRLUS contains 6 parts. The relevant parts of the NTRLUS that is specific to the amendment are:

- Part C - Strategic goals for the region;
- Part D - The three key land use categories;
- Part E - The Regional Planning Polices.

The vision for Northern Tasmania is to create a region within which:

- *All communities enjoy a positive, affordable and competitive future;*
- *Council's and communities work cooperatively;*
- *Sustainable economic prosperity flourishes;*
- *Valued environmental features and assets are promoted; and*
- *Quality of life is enhanced and people are moved to live, invest and visit Northern Tasmania.*

There are four key goals which underpin the Vision:

- Economic Development;
- Liveability
- Sustainability; and
- Governance.

These goals and associated strategic directions set the policy framework to guide planning within the region. The relevant components of the NTRLUS will be considered below.

C – Regional Strategic Planning Framework	
C.4.2 Goal 2: Liveability – <i>To promote liveability measures for social and community development and the betterment of healthy, strong and vibrant urban and rural settlements</i>	
Strategic Direction G2.4: <i>Enhance social inclusion</i>	
b) <i>Provide for a mix of</i>	Response

<p><i>integrated and complementary land uses.</i></p>	<p>The land is currently underutilised and does not naturally lend itself for passive recreation in its current form. The rezoning to Low Density Residential and Environmental Management zones will provide for residential use which is consistent with the properties to the north.</p>
<p>Natural Hazards</p>	
<p>NH-P01 <i>Future land use and urban development is to minimise risk to people and property resulting from land instability by adopting a risk-managed based approach, consistent with Practice Note Guidelines for Landslide Risk Management 2007 and AGS (2007a) Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning; AGS (2007e) Australian GeoGuides for Slope Management and Maintenance.</i></p> <p>NH-P02 <i>Future land use and development is to minimise risk to people and property resulting from flooding.</i></p> <p>NH-P03 <i>Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</i></p> <p>NH-P04 <i>Where avoidance of hazards is not possible or the level of risk is deemed acceptable, best practice construction and design techniques and management practices are to be implemented.</i></p>	<p>NH-A01 <i>Manage further development in declared landslip zones. Complete regional land slide hazard mapping to allow identification of land susceptible to landscape hazards and its associated level of risk to specific scale and types of land uses and developments.</i></p> <p>NH-A02 <i>Permit appropriate land uses and urban development in areas of susceptibility only where risk is very low or where it can be managed by prescriptive controls to avoid undue risk to persons including life of loss and damage to property.</i></p> <p>NH-A03 <i>If there is doubt about the geotechnical stability of land proposed for urban development, Council may require a geotechnical assessment to identify risks and mitigation techniques.</i></p> <p>NH-A04 <i>Include controls in planning schemes based on current best practice to manage risk to persons and property resulting from inundation.</i></p> <p>NH-A05 <i>Include controls in planning schemes based on current best practice to minimise risk to persons and property resulting from bushfire</i></p>

	<p><i>hazard.</i></p> <p>NH-A06 <i>Subdivision design is to respond to bushfire hazard risks by providing for alternative access, building setbacks and buffer distances based on current best practice.</i></p> <p>NH-A07 <i>Adopt the relevant risk management AS/NZS standard as part of core management methods for emergency, hazard and risk management.</i></p>
<p>Response</p> <p>The land is not identified as landslip on The List’s Landslide Hazard Band mapping. The title contains information regarding flood levels for Hydro Tasmania given it forms part of the Trevallyn Dam which is reflected in the proposed zoning arrangement. There is an existing dwelling on 35 Longvista Road, Blackstone Heights which is constructed higher than the flood level. It is unlikely that the pontoon structure will be used during a flood event. The rezoning and boundary adjustment will not provide a new residential use but rather extend the existing residential use on 35 Longvista Road to the water. A bushfire hazard assessment report has identified that there will be an insufficient increase in risk as a result of the proposal. The proposed amendment does not amend the codes of the planning scheme that are applicable to the land that consider landslide, bushfire and flooding.</p>	

State Policies

Section (20)(1)(b) requires planning schemes to be prepared in accordance with State Policies made under section 11 of the State Policies and Practices Act 1993. Although this section is not explicitly part of the draft amendment process as directed by the Act, it is considered appropriate to assess the proposed draft amendment against this section on the basis that it proposed to amend the Scheme that was prepared in accordance with section 20.

Currently there are four (4) State Policies that are in effect within Tasmania. The following section identifies each policy and assesses the application against the content of the policy.

State Policy on the Protection of Agricultural Land 2009

The subject site is not classified as agricultural land in accordance with the State Policy on the Protection of Agricultural Land 2009 as it is within an established urban area. Therefore this policy is not relevant to the proposed rezoning.

Tasmanian State Coastal Policy 1996

The State Coastal Policy 1996 applies to all land in Tasmania that is within 1km from a coastal zone. The subject land is located greater than 1km from the coastal zone.

State Policy on Water Quality Management 1997

The State Policy on Water Quality Management 1997 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'*.

The proposed rezoning will not modify or compromise existing surface water resources. The existing development on the land is connected to reticulated, water, sewerage and stormwater. The proposed pontoon walkway will not require any connection to services. The Water Quality Code is considered appropriate to manage any erosion or sediment loss. The erosion of the embankment is considered to reduce given the pontoon provides direct access to the water surface and minimises the need to walk up and down the embankment that encourages erosion and sediment loss into the water. It is considered that the proposed rezoning and development is consistent with the policy.

National Environmental Protection Measures

The National Environmental Protection Measures relate to the following areas:

- 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.

Each National Environmental Protection Measure is automatically adopted as a State Policy. The listed NEPMs are not considered applicable to the proposed amendment and subsequent use and development on the basis that they deal or relate to matters which will be unaffected by the proposal. It is noted that the protection of amenity in relation to noise is managed by the *Environmental Management and Pollution Control Act 1994* and if any noise impacts arise they can be managed through this Act and the police. It is not anticipated that the rezoning will impact the amenity of the area through excessive noise.

Gas Pipelines Act 2000

The subject property is not affected by the Gas Pipeline and the act is therefore not applicable.

Section 20(2) of the Act

Section 32(2) of the Act requires an amendment to a planning scheme to be in accordance with the provisions of Section 20(2), (3), (4), (5), (6), (7), (8) and (9) of the Act. It is considered that the proposed amendment will be consistent with the specified sections insofar as:

- The proposed amendment will not prevent the continuance or completion of any lawful use or development;
- The proposed amendment will not prevent the reconstruction or restoration of buildings or works unintentionally destroyed or damaged;
- The proposed amendment will not extend or transfer an existing non-conforming use from one parcel of land to another parcel of land;
- The proposed amendment will not affect any forestry operations, mineral exploration, fishing or marine farming operations.

Section 32 of the Act

The following section addresses the requirements of section 32 of the Act.

Section 32(1)(e) of the Act

Section 32(1)(e) of the Act requires an amendment to a planning scheme, as far as practicable, must avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the

adjacent area. Accordingly the following section addresses potential land use conflicts that may arise as a result of the proposed rezoning.

The proposed rezoning to Environmental Management Zone and Low Density Residential Zone is consistent with the zoning of the residential properties to the north. The properties to the north contain split zoning with the titles extending into Longbottom Inlet. These titles are also located within both Meander Valley and West Tamar municipalities.

Furthermore, the Environmental Management zone is consistent with the zoning of the portion of land within the West Tamar municipality. Both the Meander Valley Interim Planning Scheme 2013 and West Tamar Interim Planning Scheme 2013 were drafted using the same directive and regional standards. Whilst there are different standards applicable to each scheme there is no major inconsistency between the two (2) Environmental Management zonings.

The proposed rezoning is not considered to generate any land use conflicts because the land has effectively been used privately, compatible with the adjoining properties used for residential use.

Overall, the proposed rezoning is unlikely to give rise to conflict within the nature envisaged by section 32 of the Act.

Section 32(1)(ea) of the Act specifies that an amendment to a planning scheme must not conflict with the requirements of Section 30O of the Act. The following table outlines the relevant subsections of 30O of the Act and a corresponding assessment of the merits of the proposed draft amendment against the subsections.

Section	Requirement
30O(1)	An amendment may only be made to a local provision of a planning scheme, or to insert or remove a local planning provision from a planning scheme where it is consistent with the regional land use strategy for the area.
Response An assessment against the NTRLUS has been provided above.	
30O(2)	An amendment to a planning scheme may only be made if: <ul style="list-style-type: none"> a) The amendment would not be directly or indirectly inconsistent with common provisions or an overriding local provision; b) The amendment does not revoke or amend an overriding local provision;

	c) The amendment would not create a conflicting local provision
Response The application seeks to change the zone of the identified portion of land. The proposed amendment does not seek to amend or revoke a common provision or overriding local provision of the Scheme.	
30O(3)	An amendment may only be made to a local provision if: a) The amendment is to the effect that a common provisions is not to apply to an area of land; b) A planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.
Response The proposed amendment will not interfere with any common provisions of the Scheme as it seeks to apply the standards of the planning scheme through the applicable zoning.	
30O(4)	An amendment may not be made to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provisions to be contained in the planning scheme.
Response No amendment to common provisions within the Scheme have been proposed.	
30O(5)	An amendment to a planning scheme may be made if the amendment consists of: a) Taking an optional common provision out of the scheme; or b) Taking the provision out of the scheme and replacing it with another optional common provision.
Response No amendment to a common provision within the Scheme have been proposed.	

Section 32(1)(f) of the Act

Section 32(1)(f) of the Act specifies that an amendment to a planning scheme must have regard to the impact that the use and development permissible under the amendment will have on use and development of the region as an entity in environmental, economic, and social terms. Overall, the proposed rezoning will not impact the region from an environmental, economic or social perspective as the site is a local park. The zoning of the land will be consistent with the adjacent Environmental Management

zoning under the West Tamar Interim Planning Scheme 2013 and the Environmental Management Zone and Low Density Residential Zones of the properties to the north.

The draft amendment and development complies with requirements of the Act.

Meander Valley Interim Planning Scheme 2013

The following section provides an assessment of the proposed subdivision (2 lots to 2 lots) and residential structure (pontoon walkway) against the relevant sections of the Scheme. The assessment is based on the 2217m² of land on CT: 141734/8 being zoned Environmental Management Zone and Low Density Residential Zone. This land will be joined to 35 Longvista Road, Blackstone Heights.

Low Density Residential Zone
12.1 Zone Purpose
<i>12.1.1 Zone Purpose Statements</i>
<i>12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i>
<i>12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.</i>
<i>12.1.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i>
<i>Local Area Objectives</i>
<i>Blackstone Heights</i>
<i>a) Infill development on existing lots will be supported, however infrastructure constraint will determine the rate and density of future residential development.</i>
<i>a) Future subdivision will be determined on the basis of infrastructure capacity.</i>
<i>Desired Future Character Statements</i>
<i>a) Blackstone Heights is characterised by large, prominent single dwellings</i>

and outbuildings on larger lots. This character is to be maintained with due consideration to the mitigation of building bulk through landscaping and the minimization of cut and fill works where development is viewed from public open space.

Comment:

The proposed boundary adjustment and pontoon walkway will be assigned a residential use as it will be in association with the existing dwelling on 35 Longvista Road, Blackstone Heights for which the portion of land is to be joined to.

Residential use is proposed.

The proposed subdivision will not result in any infrastructure works, other than fencing the new boundary. The look of the pontoon walkway is consistent with the other pontoons in the vicinity of the site and will not dominate the visual landscape. The pontoon walkway joins onto a floating pontoon (which is being assessed by West Tamar Council) and the walkway is considered to mitigate the embankment from sediment and erosion loss from accessing the watercourse if the walkway wasn't provided.

The proposal is effectively for a boundary adjustment, and no additional lots will be created. There will be no change to the existing infrastructure to service the adjustment.

The character of the area will not be diminished as a result of the proposed boundary adjustment and pontoon walkway. The lot size for 35 Longvista Road will increase by 2217m² resulting in the title being 4868m² in area consistent with the larger lot characteristic. Pontoon structures are common for the properties with access to the water and the proposed structure is consistent with this.

The proposal is considered consistent with the Zone Purpose.

Environmental Management Zone

29.1 Zone Purpose

29.1.1 Zone Purpose Statements

29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or where a significant likelihood of risk from a natural hazard.

29.1.1.2 To only allow for complementary use or development where

consistent with any strategies for protection or management.

29.1.2 Local Area Objectives

- a) To recognise and provide or conservation values on public land.*
- b) To recognise and manage areas of private land where environmental sensitivities exist.*
- c) To provide for appropriate tourist and visitor facilities in recognition of the unique access to the world heritage areas.*

29.1.3 Desired Future Character Statements

- a) The unique aesthetic values of the reserves within their individual topographical context are to be protected and maintained.*

Comment:

The proposed boundary adjustment and pontoon will not impact the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic values. A Natural Values Atlas Report did not record any threatened flora or fauna within the immediate area, and the use of the land is not going to change as a result of the development. The proposed pontoon walkway will provide a formal access to the water, minimising the degradation of the bank by reduced scaling of the bank to access the water. The land will also be in private ownership as a result of the boundary adjustment, however, its use will be similar to how it is currently used. The land will be used in association with an existing dwelling, which is consistent with how the land to the north, which has similar characteristics (split zoning, residential use and pontoons) is used. The proposal is considered consistent with the Zone Purpose.

Use Standard

The use assigned to the proposed subdivision and pontoon walkway is residential given there is an existing dwelling on 35 Longvista Road, Blackstone Heights. Residential is a No Permit Required use in the Low Density Residential Zone and Discretionary use in the Environmental Management Zone.

Compliance Assessment

The following table is an assessment against the applicable standards of the Scheme.

Low Density Residential Zone			
Scheme Standard		Comment	Assessment
12.3.1 Amenity			
A1	If for permitted or no permit required uses.	Residential is a No Permit Required use.	Complies
A2	Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	Not applicable	
12.4.3.1 General Suitability			
A1	No Acceptable Solution	No Acceptable Solution	Relies on Performance Criteria
12.4.3.2 Lot Area, Building Envelopes and Frontage			
A1	Each lot must: <ul style="list-style-type: none"> a) have a minimum area in accordance with Table 12.4.3.1; and b) be able to contain a 35 metres diameter circle with the centre of the circle not more than 35 metres from the frontage; and c) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or d) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or e) be for the provision of public utilities; or 	The boundary adjustment is to align title boundaries with zone boundaries (which are being amended). No new lots are being created.	Complies

	<p>f) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>g) to align existing titles with zone boundaries and no additional lots are created.</p>		
A2	Each lot must have a frontage of at least 4 metres.	The frontage for each lot will not change as a result of the subdivision.	Complies
A3	Each lot must be connected to a reticulated: <p>c) water supply; and</p> <p>d) sewerage system.</p>	The existing water and sewerage connections will not be impacted upon as a result of the subdivision.	Complies
A4	Each lot must be connected to a reticulated stormwater system.	The existing stormwater connections will not be impacted by the subdivision.	Complies

Environmental Management Zone

Scheme Standard	Comment	Assessment
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29.4.1 Building Design and Siting

A1	<p>The curtilage for development must:</p> <p>a) not exceed 20% of the site; or</p> <p>b) be in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature</i></p>	Less than 20% of the site will be developed. The pontoon walkway is approximately 1.2m wide by 3m long.	Complies
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	<i>Conservation Act 2002.</i>		
A2	Building height must: a) not exceed 6 metres; or b) be in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002.</i>	The height of the pontoon walkway is approximately 200mm.	Complies
A3	Buildings must be set back: a) a minimum distance of 10m to all boundaries; or b) be in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002.</i>	The pontoon walkway is greater than 10m from the side and rear boundary.	Complies
A4	Buildings for a sensitive use must be set back a minimum of 200m to the rural resource zone.	Not Applicable	
29.4.2 Landscaping			
A1	If for permitted or no permit required uses.	Although Residential use is Discretionary Clause 9.2.1 provides proposals for development (pontoon walkway) to be considered as if it had permitted status in that Use Table.	Complies

29.4.3.1 General Suitability			
A1	No Acceptable Solution.		Relies on Performance Criteria
29.4.3.2 Lot Requirement and Frontage			
A1	Subdivision must be: <ul style="list-style-type: none"> a) be for the consolidation of a lot with another lot with no additional titles created; or b) to align existing titles with zone boundaries and no additional lots are created. 	The boundary adjustment is to align title boundaries with zone boundaries (which are being amended). No new lots will be created.	Complies
A2	Each lot must have a minimum frontage of 3.6 metres.	Frontage is not changed as a result of the subdivision.	Complies
A3	No Acceptable Solution		Relies on Performance Criteria

Bushfire-Prone Areas Code		
Scheme Standard	Comment	Assessment
E1.4 Use or development exempt from this code		
The following use or development is exempt from this code: <ul style="list-style-type: none"> (a) any use or development that the TFS or an accredited person, having regard to the objective of all applicable standards in this code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; ... 	The proposed subdivision has been certified as insufficient increase in risk by an accredited person and provided an exemption.	Exempt

Flood Prone Areas Code		
Scheme Standard	Comment	Assessment
E5.5.1 Use and flooding		

A1	The use must not include habitable rooms.	The pontoon walkway is not a habitable room.	Complies
A2	Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	The pontoon walkway is considered a low risk.	Complies
A3	Use is in accordance with a Table to this code.	Not Applicable	
E5.6.1 Flooding and Coastal Inundation			
A1	No acceptable solution.		Relies on Performance Criteria

Car Parking and Sustainable Transport Code

Scheme Standard	Comment	Assessment
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6.6.1 Car Parking Numbers

A1	The number of car parking spaces must not be less than the requirements of: e) Table E6.1; or f) a parking precinct plan.	Access to car parking will not be impacted as a result of the boundary adjustment and pontoon walkway. Two (2) car parking spaces will remain available to the dwelling at 35 Longvista Road and the car parking spaces at Blackstone Park will not be impacted.	Complies
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E6.6.3 Taxi Drop-off and Pickup

A1	One dedicated taxi space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the	Adequate space is available for taxi drop-off and pickup.	Complies
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	General Residential Zone.		
E6.6.4 Motorbike Parking Provisions			
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	Adequate space is available for motorbike car parking.	Complies

Water Quality Code			
Scheme Standard		Comment	Assessment
E9.6.1 Development and Construction Practices and Riparian Vegetation			
A1	Native vegetation is retained within 40m of a wetland, watercourse or mean high water mark.	Native vegetation will be retained.	Complies
A2	A wetland must not be filled, drained, piped or channelled.	Not Applicable	
A3	A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	Not Applicable	
E9.6.2 Water Quality Management			
A1	All stormwater must be: <ul style="list-style-type: none"> a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) diverted to an on-site system that contains stormwater within the 	Stormwater connection is not required for the pontoon walkway. The boundary adjustment will not require changes to the stormwater management of the lots.	Complies

	site.		
A2	<p>A2.1 No new point source discharge directly into a wetland or watercourse.</p> <p>A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.</p>	No new point source discharge is proposed into the watercourse.	Complies
A3	No acceptable solution.	Not applicable	
E9.6.4 Access			
A1	No acceptable solution.		Relies on Performance Criteria
A2	No acceptable solution.		Relies on Performance Criteria
E9.6.5 Sediment and Erosion Control			
A1	The subdivision does not involve any works.	No works are required as part of the subdivision.	Complies

Performance Criteria

Low Density Residential Zone

12.4.3.1 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 Low Density Residential Zone.

Performance Criteria P1

Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the

combination of:

- g) slope, shape, orientation and topography of land;*
- h) any established pattern of use and development;*
- i) connection to the road network;*
- j) availability of or likely requirements for utilities;*
- k) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and*
- l) potential exposure to natural hazards.*

Comment:

35 Longvista Drive already contains a dwelling and the proposed subdivision (boundary adjustment) will not impact the use of the land. Rather the land area is nearly doubling in size as a result of the adjustment. The additional land will provide the property with a water frontage, meaning that it will have a steep slope down to the water's edge. The resultant subdivision will be consistent with the formation of titles along the water's edge to the north.

The proposed subdivision is consistent with the zone purposes and general suitability objective providing for use and development on larger lots in residential areas.

Environmental Management Zone

29.4.3.1 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 Environmental Management Zone.

Performance Criteria P1

Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:

- a) slope, shape, orientation and topography of land;*
- b) any established pattern of use and development;*
- 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.*

Comment:

The land is split zoned and an existing dwelling is located within the Low Density Residential zoning of the site. Only a small proportion of the land is zoned Environmental Management Zone and this zoning and use of land within this area is consistent with the adjoining properties to the north, and land within West Tamar Council area. The site can be suitably used for activities associated with the established residential use. The area is subject to flooding, however, the existing dwelling is located outside of this area, in the Low Density Residential zone.

The boundary adjustment is considered to be consistent with the purpose of the Environmental Management Zone.

29.4.3.2 Lot Area, Building Envelopes and Frontage

Objective

To ensure that subdivision:

- a) is appropriate to the protection of the natural values identified on the subject land;*
- b) provides for the intended use of the lots.*

Performance Criteria P3

Any lot created for building purposes must be:

- a) of sufficient size to allow for on-site disposal of any waste water if reticulated services are unavailable to the lot; or*
- b) connected to reticulated services where available and needed for the development.*

Comment:

The pontoon walkway is constructed in the Environmental Management Zone. The pontoon does not require connection to services. Sensitive uses are not considered to be developed in the small area of Environmental Management zone because the split zoning of the site has resulted with the residential dwelling being located within the Low Density Residential Zone and is adequately connected to reticulated services.

The proposed development is consistent with the objective.

Flood Prone Areas Code

E5.6.1 Flooding and Coastal Inundation

Objective

To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.

Performance Criteria P1

P1.1

It must be demonstrated that development:

- a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or*
- b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.*

P1.2

Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.

P1.3

Where mitigation of flood impacts is proposed or required, the application must demonstrate that:

- a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and*
- b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;*
- c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and*
- d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.*

Comment:

Direct access to the water is not necessary to the function of the dwelling located on 35 Longvista Road as its main access is to Longvista Road. The proposed pontoon walkway provides access to the pontoon for recreational activities in Longbottom Inlet. The pontoon walkway is considered to be located where it is subject to a low risk in accordance with the risk assessment category. Whilst the walkway is located in a flood area, a flood event is likely to only cause minor damage to the walkway. In a significant flood event, it is considered that minor replacement of building parts will be required. The pontoon will not be accessible in a flood event given that the flooding contour of 136.00 (shown on the title) is much higher than the pontoon walkway. As such risk to life, property

and the environment is considered low.

The proposed pontoon walkway is considered to be consistent with the objective.

Water Quality Code

E9.6.4 Access

Objective

To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.

Performance Criteria P1

New access points to wetlands and watercourses are provided in a way that minimises:

- a) their occurrence; and*
- b) the disturbance to vegetation and hydrological features from use or development.*

Comment:

The proposed pontoon walkway provides access to a pontoon (located in West Tamar Council area) that accesses Longbottom Inlet. The walkway is located on the embankment minimising disturbance to vegetation. The walkway is generally higher than the water level of Longbottom Inlet and as such will not impact any hydrological features at the site.

The pontoon walkway will provide the main access point to the water, thus minimising the use of the natural embankment to access the water.

The proposal is consistent with the objective.

Performance Criteria P2

Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.

Comment:

The proposed pontoon walkway will prevent erosion, sedimentation and siltation of the river bank as a result of degradation through continual use. The walkway forms the main access to the pontoon and water limiting the scaling of the bank to enter the water. As such, the stability of the bank will not be compromised through erosion by continual use.

The proposal is consistent with the objective.

CONCLUSION:

The preceding report has demonstrated that the proposed rezoning of a portion of land at Longvista Road, Blackstone Heights (CT: 141734/8) from Open Space Zone to Environmental Management Zone and Low Density Residential Zone is consistent with the:

- common and local provisions of the Scheme;
- objectives set out in Schedule 1 of the Act;
- State Policies;
- Northern Regional Land Use Strategy; and
- *Gas Pipelines Act 2000*.

In addition, the application to subdivide the land to adjust the boundary and construct a pontoon walkway has demonstrated compliance with the applicable standards of the Scheme if the amendment were in place. On this basis, it is considered that the combined permit and amendment to the Scheme can be supported.

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TOWN PLANNER

12) Recommendation

Pursuant to Sections 33(3) and 34(1)(b) of the former provisions of the Land Use Planning and Approvals Act 1993, the following amendment to the Meander Valley Interim Planning Scheme 2013 is initiated and in accordance with Section 35, is certified as being in accordance with Sections 300 and 32 of the Act:

- a) Rezone the portion of land described in the certification document at Longvista Road, Blackstone Heights with Certificate of Title reference 141734/8 from Open Space Zone to Environmental Management Zone and Low Density Residential Zone***

and

Pursuant to Section 43C. of the former provisions of the Land Use Planning and Approvals Act 1993 and the Meander Valley Interim

Planning Scheme 2013, approve the application for Use and Development for Residential Use - Subdivision (2 Lots to 2 Lots) and Residential Structure (pontoon walkway) on land located at Longvista Road, Blackstone Heights (CT: 141734/8) and 35 Longvista Road, Blackstone Heights (CT: 29894/12) generally in accordance with the endorsed plans:

- a) Cohen & Associates P/L; Date 20/08/18; Ref: 38-86(7735); Sheets: 1, 2 & 3.***
- b) Rebecca Green & Associates; Bushfire Hazard Assessment Report; Date: 26 August 2018; Job No: RGA-B912.***
- c) Site Plan - Aerial Photo showing location of Pontoon with Local Government Boundary line.***
- d) Photo 1 – Photo of pontoon structure.***

and subject to the following conditions:

- 1. Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) Such covenants or controls are expressly authorised by the terms of this permit; or**
 - b) Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
- 2. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No *insert number*) attached.**

Notes:

- 1. This permit does not override the terms of any sale agreement.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community**

and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.

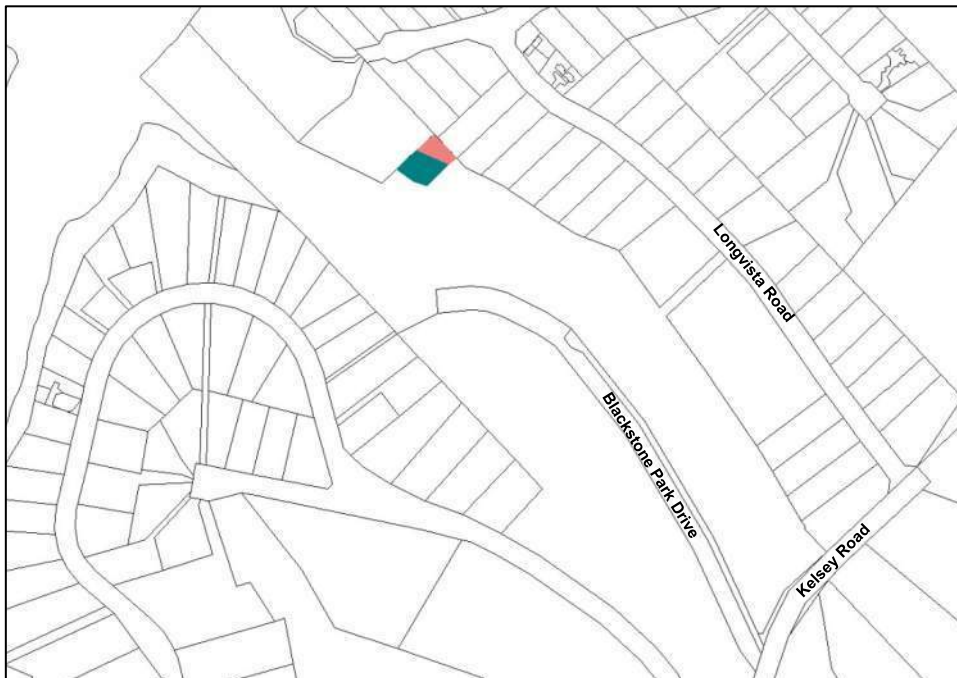
3. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with state and federal government agencies.

DECISION:

Certification Map

Map Amendments

- 1/ Rezone a portion of Certificate of Title 141734/8 from Open Space Zone to Low Density Residential Zone and Environmental Management Zone.



The COMMON SEAL of the Meander Valley Council has been hereunto affixed on the 13 November 2018 pursuant to a resolution of Council delegating authority to the General Manager to affix the corporation's seal

.....

Martin Gill
General Manager



COHEN & ASSOCIATES P/L

LAND & AERIAL SURVEYORS
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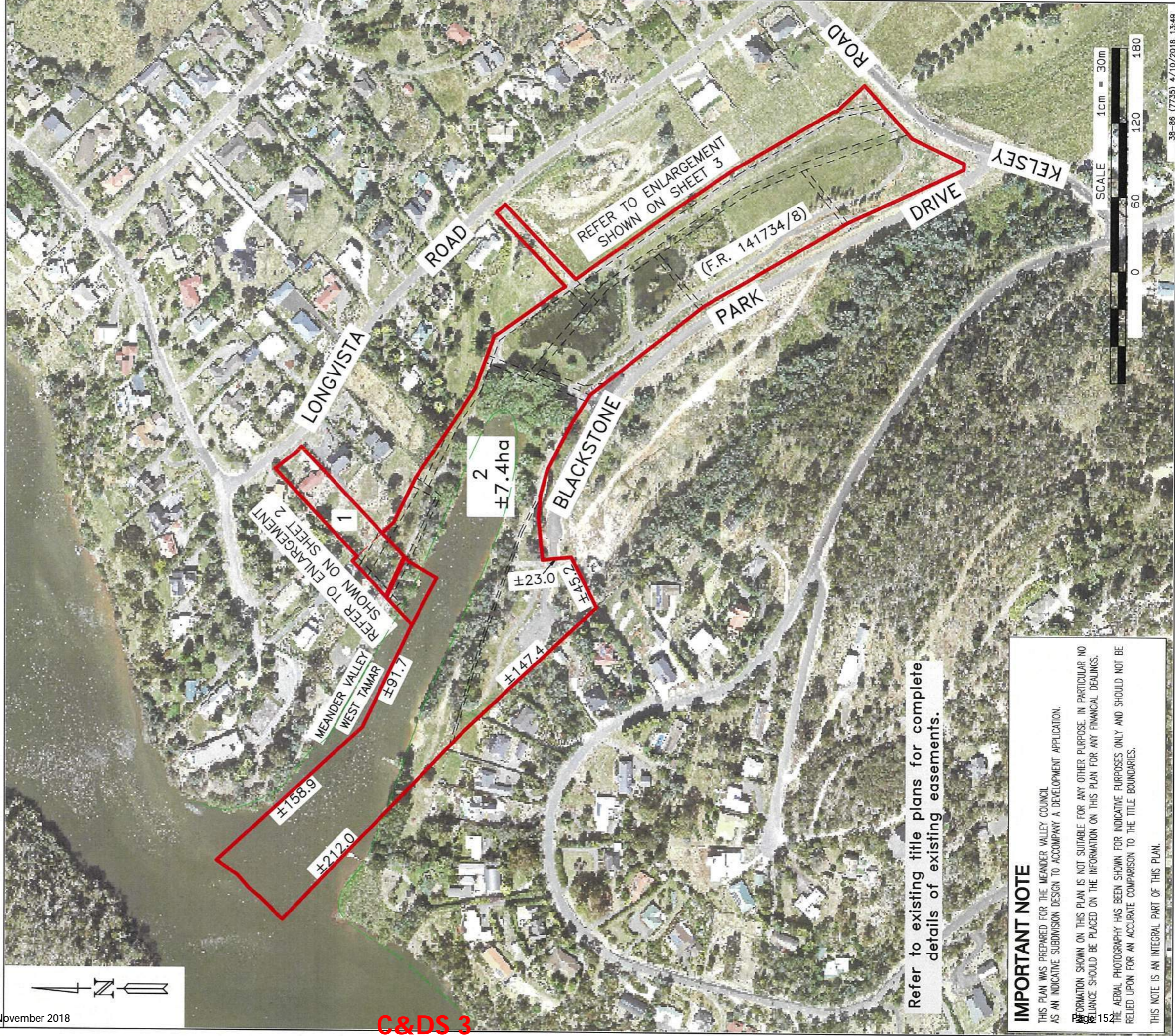
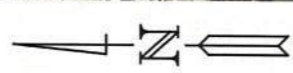
PLAN OF SUBDIVISION SHEET 1 OF 3

REF: 38-86 (7735)

Municipality: MEANDER VALLEY COUNCIL
Site Address: 35 LONGVISTA RD, BLACKSTONE HEIGHTS
Tasmap Sheet: 5041-52 & 5040-12
Grid Reference: E: 505985 N: 5410695 (MGA)

Owners: MEANDER VALLEY COUNCIL & M.A. SEEN
Title Refs: 141734/8 & 29894/12
Dates: Version A: 20/08/18
Version B:
Version C:
Scale: 1 : 3000 @ A3

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Refer to existing title plans for complete details of existing easements.

IMPORTANT NOTE

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www.surveyingtas.com.au
EMAIL : admin@surveyingtas.com.au

PLAN OF SUBDIVISION SHEET 2 OF 3

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WEST TAMAR COUNCIL
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LAKE TREVALLYN



COHEN & ASSOCIATES P/L

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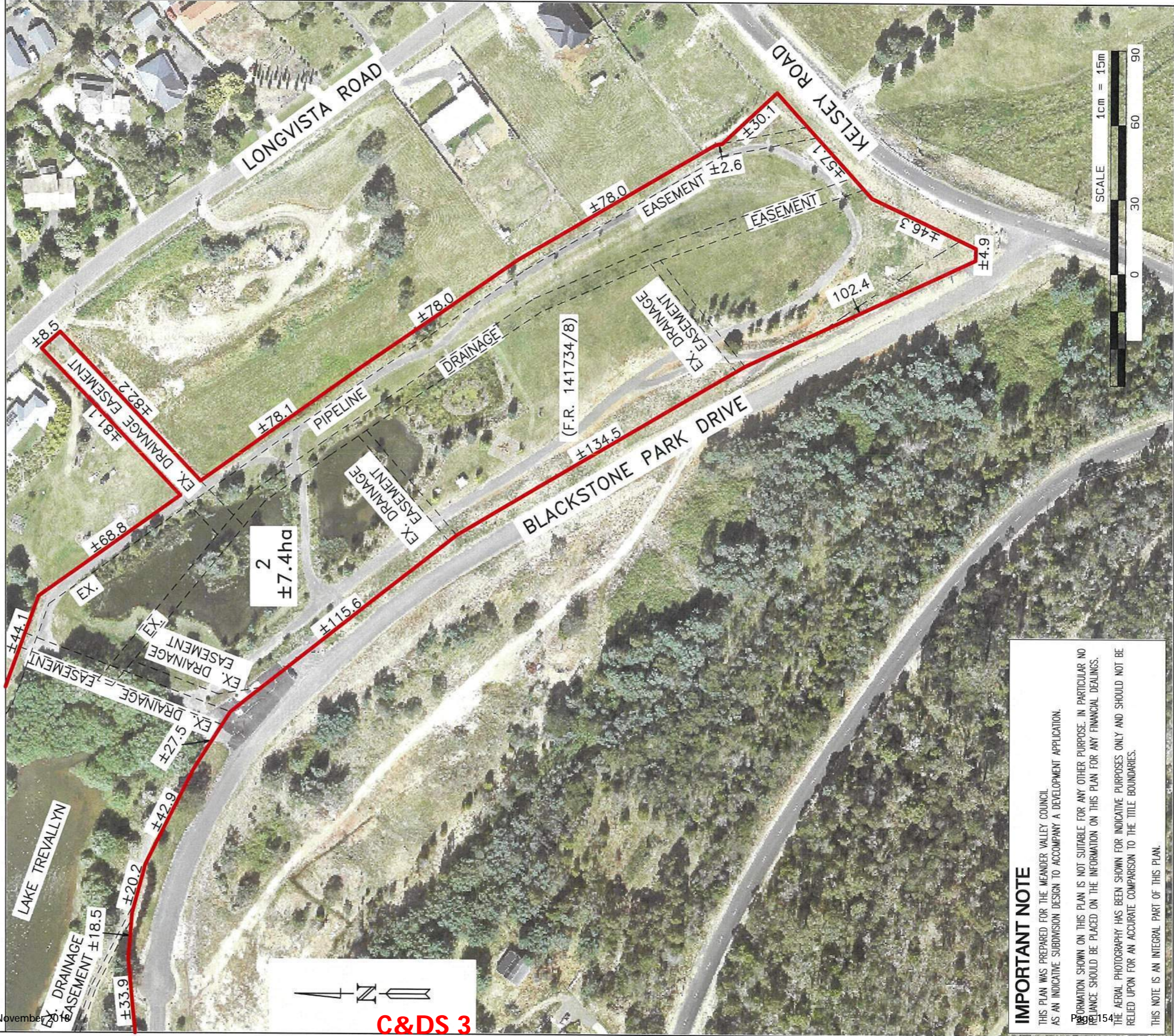
Owners: MEANDER VALLEY COUNCIL & M.A. SEEN

Title Refs: 141734/8 & 29894/12

Dates: Version A: 20/08/18
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C&DS 3

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Bushfire Hazard Assessment Report

35 Longvista Road and Bayview Drive, Blackstone Heights



Prepared for (Client)

Meander Valley Council

PO Box 102

WESTBURY TAS 7303

Assessed & Prepared by

Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor

Rebecca Green & Associates

PO Box 2108 LAUNCESTON TAS 7250

Mobile: 0409 284 422

Version 1

26 August 2018

Job No: RGA-B912

Contents

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1.0 Scope & Limitations

1.1 Scope

This report was commissioned to identify any EXEMPTION from the requirements for a Bushfire Attack Level Report (BAL Report) for the existing property. ALL comment and advice is limited to compliance with the EXEMPTIONS listed in Clause E1.4 of the *Bushfire-Prone Areas Code* of the Meander Valley Interim Planning Scheme 2013 and West Tamar Interim Planning Scheme 2013, the Building Code of Australia and Australian Standards, AS 3959-2009, *Construction of buildings in bushfire-prone areas*.

1.2 Limitations

The Exemption report provided on the understanding that:-

1. The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

No action or reliance is to be placed on this report; other than for which it was commissioned.

2.0 Property Details

2.1 Locality Plan

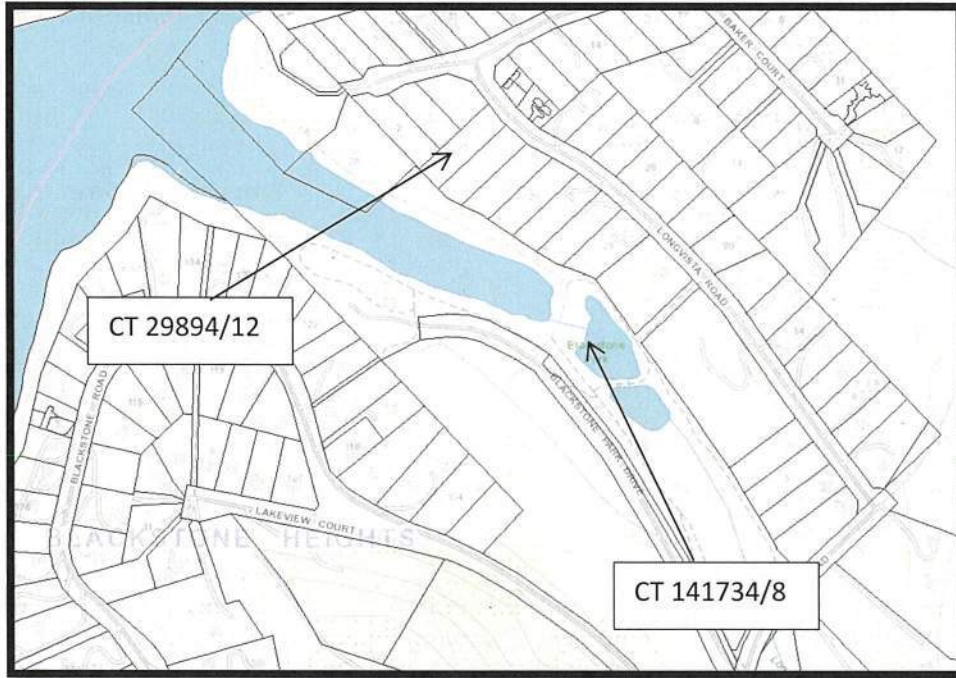


Figure 1: 35 Longvista Road and Bayview Drive

2.2 Site Details

Property Address	35 Longvista Road and Bayview Drive, Blackstone Heights
Certificate of Title	Volume 29894 Folio 12 and Volume 141734 Folio 8
Council	Meander Valley and West Tamar
Description	Residential and Recreation
Water Supply	Reticulated water supply
Road Access	Street Frontage – Longvista Road, Kelsey Road and Blackstone Park Drive

3.0 Proposed Development

Application is made for a two-lot boundary adjustment for CT 29794/12 and CT 141734/8. The proposal is applied for under the subdivision requirements of the Low Density Residential Zone and the Open Space Zone, as the proposal is not deemed a minor change under the special provisions of Section 9.3 of the *Meander Valley Interim Planning Scheme 2013* and *West Tamar Interim Planning Scheme 2013*.

The proposal will see the lots change as follows:

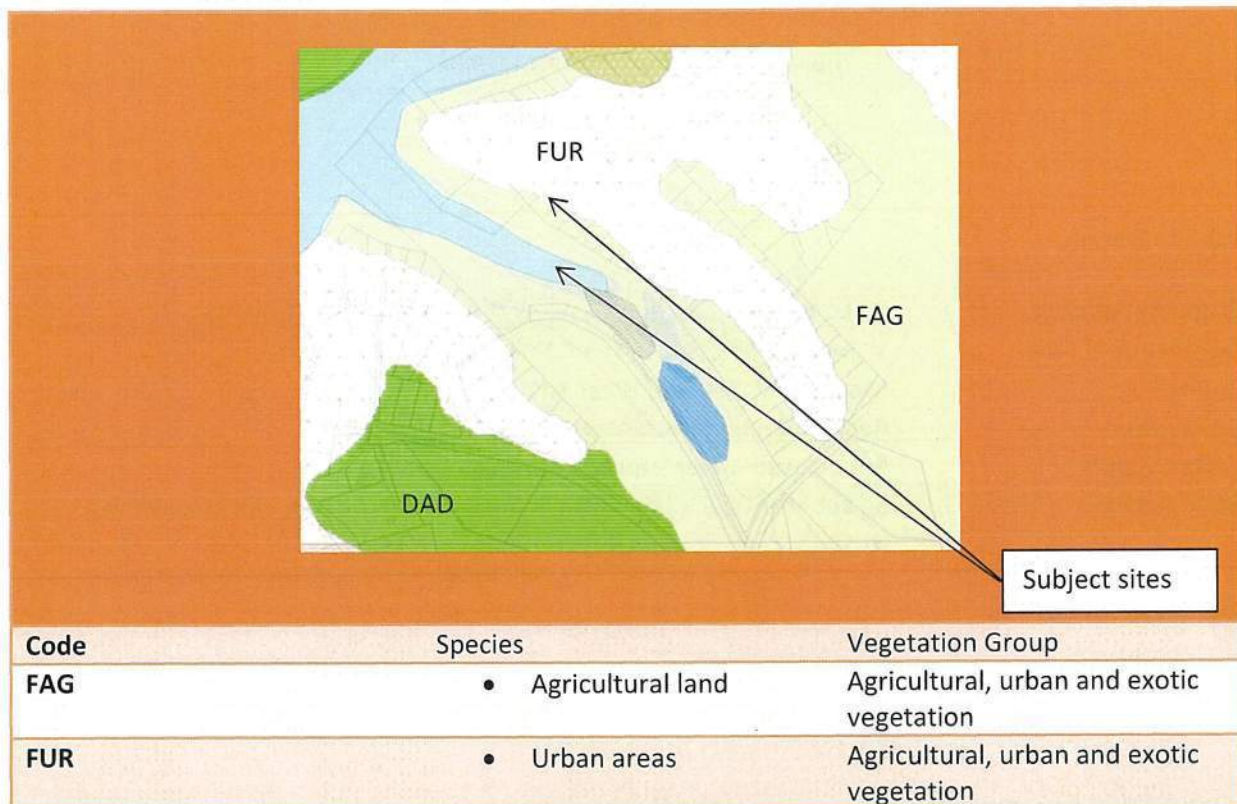
Lot Number	Existing Lot Size	Proposed Lot Size
Lot 1 (CT 59894/12)	2651m ²	4744m ²
Lot 2 (CT 141734/8)	7.6ha	7.4ha

4.0 Site Analysis & Risk

4.1 Vegetation Analysis

4.1.1 TasVeg Classification

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the land in and around the property is generally comprising of varying vegetation types including:



DAD

- Eucalyptus amygdalina forest and woodland on dolerite
- Dry eucalypt forest and woodland

4.2 Risk

The land is considered to be within a Bushfire Prone Area due to proximity of vegetation to existing titles greater than 1 ha in area.

The proposed subdivision of the existing titles to adjust boundaries to form two titles from two existing titles is considered to have an insufficient increase in risk to the development from bushfire to warrant any specific bushfire measures. According to TasVeg 3.0, vegetation is predominantly urban development land and grassland. A dwelling exists on Lot 1. The predominant wind direction is north-westerly. The proposed boundary adjustment is to not transfer considerable amounts of land i.e 2093m² to allow each lot to be similar in size and to allow greater separation to the south-western boundary of the dwelling on Lot 1. The title boundaries surrounding the existing dwelling on Lot 1 are sufficient and adequate, given the vegetation classification, and the adjustment of boundaries will not affect the existing and any future BAL level for building purposes. Any future development of the lots will require a separate assessment at the time of building application.

4.3 Road Access

There are no access requirements as the proposal is exempt. Each lot will retain existing accesses.

4.4 Water Supply

No water supply is required as the proposal is exempt. It is noted that any future development (habitable building or extension to existing dwelling) would likely not require onsite water storage as fire plugs are available within 120m of the existing dwelling at 35 Longvista Road.

5.0 EXEMPTIONS Clause E1.4 – Bushfire-Prone Areas Code

Exemptions under Clause E1.4 can be considered for any of the following:

- Any use or development that the TFS or an accredited person, having regard to the objective of all applicable standards in this Code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; and*
- Adjustment of a boundary in accordance with Clause 9.3 of this planning Scheme.*

Response

The proposed development is exempt from the provisions of a BAL assessment and/or Bushfire Hazard Management Plan for the following reason:

1. Having regard to the objective of all applicable standards and exemptions specified in the Bushfire-Prone Areas Code, there is an insufficient increase in risk to the development from bushfire to warrant any specific protection measures.

Bushfire-Prone Areas Code Summary

Clause	Applicability	Response
E1.4	Applicable	See above The proposal complies with E1.4 (a)

6.0 Conclusion

All reasonable steps have been taken to ensure the information provided in this assessment is accurate and reflects the conditions on and around the site and allotment at the date of this report.

The area is bushfire prone, being less than 100m from vegetation greater than 1 ha in size, however as the proposal is to adjust boundaries of two existing titles to form two titles for which there is no increase in risk from bushfire to warrant any specific bushfire protection measures and therefore is exempt under Clause E1.4 (a).

References

- (a) Australian Standards, AS 3959-2009, *Construction of buildings in bushfire-prone areas*, Standards Australia, Sydney NSW.
- (b) Meander Valley Council (2013), *Meander Valley Interim Planning Scheme 2013*.
- (c) West Tamar Council (2013), *West Tamar Interim Planning Scheme 2013*.
- (d) Tasmanian Government, Land Information System Tasmania, www.thelist.tas.gov.au

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies²

Land that is the Use or Development Site that is relied upon for bushfire hazard management or protection.

Name of planning scheme or instrument:

Meander Valley Interim Planning Scheme 2013
West Tamar Interim Planning Scheme 2013

Street address:

35 Longvista Road and Bayview Drive, Blackstone Heights

Certificate of Title / PID:

CT 29894/12 and CT 141734/8

Land that is not the Use or Development Site that is relied upon for bushfire hazard management or protection.

Street address:

Certificate of Title / PID:

2. Proposed Use or Development

Description of Use or Development:

Subdivision – Boundary Adjustment between 2 titles

Code Clauses:

E1.4 Exempt Development

E1.5.1 Vulnerable Use

E1.5.2 Hazardous Use

E1.6.1 Subdivision

¹ This document is the approved form of certification for this purpose, and must not be altered from its original form.

² 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 upon

Documents, Plans and/or Specifications

Title: Plan of Subdivision, Ref: 38-86 (7735)

Author: Cohen & Associates P/L

Date: 20/08/18 **Version:** A

Bushfire Hazard Report

Title: Bushfire Hazard Assessment Report

Author: Rebecca Green

Date: 26 August 2018 **Version:** 1

Bushfire Hazard Management Plan

Title: N/A

Author:

Date: **Version:**

Other Documents

Title:

Author:

Date: **Version:**

4. Nature of Certificate

<input checked="" type="checkbox"/>	E1.4 – Use or development exempt from this code		
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input checked="" type="checkbox"/>	E1.4 (a)	Insufficient increase in risk	Refer to Bushfire Hazard Assessment Report prepared by Rebecca Green, 26 August 2018.

<input type="checkbox"/>	E1.5.1 – Vulnerable Uses		
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.5.1 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.1 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.1 A3	Bushfire hazard management plan	

<input type="checkbox"/>	E1.5.2 – Hazardous Uses		
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.5.2 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.2 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.2 A3	Bushfire hazard management plan	

<input type="checkbox"/>	E1.6 – Development standards for subdivision		
	E1.6.1 Subdivision: Provision of hazard management areas		
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.1 P1	Hazard Management Areas are sufficient to achieve tolerable risk	
<input type="checkbox"/>	E1.6.1 A1 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.1 A1 (b)	Provides BAL 19 for all lots	

<input type="checkbox"/>	E1.6.1 A1 (c)	Consent for Part 5 Agreement	
--------------------------	---------------	------------------------------	--

E1.6.2 Subdivision: Public and fire fighting access			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.2 P1	Access is sufficient to mitigate risk	
<input type="checkbox"/>	E1.6.2 A1 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.2 A1 (b)	Access complies with Tables E1, E2 & E3	

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.3 A1 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.3 A1 (b)	Reticulated water supply complies with Table E4	
<input type="checkbox"/>	E1.6.3 A1 (c)	Water supply consistent with the objective	
<input type="checkbox"/>	E1.6.3 A2 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.3 A2 (b)	Static water supply complies with Table E5	
<input type="checkbox"/>	E1.6.3 A2 (c)	Static water supply is consistent with the objective	

5. Bushfire Hazard Practitioner³

Name:	Rebecca Green	Phone No:	0409 284 422
Address:	PO Box 2108	Fax No:	
		Email Address:	admin@rgassociates.com.au
	Launceston, Tas		7250
Accreditation No:	BFP – 116	Scope:	1, 2, 3A, 3B, 3C

6. Certification

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

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 the use or development from bushfire to warrant any specific bushfire protection measure in order to be consistent with the objectives for all the applicable standards identified in Section 4 of this Certificate.



or

There is an insufficient increase in risk from bushfire to warrant the provision of 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.




and/or

The Bushfire Hazard Management Plan/s identified in Section 3 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.



Signed:
certifier



Date:

26 August
2018

Certificate No:

RGA-80/2018

³ A Bushfire Hazard Practitioner is a person accredited by the Chief Officer of the Tasmania Fire Service under Part IVA of Fire Service Act 1979. The list of practitioners and scope of work is found at www.fire.tas.gov.au.



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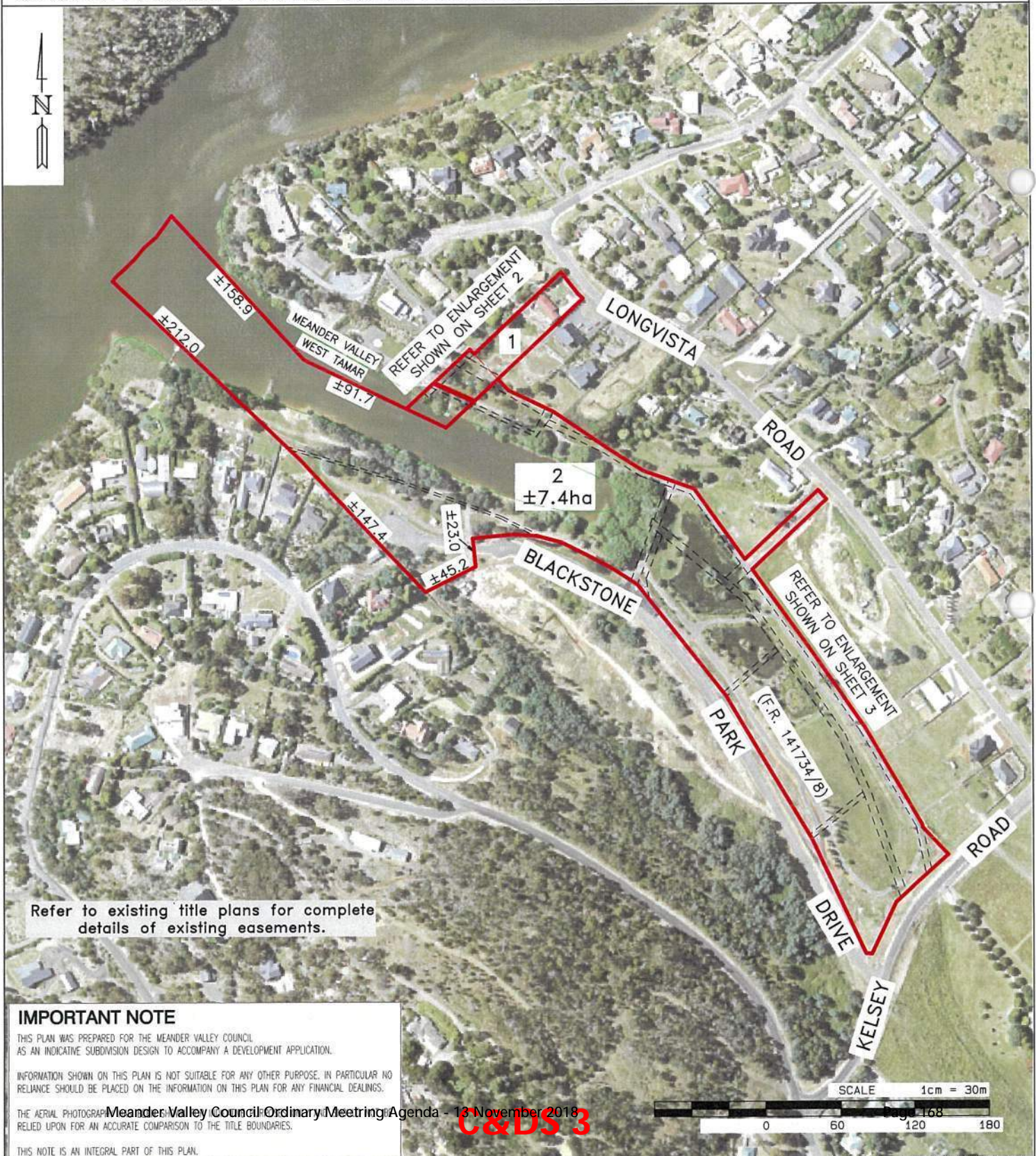
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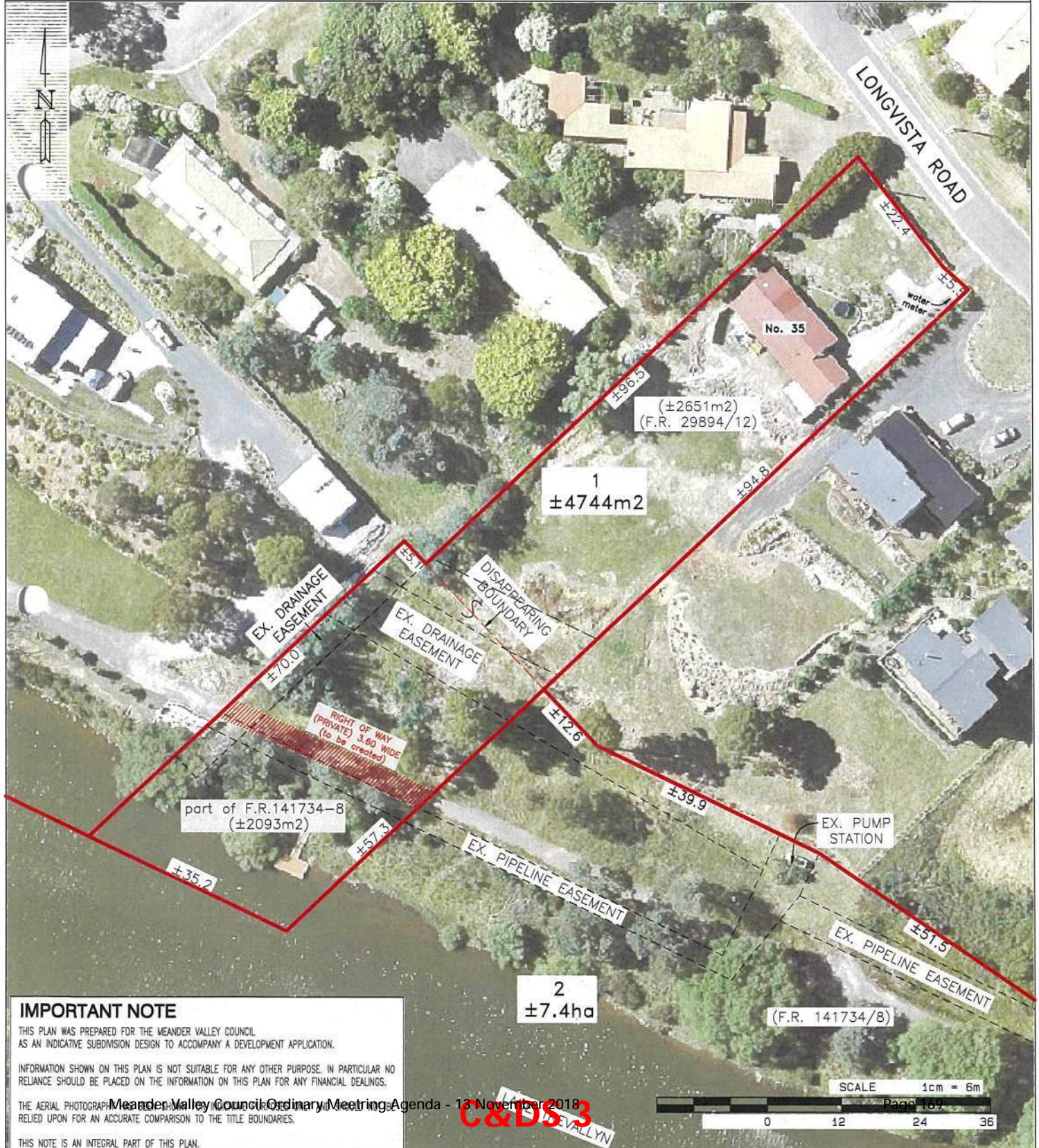
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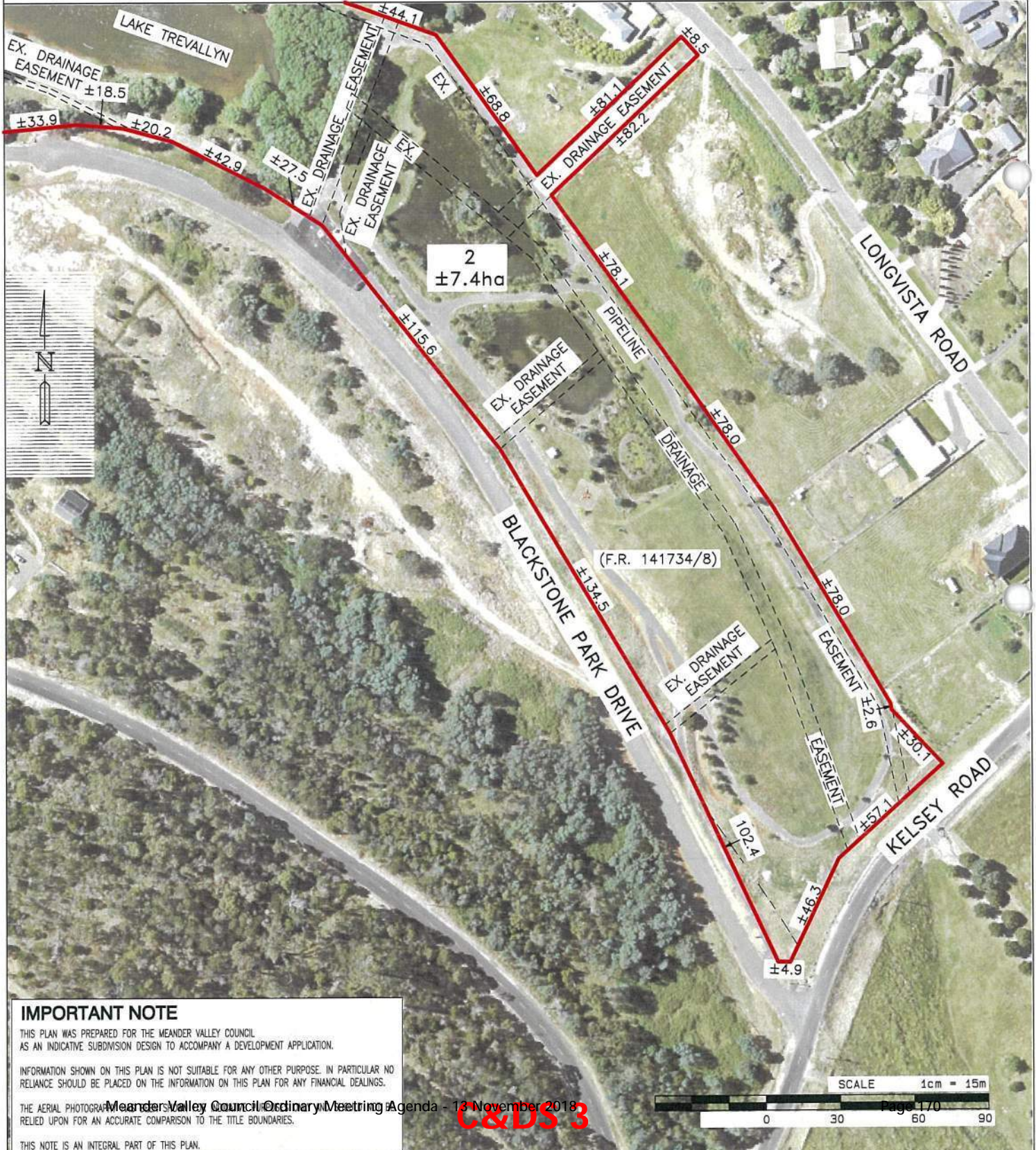
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Tasmap Sheet: 5041-52 & 5040-12
Grid Reference: E: 505985 N: 5410695 (MGA)

Owners: MEANDER VALLEY COUNCIL & M.A. SEEN
Title Refs: 141734/8 & 29894/12
Dates: Version A: 20/08/18
Version B:
Version C:
Scale: 1 : 1500 @ A3

DISCLAIMER: This is a preliminary plan prepared without field survey and forms part of an application to subdivide the land described and is not to be used for any other purpose. Contours and levels may be transcribed from other sources and their accuracy has not been verified. These should not be used. The dimensions, area, location of improvements and number of lots are approximate and may vary as a result of decisions by the Municipality, Land Use Planning Review Panel, engineering or other advice. Easements may not be shown as these are to be determined at the time of survey. The plan is not to be copied unless this note is included.



IMPORTANT NOTE

THIS PLAN WAS PREPARED FOR THE MEANDER VALLEY COUNCIL AS AN INDICATIVE SUBDIVISION DESIGN TO ACCOMPANY A DEVELOPMENT APPLICATION.

INFORMATION SHOWN ON THIS PLAN IS NOT SUITABLE FOR ANY OTHER PURPOSE. IN PARTICULAR NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS.

THE AERIAL PHOTOGRAPH IS NOT TO BE RELIED UPON FOR AN ACCURATE COMPARISON TO THE TITLE BOUNDARIES.

THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

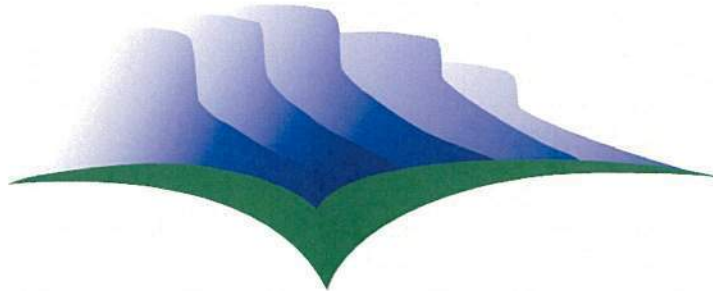
SCALE 1cm = 15m





Site Plan: Aerial photo showing location of pontoon with local government boundary line shown.





Meander Valley Council

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

Consent to Lodge Development Application

In accordance with Section 52 of the *Land Use Planning and Approvals Act 1993*, Meander Valley Council hereby provides consent to lodge a development application with West Tamar Council for a Subdivision (2 lots to 2 lots) and pontoon, located at Longivista Road, Blackstone Heights (CT: 141734/8) and 35 Longivista Road, Blackstone Heights (CT: 29894/12).

Signed:

Martin Gill
GENERAL MANAGER

10 October 2018

1267065

Leanne Rabjohns

From: Matthew Millwood
Sent: Friday, 7 September 2018 11:39 AM
To: Leanne Rabjohns; Justin Simons
Subject: FW: Re Purchase of Council Land

Matthew Millwood | Director Works

Meander Valley Council

working together

T: 03 +61 3 6393 5333 | F: 03 6393 1474 | M: 0417 054 273 | E: matthew.millwood@mvc.tas.gov.au | W: www.meander.tas.gov.au

26 Lyall Street (PO Box 102), Westbury, TAS 7303

Please consider the environment before printing this email.-----Original Message-----

From: seeney@iprimus.com.au [<mailto:seeney@iprimus.com.au>]

Sent: Friday, 7 September 2018 11:25 AM

To: Matthew Millwood

Subject: Re: Re Purchase of Council Land

Matt Millwood & Natasha Whiteley,

Re: Purchase of Council Land.

I Matthew Seen , being the owner of 35 Longvista Road, Blackstone Heights consent to Matthew Millwood & Natasha Whiteley to the making of all applications required to Meander Valley Council for the rezoning of land from Recreation Zone to Environmental Management to Low Density ResidentialZone and for a subdivision (2lots to 2lots).

I Matthew Seen also give my consent , being the owner of 35 Longvista Road, Blackstone Heights to Matt Millwood & Natasha Whiteley, to the making of the application to West Tamar Council for a subdivision (2lots to 2 lots) and Pontoon.

With thanks , Matthew Seen

Mobile : 0409117134

On 2018-09-06 19:16, seeney@iprimus.com.au wrote:

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
141734	8
EDITION	DATE OF ISSUE
2	24-Mar-2005

SEARCH DATE : 19-Jun-2018

SEARCH TIME : 01.35 PM

DESCRIPTION OF LAND

City of LAUNCESTON

Lot 8 on Sealed Plan 141734

Derivation : Part of 500 Acres Gtd. to P. Dalrymple and Part of 1536 Acres Gtd to T S Kelsey

Prior. CTs 128202/1 and 29894/19

SCHEDULE 1

C613441 TRANSFER to MEANDER VALLEY COUNCIL Registered
24-Mar-2005 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 141734 EASEMENTS in Schedule of Easements

SP 141734 COVENANTS in Schedule of Easements

SP 141734 FENCING COVENANT in Schedule of Easements

SP 29894 COVENANTS in Schedule of Easements

C583710 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered
22-Oct-2004 at noon

C583712 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered
22-Oct-2004 at noon

UNREGISTERED DEALINGS AND NOTATIONS

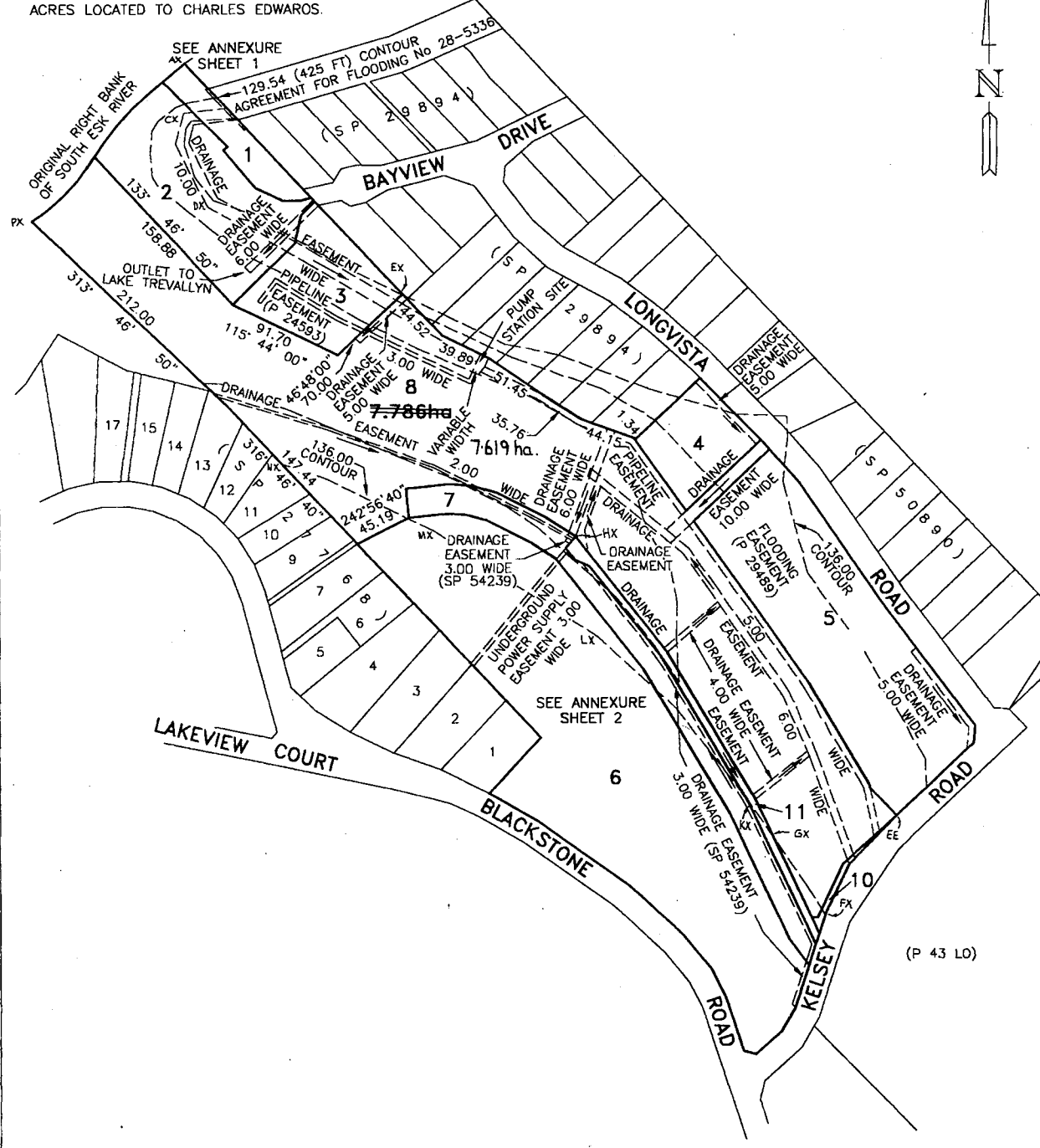
No unregistered dealings or other notations

OWNER ALAN KEITH PYBUS ANGELA CLAIRE PYBUS LOUISE RACHEL PYBUS SANEITH PTY LTD		PLAN OF SURVEY		REGISTERED NUMBER SP141734	
FOLIO REFERENCE 31505/1 128202/1 29894/19 29894/53 128201/1		BY SURVEYOR M.R. ROSE FOR COHEN & ASSOCIATES PTY LTD, LAUNCESTON		APPROVED EFFECTIVE FROM 22 OCT 2004 <i>Alice Kawa</i> Recorder of Titles	
LOCATION LAND DISTRICT OF CORNWALL PARISH OF LAUNCESTON		SCALE 1: 3000 LENGTHS IN METRES			

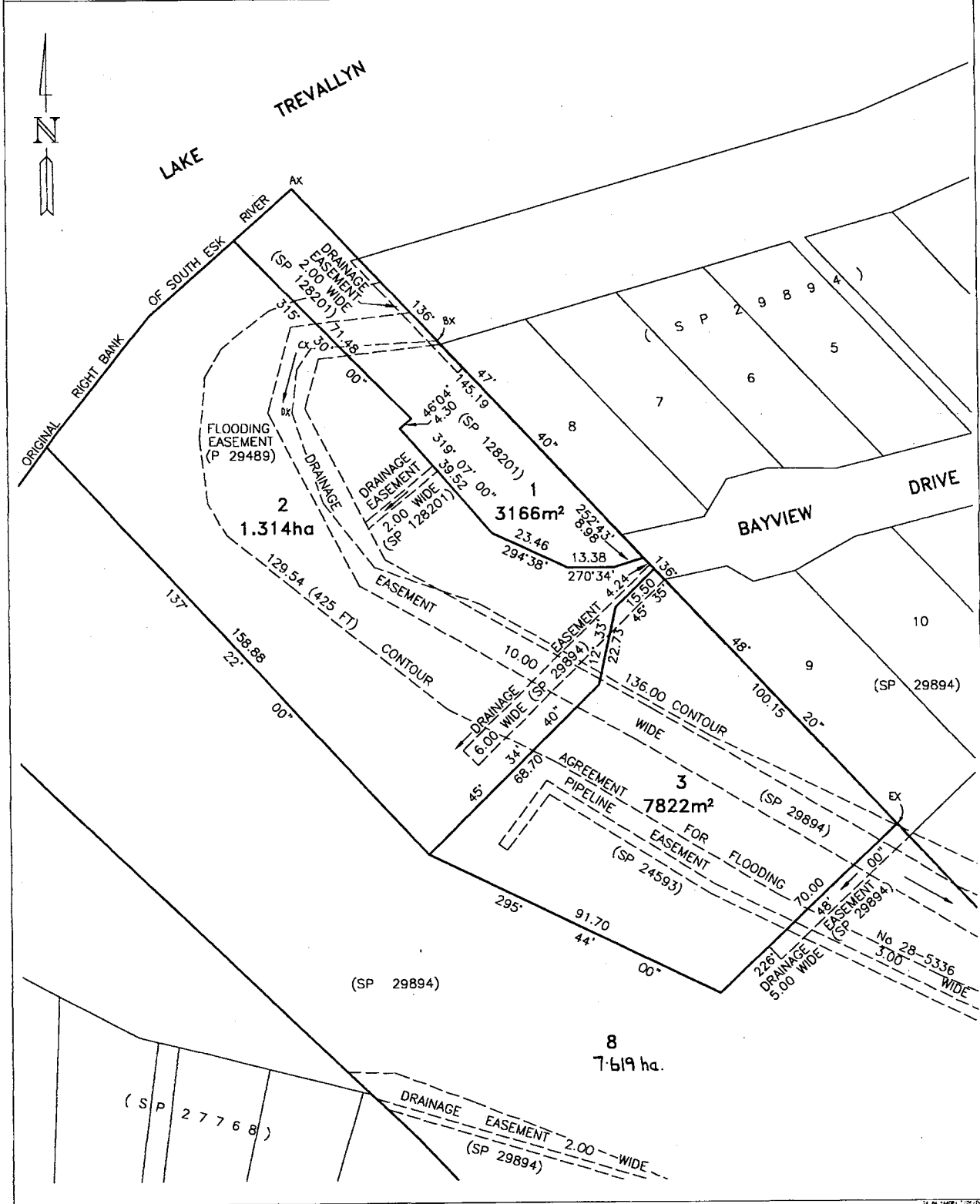
MAPSHEET MUNICIPAL CODE No 179 (5041-52) (5040-12)	LAST UPI No	FMC10 ESQ95	FMC11 EST35	ESF58	LAST PLAN No 031505	SP 128201 P 128202	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
--	-------------	-------------	-------------	-------	---------------------	--------------------	---

GRANTEE
PART OF 500 ACRES GRANTED TO PATRICK DALRYMPLE. PART OF 1536 ACRES GRANTED TO THOMAS SCUTT KELSEY. PART OF 40 ACRES LOCATED TO CHARLES EDWARDS.

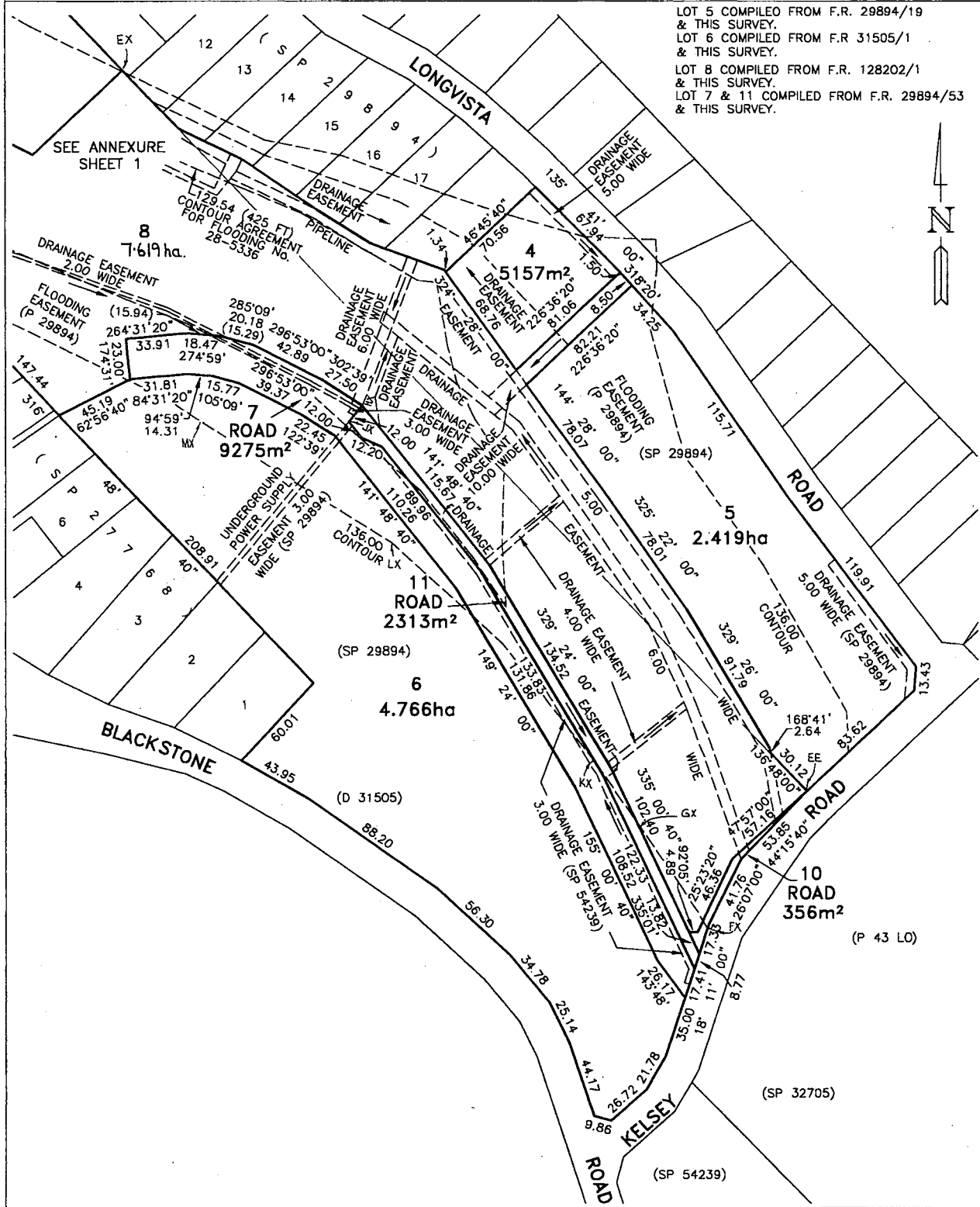
SEE SP 29894 FOR FIXATION OF EASEMENTS UNLESS OTHERWISE STATED



<p>PLAN OF SURVEY ANNEXURE SHEET SHEET 1 OF 2 SHEETS</p>	<p>OWNER A.K. PYBUS, A.C. PYBUS, L.R. PYBUS SANEITH PTY LTD FOLIO REFERENCE 31505/1, 128202/1, 29894/19 29894/53, 128201/1 SCALE 1:1000 LENGTHS IN METRES</p>	<p>Registered Number SP 141734</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES Council General Manager</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET. Registered Surveyor <i>M. Lee</i> date 12-11-08</p>	



<p>PLAN OF SURVEY ANNEXURE SHEET SHEET 2 OF 2 SHEETS</p>	<p>OWNER A.K. PYBUS, A.C PYBUS, L.R. PYBUS SANEITH PTY LTD FOLIO REFERENCE 31505/1, 128202/1, 29894/19 29894/53, 128201/1 SCALE 1:2000 LENGTHS IN METRES</p>	<p>Registered Number SP 141734</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES Council General Manager</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET. Registered Surveyor <i>M. Doe</i> date <i>12-11-03</i></p>	



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 141734

PAGE 1 OF 2 PAGE/S
87

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 1 is ~~subject to~~ a right of drainage (appurtenant to the land formerly comprised in folio of the Register Volume 128201 Folio 1) over the drainage easement 2.00 wide passing through that lot on the Plan.

Lots 1, 2 and 3 are each subject to a right of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13 over the Drainage Easement 10.00 wide (Sealed Plan 29894) shown passing through Lots 1, 2 and 3..

3
Lots 2 and 3 are subject to right of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 6.00 wide (Sealed Plan 29894) shown passing through Lot 2. and 3

and Lot 1 is together with
Lot 2 is subject to a right of drainage (appurtenant to Lot 1) over the Drainage Easement 2.00 wide (Sealed Plan 128201) shown passing through Lot 2.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER:	PLAN SEALED BY: Meander Valley Council
FOLIO REF:	DATE: 11 th July 2004
SOLICITOR & REFERENCE:	DA 236/2002
	REF NO. Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 2 OF 7 PAGES</p>	<p>Registered Number</p> <p>SP 141734</p>
<p>SUBDIVIDER: FOLIO REFERENCE:</p>	

Lot 3 is subject to an easement created under Transfer number A979664 and referred to and defined in Sealed Plan 29894 over the Pipeline Easement 3.00 wide (Sealed Plan 29894) shown passing through Lot 3.

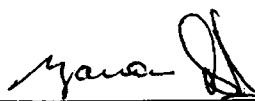
Lots 4 and ⁸ are subject to a right of drainage (appurtenant to the lands comprise in Sealed Plan 29894) over the Drainage Easement shown passing through Lots 4 and ⁸ on the Plan.

Lot 5 ^{and 4 are} is subject to a right of drainage (appurtenant to the lands comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 5.00 wide shown on the Plan.

Lots 6 and 7 are subject to a right for the Meander Valley Council from time to time and at all times hereafter at their will and pleasure with or without workmen servants agents or other persons authorised by them to enter upon and under the strip of land 3.00 metres wide delineated and shown on the plan as "Underground Power Supply Easement 3.00 wide" passing through Lots 6 and 7 for the purpose of laying relaying inspecting maintaining repairing renewing removing and operating a line or lines of underground power supply cables and appurtenant equipment doing as little damage as maybe and at all times hereafter making good any disturbance to the soil and so far as may be possible replacing any excavated soil.

Lots 7 and 8 are subject to a right of drainage for the Meander Valley Council over the Drainage Easement 2.00 wide shown passing through Lots 7 and 8.

Lots 6 and 7 are subject to a right of drainage for the Meander Valley Council over the Drainage Easement 3.00 wide (Sealed Plan 54239) shown passing through Lots 6 and 7.



NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 3 OF 6 PAGES 7</p>	<p>Registered Number</p> <p>SP141734</p>
<p>SUBDIVIDER: FOLIO REFERENCE:</p>	

Lot 8 is subject to a right of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 10.00 wide shown passing through Lot 8.

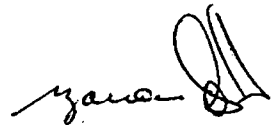
Lot 8 is subject to a right of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 5.00 wide shown on the Plan.

Lot 8 is subject to rights of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 6.00 wide, the Drainage Easement 4.00 wide and the Drainage Easement shown passing through Lot 8.

Lot 8 is subject to a right of drainage (appurtenant to the land comprised in folio of the Register Volume 29894 Folio 53) over the Drainage Easement 2.00 wide shown passing through Lot 8.

Lot 8 is subject to easements created by Transfer number A979664 and referred to and defined in Sealed Plan 29894 over the Pipeline Easement 5.00 wide, the Pipeline Easement 3.00 wide and the Pipeline Easement Variable Width shown passing through Lot 8.

Lot 10 is subject to a right of drainage (appurtenant to the land comprised in folio of the Register Volume 4193 Folio 13) over the Drainage Easement 6.00 wide shown passing through Lot 10.



NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 7 PAGES 7</p>	<p>Registered Number</p> <p>SP 141734</p>
<p>SUBDIVIDER: FOLIO REFERENCE:</p>	

Lot 10 is **subject** to an easement created under Transfer no A979664 and referred to and defined in Sealed Plan No. 29894 over the Pipeline Easement 5.00 wide shown passing through Lot 10.

All of the Lots shown on the Plan are **subject** to a Flooding Easement created by Agreement No. 28/5336 referred to and defined in Sealed Plan 29894 over the Flooding Easement (P29489) shown passing through

the Lots.
Easements continued on page 7

COVENANTS

A. The Owners of Lots 4 and 5 on the Plan covenants with the Vendors **Louise Rachel Pybus and Angela Claire Pybus** and the owners for the time being of Lots 4 and 5 to the intent that the burden of this covenant may run with the land and bind the covenantor's Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of all Lots shown on the Plan to observe the stipulations referred to in Covenants A. and B. in Sealed Plan 29894.

B. The Owners of the Lots shown on the Plan covenant with the Vendors **Louise Rachel Pybus, Angela Claire Pybus, Saneith Pty Ltd and Alan Keith Pybus** and the owners for the time being of every Lot on the Plan to the intent that the burden of this covenant may run with the land and bind the covenantor's Lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of all the Lots shown on the Plan to observe the stipulations referred to in Covenant D in Sealed Plan 29894.

Covenants continued on Page 7

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 5 OF 6 PAGES 7</p>	<p>Registered Number</p> <p>SP 141734</p>
<p>SUBDIVIDER: FOLIO REFERENCE:</p>	

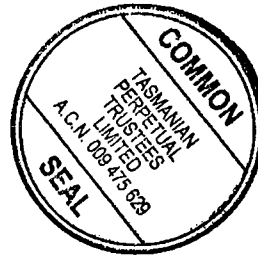
FENCING COVENANT

The Vendors Louise Rachel Pybus, Angela Claire Pybus, Saneith Pty Ltd and Alan Keith Pybus shall not be required to fence any of the Lots shown on the Plan.

The Common Seal of Tasmanian Perpetual Trustees Limited was affixed hereto in the presence of:

Director/General Manager.....

Secretary/General Manager.....



Signed by ~~SUE ANN CLARKE~~ the)
 registered proprietor of)
 Certificate of Title Volume)
 29894 Folio 18 in the presence)
 of:)

witness
 address
 occupation

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 7 PAGES 7	Registered Number SP 141734
SUBDIVIDER: FOLIO REFERENCE:	

Signed by **LOUISE RACHEL PYBUS** and **ANGELA
CLAIRE PYBUS** the registered proprietors of Certificates)
 of Title Volume 29894 Folio 53 in the presence of:)

* *[Signature]*
 * *[Signature]*

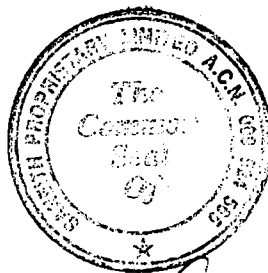
WITNESS *[Signature]*
 ADDRESS **1A Bayview Drive**
 OCCUPATION **Clerk**

Signed by **ALAN KEITH PYBUS**)
 the registered proprietor of Certificates)
 of Title Volume 128201 Folio 1, Volume 31505 Folio 1)
 and Volume 128202 Folio 1 in the presence of:)

[Signature]

WITNESS *[Signature]*
 ADDRESS **168 COLLIN STREET HOBART**
 OCCUPATION **Solicitor**

The Company Seal of **SANEITH PTY LTD**)
 (in liquidation) the registered proprietor of the)
 lands comprised in Certificate of Titles Volume)
 29894 Folio 53 was placed on this document by)
 its Liquidator in accordance with the)
 Corporations Act 2001 in the presence of:)



[Signature]
 Director Secretary LIQUIDATOR

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 7 OF 7 PAGE/S</p>	<p>Registered Number</p> <p>SP 141734</p>
<p>SUBDIVIDER: ALAN KEITH PYBUS & OTHERS</p> <p>FOLIO REFERENCE: 128202/1 & OTHERS</p>	

EASEMENTS (Continued):

Lot 8 on the plan is subject to a right of drainage (appurtenant to Lots 65 to 70 on Sealed Plan No. 54239) over the Drainage Easements 3.00 wide shown on the plan passing through such lot.

Lots 1, 2, 3 and 8 on the plan are each subject to an easement to submerge as defined in Transfer B287262 for the Hydro-Electric Commission over such portion of such lots marked AX, BX, CX, DX, EX, EE, FX, GX, HX, JX, KX, MX, NX & PX on the plan.

COVENANTS (Continued):

Lots 2, 3, 7 & 8 on the plan which formerly comprised part of Lot 52 on Sealed Plan No. 29894 are each affected by the restrictive covenants created by and more fully set forth in Sealed Plan No. 29894

Lot 1 on the plan which formerly comprised part of Lot 52 on Sealed Plan No. 29894 and part of Lot 1 on Sealed Plan No. 128201 is affected by the restrictive covenants created by and more fully set forth in Sealed Plans Nos. 29894 and 128201 respectively.

Lot 11 on the plan which formerly comprised part of Lot 53 on Sealed Plan No. 29894 and Lots 4, 5 and part of Lot 8 on the plan which formerly comprised part of Lot 19 on Sealed Plan No. 29894 are each affected by the restrictive covenants created by and more fully set forth in Sealed Plan No. 29894

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

SEARCH OF TORRENS TITLE

VOLUME 29894	FOLIO 12
EDITION 5	DATE OF ISSUE 20-Jan-2014

SEARCH DATE : 19-Jun-2018

SEARCH TIME : 01.32 PM

DESCRIPTION OF LAND

City of LAUNCESTON
 Lot 12 on Sealed Plan 29894
 Derivation : Part of 40 Acres Located to C. Edwards
 Prior CT 4315/34

SCHEDULE 1

M445771 TRANSFER to MATTHEW ANTHONY SEEN Registered
 20-Jan-2014 at 12.01 PM

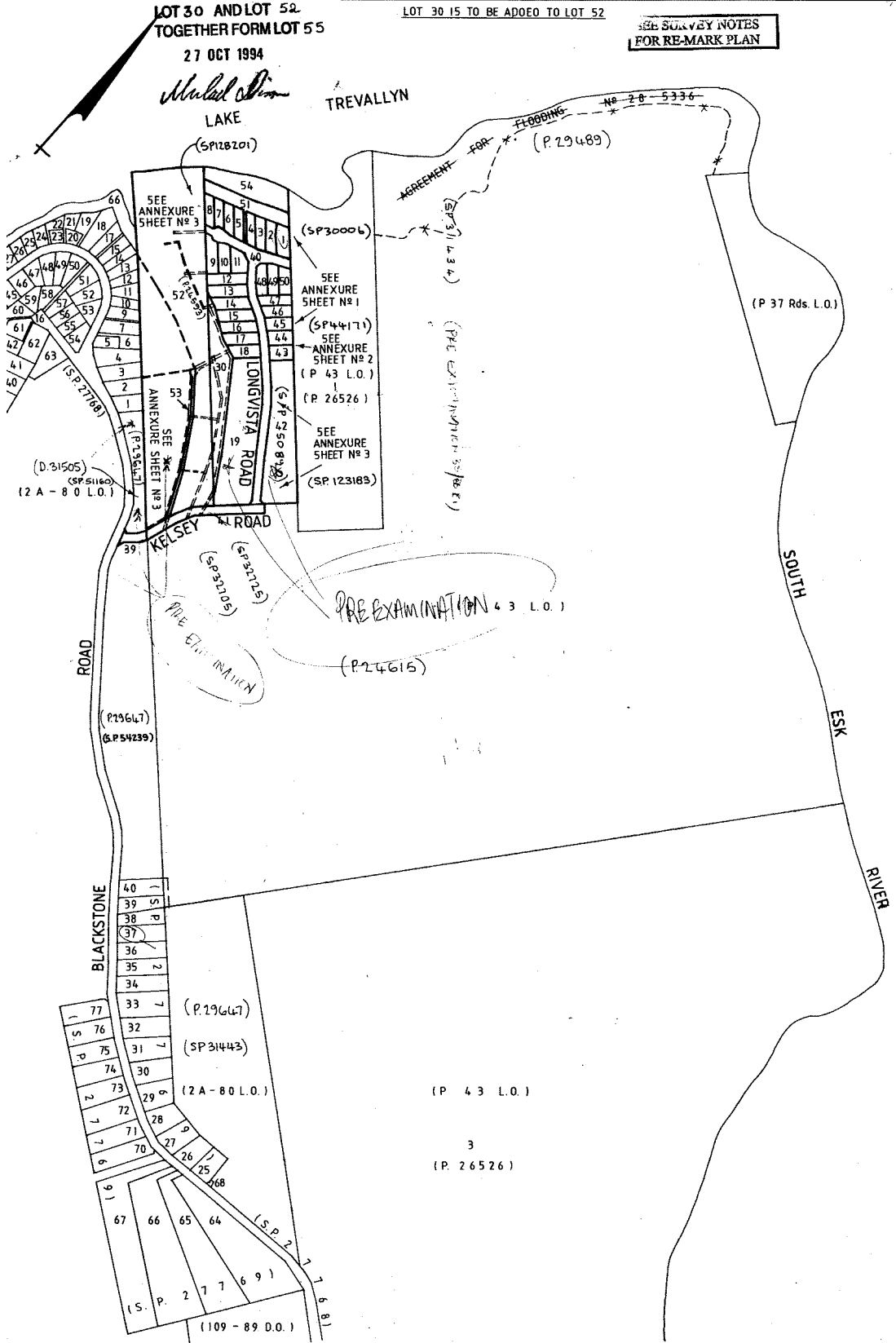
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP 29894 EASEMENTS in Schedule of Easements
 SP 29894 COVENANTS in Schedule of Easements
 SP 29894 FENCING COVENANT in Schedule of Easements
 D112947 MORTGAGE to Commonwealth Bank of Australia
 Registered 20-Jan-2014 at 12.02 PM

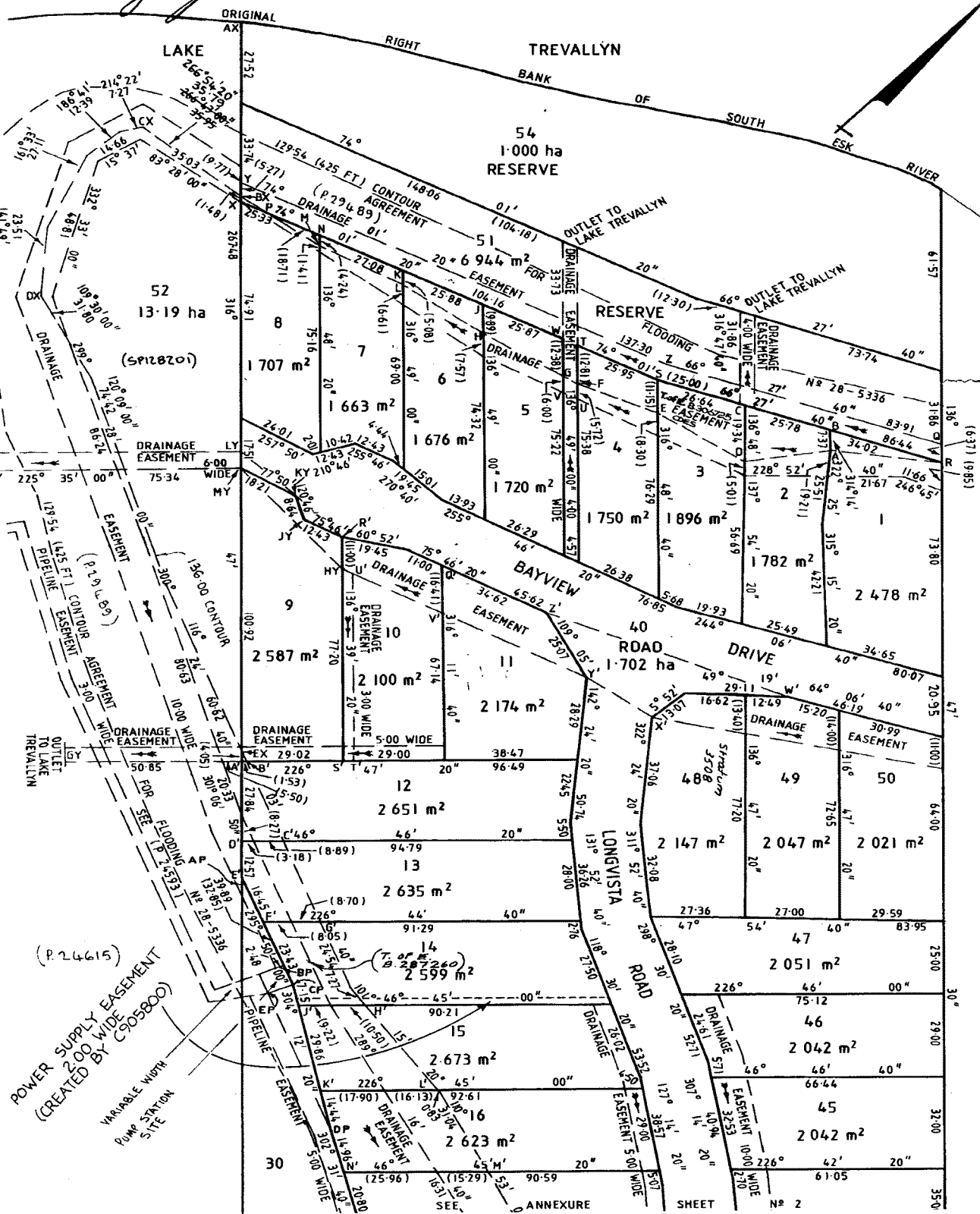
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Owner: 5aneith Pty. Ltd.	PLAN OF SURVEY by Surveyor: C.J. Cohen of land situated in the	Registered Number: S.P29894
Title Reference: C.T. Vol. 4263 Fol. 30 C.T. Vol. 4193 Fol. 14 C.T. Vol. 4193 Fol. 16	LAND DISTRICT OF CORNWALL PARISH OF LAUNCESTON	Approved: 6 - NOV 1986 Effective from: 6 - NOV 1986
Grantee: Whole of 40 acres located to Charles Edwards. Part of 500 acres located to Patrick Oatrymple. Part of 1536 acres granted to Thomas Scuff Kelsey.	SCALE 1: 7 500 MEASUREMENTS IN METRES	Recorder of Titles

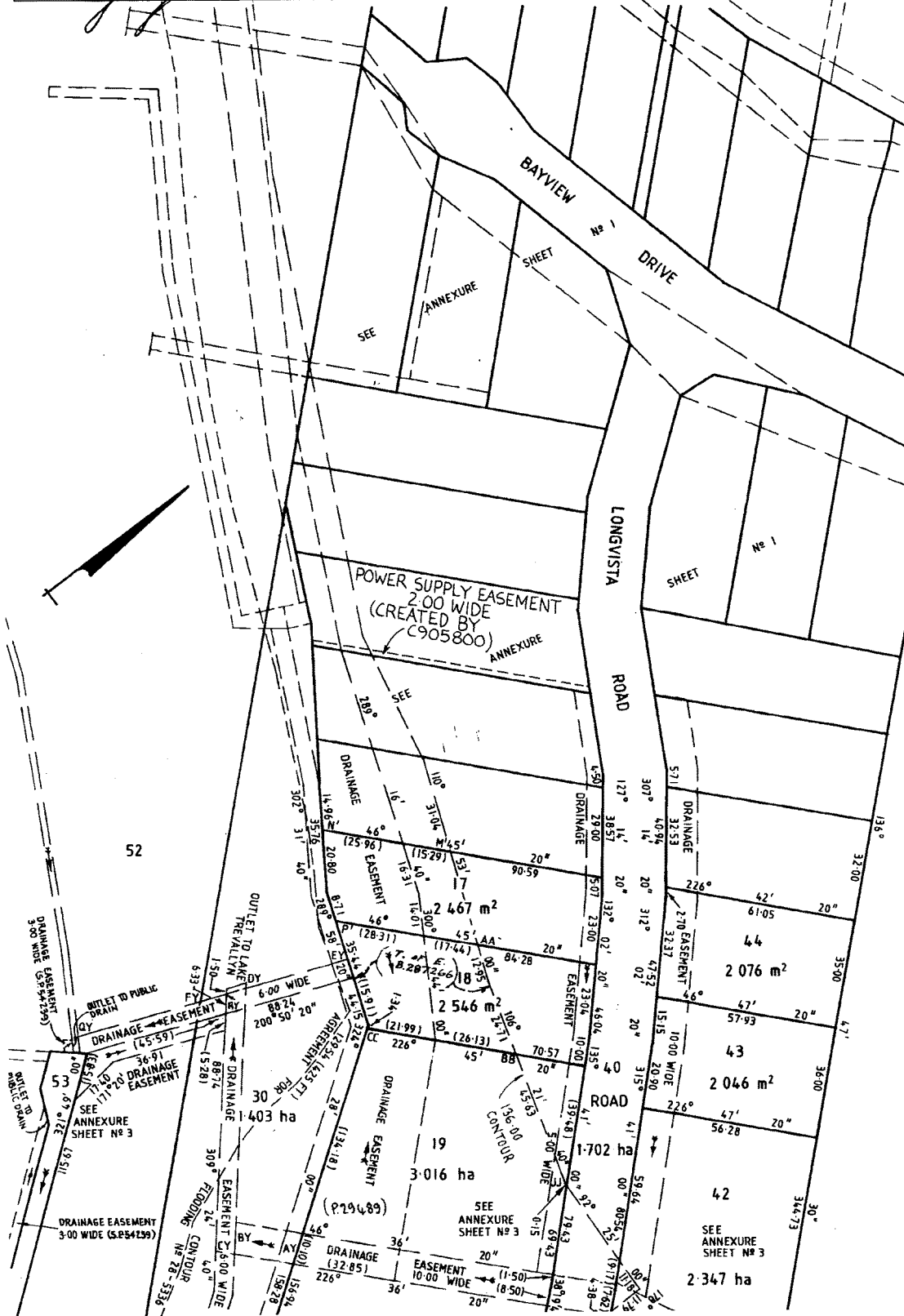


<p>ANNEXURE SHEET No. 1 (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.</p> <p>Surveyor: C.J. Cohen <i>[Signature]</i></p>	<p>Registered Number: \$ P29894</p>
<p>Signed for the purposes of identification _____</p> <p>Council Clerk _____</p>	<p>Owner: Sanaith Pty. Ltd. C.T. Vol. 4263 Fol. 30 Title Reference: C.T. Vol. 4193 Fol. 14 C.T. Vol. 4193 Fol. 16</p>	<p>Scale 1: 1 000</p> <p>Measurements in Metres</p>



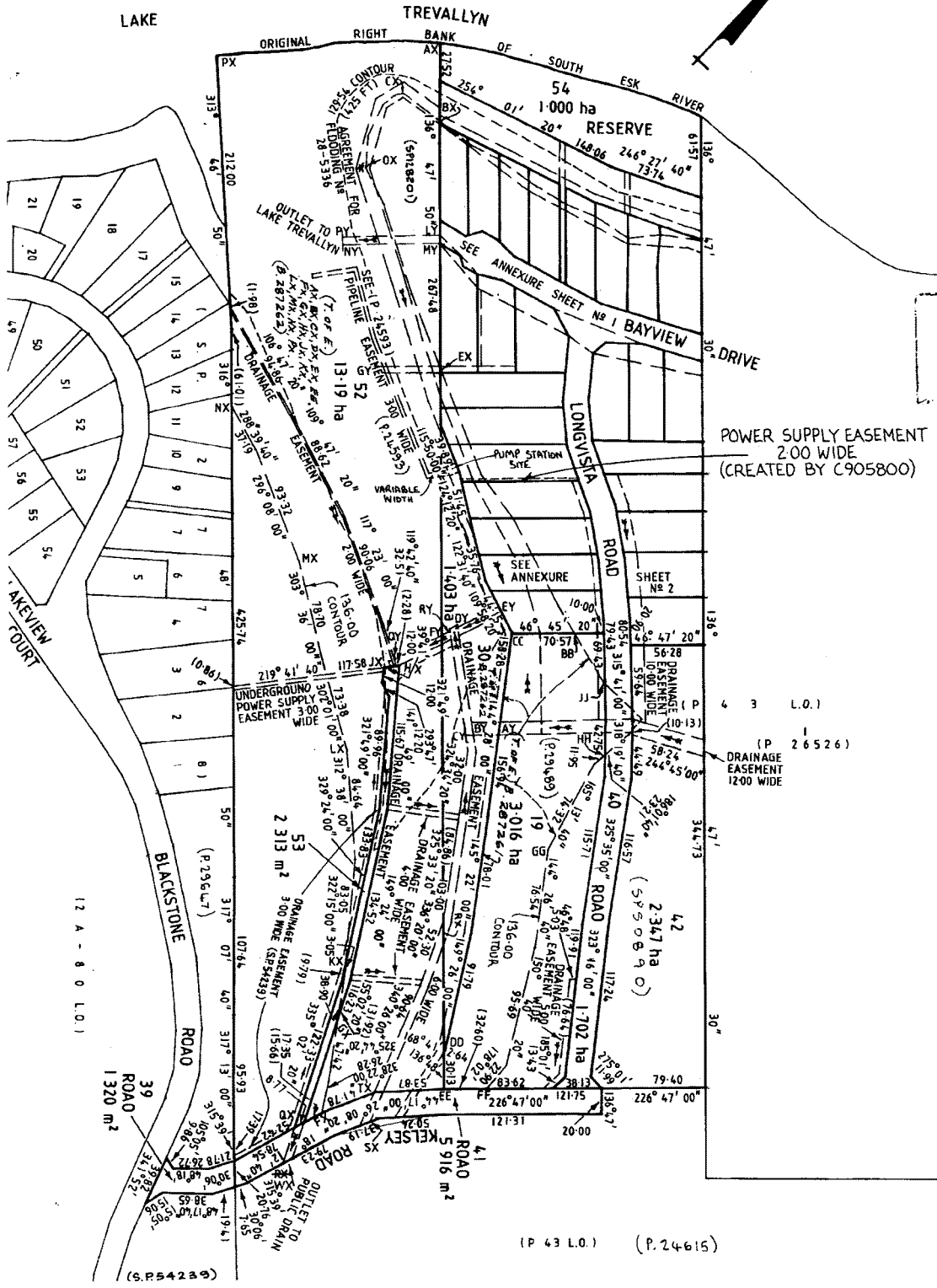
OS K 1109

<p>ANNEXURE SHEET No. 2 (of 3 annexures) to plan by Surveyor</p> <p>Signed for the purposes of identification</p> <p>Council Clerk: <i>[Signature]</i></p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.</p> <p>Surveyor: C. J. Cohen <i>[Signature]</i></p> <p>Owner: Saneith Pty. Ltd. C.T. Vol. 4263 Fol. 30 Title Reference: C.T. Vol. 4193 Fol. 14 C.T. Vol. 4193 Fol. 16</p>	<p>Registered Number: S.P29894</p> <p>Scale 1:1000</p> <p>Measurements in Metres</p>
	<p>Measurements in Metres</p>	



<p>ANNEXURE SHEET No. 3 (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated _____ and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: S. P29894</p>
<p>Signed for the purposes of identification</p>	<p>Surveyor: C. J. Cohen <i>[Signature]</i></p>	<p>Scale 1:2500</p>
<p>Council Clerk: <i>[Signature]</i></p>	<p>Owner: Saneith Pty. Ltd. C.T. Vol. 4263 Fol. 30 Title Reference: C.T. Vol. 4193 Fol. 14 C.T. Vol. 4193 Fol. 16</p>	<p>Measurements in Metres</p>

Lot 30 is to be added to Lot 52





SCHEDULE OF EASEMENTS

PLAN NO.

S. P29894

NOTE:--The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

EASEMENTS AND PROFITS

Each lot on the plan is together with:--

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
(2) any easements or profits à prendre described hereunder.

Each lot on the plan is subject to:--

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
(2) any easements or profits à prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

THIS COPY SCHEDULE CONSISTS OF 7 PAGES

EASEMENTS

Lots 30, 41, and 52 on the plan are each subject to an easement created by Transfer Number A979664 made between Mt. Leslie Estates Proprietary Limited and Tasmanian Country Club Casino Proprietary Limited (hereinafter called "the Transferee") in the following terms. The full right and liberty for the Transferee and its successors in title and the owners and occupiers for the time being of the land in Folio of the Register Volume 4166 Folio 98 (hereinafter called "the dominant land") to draw and convey water from the South Esk River to the dominant land by means of a water supply pipe line and water pumping equipment installed or to be installed as hereinafter appears within that portion of such Lot (hereinafter called "the servient land") marked "PIPELINE EASEMENT 3.00 WIDE, PIPELINE EASEMENT VARIABLE WIDTH, PUMP STATION SITE AND marked "Pipe line easement 5.00 wide" on the Plan and for the purpose:

To instal lay relay inspect maintain repair renew remove and cleanse a 150 millimetre water supply pipe line along within and under the strips of land marked "Pipeline Easement" on the plan and at a depth where practicable of at least one half of a metre below the surface together with all such sluice and other valves manholes inspection openings stopcocks and other fittings and whatever nature as may be necessary and * SUBJECT to the full right and liberty for the Transferee and its successors in title and owners and occupiers for the time being of the dominant land for the within purpose to

* TO INSTAL CONSTRUCT RECONSTRUCT INSPECT MAINTAIN REPAIR RENEW REMOVE AND CLEANSE THE WATER PUMPING EQUIPMENT UPON THE LAND MARKED "PUMP STATION SITE" ON THE PLAN.

X These amendments made by me pursuant to Request to Amend C 339221 under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

Alice Kawa
Recorder of Titles
25/07/2002

29894

enter upon such lot at any time with or without inspectors workmen servants agents or other persons authorised by the Transferee to pass and repass on foot or with motor vehicles in over and along and upon such Lot PROVIDED THAT the water supply pipeline shall be of such strength and so jointed in every part as not to permit the escape of any water passing through the same AND PROVIDED FURTHER THAT the Transferee and its successors in title and the owners and occupiers for the time being of the dominant land shall make good any damage or disturbance which may be caused to such lot in relation to any installation inspection maintenance repair renewal removal replacement or cleaning of the water supply pipeline and the water pumping equipment.

Lots 30, 51, 52, 53 and 54 are each SUBJECT TO an easement created by Agreement No. 28/5336 made between John Leake Hudspeth (herein called "the Owner") and The Hydro Electric Commission (herein called "the Commission") in the following terms:-

ALL THAT the full and free right and liberty from time to time and at all times and for such length of time as the Commission may decide to submerge either wholly or in part the strip of land marked "Agreement for Flooding" on the Plan the Owner thereby agreed to release the Commission their successors and assigns from and against all actions costs claims and demands in respect of the flooding of the said land or any part thereof and in respect of all or any damage to the surface of the said land and the crops trees herbage and stock and the fences and gates hedges and other boundaries in or upon the said land or any part thereof AND the owner granted unto the Commission their successors and assigns full right and liberty to enter into and upon the said land and to cut and remove burn or otherwise dispose of such trees scrub and other growth as may be deemed in the absolute discretion of the Commission to be necessary for the better performance of the hereinbefore recited works and construction access over the remaining land of the Owner to the said land to be over such route as the Owner shall approve.

lots 1 to 9 (inclusive, 11 to 19 (inclusive), 48, 49 and 50 are each subject to a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easements passing through such lots, EXCLUDING THE DRAINAGE EASEMENT 5.00 WIDE PASSING THROUGH LOTS 15 TO 19 ON THE PLAN.

Lot 9 is subject to a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement R', HY, MY, KY, JY passing through such lot.

Lot 10 is SUBJECT TO a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement Q'R'S'T'U'V' passing through such lot.

~~Lots 15, 16, 17, 18 and 19 are each SUBJECT TO a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easements passing through such lots Excepting that no such right is created over the drainage easement 5.00 metres wide passing through such lots.~~

~~Lot 30 is subject to a right of drainage appurtenant to the land comprised in~~

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NOTE: — Every annexed sheet shall be signed by the parties to the dealing, or where the party is a corporate body, be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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~~Lot 30~~ ¹¹⁰¹⁹ IS SUBJECT TO A RIGHT OF DRAINAGE APPURTENANT TO THE LAND COMPRISED IN the Folio of the Register Volume 4193 Folio 13 over drainage easements AY,BY (10.00 metres wide), CY,DY (6.00 metres wide) and EY,FY (6.00 metres wide) passing through such lot.

Lot 40 is subject to a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easements R',JY,KY and KY,MY,LY passing through such lot.

Lot 40 is SUBJECT TO a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement 10.00 metres wide and the drainage easement W'X'Y'Z' passing through such lot.

Lot 41 is subject to a right of drainage appurtenant to the balance of the land remaining in the Folio of the Register Volume 4193 Folio 16 at the date of acceptance hereof excluding Lots 52 and 53 and the said lot on the Plan over the drainage easements SX, TX (6.00 metres wide) passing through such lot.

Lot 42 is subject to a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement 12.00 metres wide passing through such lot.

Lot 51 is SUBJECT TO a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement ~~QRSTUWXYZ~~ ^{ARXY} passing through such lot.

Lot 52 is subject to a right of drainage appurtenant to the land comprised in the Folio of the Register Volume 4193 Folio 13 over the drainage easement EX,GY (5.00 metres wide), FY,QY (6.00 metres wide) and LY,MY,NY,PY (6.00 metres wide) passing through such lot.

~~Lot 52 is SUBJECT TO a right of drainage appurtenant to the land in Sealed Plan No. 27768 over the drainage easement 3.00 metres wide passing through such lot.~~

~~Lot 53 is SUBJECT TO a right of drainage appurtenant to the lots shown on Sealed Plan No. 27768 over the drainage easement comprising the whole of such lot.~~

Lot 52 on the Plan is subject to a right for the Warden Councillors and Electors of the Municipality of Westbury from time to time and at all times hereafter at their will and pleasure with or without workmen servants agents or other persons authorised by them to enter upon and under the strip of land 3.00 metres wide delineated and shown on the Plan as "Underground Power Supply Easement" passing through such lot for the purpose of laying relaying inspecting maintaining repairing renewing removing and operating a line or lines of underground power supply cables and appurtenant equipment doing as little damage as maybe and at all times hereafter making good any disturbance to the soil and so far as may be possible replacing any excavated soil.

FENCING COVENANT

The owners of lots 1 to 19 (inclusive) and lots ~~41~~ ⁴² to ~~51~~ ⁵⁰ (inclusive) on the Plan covenants with the Vendor, Saneith Proprietary Limited, that the Vendor shall not be required to fence.

COVENANTS

A. The owner of Lots 1 to 19 (inclusive) and ~~42~~ ^{X 43} to 50 (inclusive) on the

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Annexure to Memorandum of dated

from to

A. L. M.

Lot 30 is subject to a right of drainage (appurtenant to the balance of the land remaining in Folio of the Register Volume 4193 Folio 16 at the date of acceptance hereof, excluding Lots 41, 52 and 53 on the Plan) over the Drainage Easement marked R.X. D.Y. and R.Y. F.Y. on the Plan.

Lot 52 is subject to a right of drainage (appurtenant to the said balance) over the Drainage Easement marked F.Y. Q.Y. on the Plan. and the Drainage Easement marked T.X. R.X.

Lot 53 is subject to a right of drainage (appurtenant to the said balance) over the whole of such Lot.

Lot 51 is subject to a right of drainage (appurtenant to the land comprised in Folio of the Register Volume 4193 Folio 13) over the Drainage Easement marked T.U.V.W. on the Plan.

Lot 52 is subject to a right of drainage (appurtenant to the land comprised in Folio of the Register Volume 4193 Folio 13) over the Drainage Easement 10.00 wide shown passing through the said Lot 52.

Lot 52 is subject to a right of drainage for the Warden Councillors and Electors of the Municipality of Westbury over the Drainage Easement 2.00 wide shown passing through the said Lot 52.

Lot 53 is subject to a right of drainage for the Warden Councillors and Electors of the Municipality of Westbury over the whole of such Lot.

Lot 30 is subject to a right of drainage (appurtenant to the land comprised in Folio of the Register Volume 4193 Folio 13) over the Drainage Easements marked A.P. B.P. and C.P. D.P. E.P. on the Plan

Lot 41 is subject to a right of drainage (appurtenant to the said balance and for the Warden Councillors and Electors of the Municipality of Westbury) over the Drainage Easement marked W.X. Q.X on the Plan. *A. L. M.*

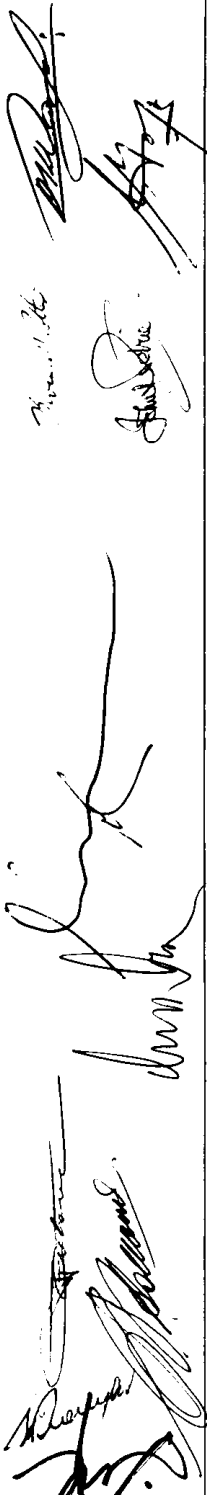
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from to
Plan covenants with the Vendor Saneith Proprietary Limited and the owners for the time being of each of Lots 1 to 19 (inclusive) and 42 to 50 (inclusive) on the Plan (other than the covenantor's Lot) to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of Lots 1 to 19 (inclusive) and 42 to 50 (inclusive) shown on the Plan (other than the covenantor's lot) to observe the following stipulations:-

1. Not to erect on such Lot any building carport or garage the outer walls of which are constructed of any material other than brick stone or concrete brick or the roof of which is constructed in any material other than tiles or colourbond iron.
2. Not to erect place or use upon such Lot any shop building or erection whatsoever for the purpose of selling or offering or exposing for sale therein any articles wares or merchandise whatsoever.
3. Not to erect or place upon such Lot or any part thereof any hoarding or structure for use as a bill posting or advertising station.
4. Not to affix or display on any wall or fence upon such Lot or any part thereof any posters bills hoarding or advertisements (except any notice or advertisement in the usual form for the sale or letting of such Lot or any building erected thereon).
5. Not to cut down or remove from such Lot any green trees without the consent in writing of the Warden Councillors and Electors of the Municipality of Westbury first had and obtained.
6. Not to erect instal or amend any drainage pipes or drainage dissipators on such Lot or any part thereof which cause or may cause any storm water to enter or cause damage to any adjoining Lot or to any road shown on the plan or any area adjacent to such road.
7. Not to store heap or permit to be excavated carried away or removed from such Lot or any part thereof any trees logs earth clay stone gravel or sand except such as may be necessary for the purpose of road or driveway construction and levelling or filling of such Lot or for the formation of any building swimming pool or barbecue to be constructed thereon.
8. Not to permit or allow any engine or machinery to be worked or driven by steam gas electric or other mechanical power and used for any trade operations to be erected affixed or placed on any part of such Lot.
9. Not to carry on or permit or allow to be carried on on such Lot or any part thereof any trade or business.
10. Not to keep or allow to be kept on any such Lot any bird or animal other than a domestic pet.

NOTE — Every annexed sheet shall be signed by the parties to the dealing, or where the party is a corporate body, be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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Annexure to Memorandum of ... dated ... from 11. Not to subdivide such Lot, provided however that the owner for the time being of Lot 19 may subdivide such Lot.

B. The owner of each of Lots 1 to 19 (inclusive) and 42 to 47 (inclusive) and 49 and 50 on the Plan covenants with the Vendor Saneith Proprietary Limited and the owners for the time being of Lots 1 to 19 (inclusive) and 42 to 50 (inclusive) on the Plan (other than the covenantor's Lot) to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of Lots 1 to 19 (inclusive) and 42 to 50 (inclusive) shown on the Plan (other than the covenantor's Lot) to observe the following stipulations:-

- 1. Not to erect on such Lot any other than a private dwelling house and buildings appurtenant thereto.
2. Not to erect on such Lot a dwelling house which has exclusive of the appurtenant buildings a floor area of less than 160 square metres.

C. The owner of Lot 48 on the plan covenants with the Vendor Saneith Proprietary Limited and the owners for the time being of each of Lots 1 to 19 (inclusive) and 42 to 47 (inclusive) and 49 and 50 shown on the Plan to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of Lots 1 to 19 (inclusive) and 42 to 47 (inclusive) and lots 49 and 50 shown on the Plan, to observe the following stipulations:-

- 1. Not to erect on such Lot any other than either:- (i) a private dwelling house and buildings appurtenant thereto; or (ii) not more than four home units with or without garages or carports to be sold and held under the system of stratum titles.
2. Not to erect on such Lot any private dwelling house which, excluding any buildings appurtenant thereto, shall have a floor area of less than 160square metres.
3. Not to erect on such Lot any home unit which, excluding any garage or carport, shall have a floor area of less than 80 square metres.

D. The owner of each of Lots 1 to 8 (inclusive), 12 to 19 (inclusive), 30, 51, 52 and 54 on the Plan covenants with the Vendor, Saneith Proprietary Limited, and the owners for the time being of each and every lot shown on the Plan (other than the Covenantor's Lot) to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of each and every lot (other than the covenantor's lot) shown on the Plan to observe the following stipulations:- that he will not construct or cause to be constructed any building or

1/31/2006 Recorder of Titles

Alice Kava

Covenant number A11 amended by me pursuant to Request to Amend No. C695045 made under Section 103 of Local Government (Building & Miscellaneous Provisions) Act 1993

OS 564

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Thomas A. Kelly
James D. ...
[Signature]
[Signature]
[Signature]
[Signature]

Annexure to Memorandum of dated

from to

structure whatsoever on that portion of such lot which lies below standard level 136.00 based on State Datum and is indicated on the Plan as applying to such lot in reference to the following table (provided that this covenant shall not apply in respect of any part of the portion of his lot as hereinafter specified which is raised to standard level 136.00 based on State Datum and in respect of which the written consent to build has been provided by the Warden Councillors and Electors of the Municipality of Westbury):-

- Lot 1 R,A,B.
- Lot 2 A,B,C,D.
- Lot 3 C,D,E,S.
- Lot 4 S,E,F,T.
- Lot 5 W,G,H,J.
- Lot 6 H,J,K,L.
- Lot 7 K,L,M,N.
- Lot 8 M,N,P.
- Lot 12 A',B',C',D'.
- Lot 13 C',D',E',F'G'.
- Lot 14 F',G',H',J'
- Lot 15 H',J',K',L'.
- Lot 16 K',L',M',N'.
- Lot 17 M',N',P'AA.
- Lot 18 P',AA,BB,CC.
- Lot 19 BB,CC,DD,EE,FF,GG,HH,JJ.
- Lot 30 Entire Lot.
- Lot 51 Entire Lot.
- Lot 52 AX,BX,CX,DX,EX,EE,FX,GX,HX,KX,LX,MX,NX,PX.
- Lot 54 Entire Lot.

EXECUTED by **SANEITH PTY. LTD.** as)
Registered Proprietor of the land)
comprised in the Folios of the)
Register Volume 4193 Folios 14 and 16)
and Volume 4263 Folio 30 by its)
Attorneys **PETER CLEM DIXON** and)
WILLIAM PETER MARIA ZEEMAN under)
Power of Attorney No. 62/4373 (and the)
said Attorneys warrant that they have)
received no notice of revocation of)
the said Power of Attorney) in the)
presence of:-)

[Signature]

m B Tolson
Law Clerk
Lannceston

NOTE - Every annexed sheet shall be signed by the parties to the dealing, or where the party is a corporate body, be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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Annexure to Memorandum of dated

from to

SIGNED by NATIONAL WESTMINSTER)

FINANCE AUSTRALIA LIMITED as Mortgagee)

under Mortgages registered No. ^{B2766} ~~B7268~~)

and No. B56531 by its Attorneys)

Gregory Garnett Hope)

and Desmond Kenneth Sward)

pursuant to Power of Attorney)

registered No. ^{62/4370} ~~60/7575~~ which the)

Attorneys hereby declare that they)

have received no revocation of the)

within power in the presence of:-)

[Signature]
Patricia Robyn Smith
28 Riverdowns Drive, Margate. Typist/Clerk

[Handwritten signatures]

0656B/CEH

SIGNED BY WARREN LYALL BULLEY

and KEVIN ARTHUR THOMPSON

as Attorneys for Mercantile Credits Limited under Power of Attorney * Registered No. 62/2478 and who hereby certifies that they have not received any notice of revocation of the said Power in the presence of

[Signature]
.....
[Signature]
431 St Helens Road
Melbourne

[Handwritten signatures]

* As Mortgagee under Mortgage No. B56022

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OS 564

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Annexure to Memorandum of _____ dated _____

from _____ to _____

THE COMMON SEAL of THE UNITING)
CHURCH IN AUSTRALIA PROPERTY TRUST)
(TAS.) Mortgagee under Registered)
Mortgage No. A979666 was hereunto)
affixed in the presence of:-)



Thom...
Trustee

Handwritten signature
Trustee

SIGNED by WILLIAM PETER MARIA)
ZEEMAN and PHILIP RAYMOND PAGE,)
Mortgagees under Mortgage registered)
No. A979666, in the presence of:-)

Large handwritten signature

m B Trenow
(Margaret Blanche Trenow)
law clerk
Launceston

EXECUTED by ELDERS LENSWORTH FINANCE)
LIMITED, as Mortgagee under Mortgage)
registered No. B2934, by its Attorneys))
under Power of Attorney Number 61/7548))
and the said signatories declare that)
they have received no notice of)
revocation of the said power, in the)
presence of:-)

Handwritten signature
TIMOTHY JOHN WESTOVER
Lending Manager

Handwritten signature
CLIVE FREDERICK HOLLANDS
Manager - Victoria

Handwritten signature
BRUNE SANTI
351 COLLINS ST. MELBOURNE

Handwritten signature

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This is the schedule of easements attached to the plan of
(Insert Subdivider's Full Name)

SANEITH Pty Ltd

..... affecting land in

C.T. Vol. 4263 Fol. 30, Vol 4193 Fol 14, Vol 4193 Fol 16.

(Insert Title Reference)

Sealed by MUNICIPALITY OF NESTBURY on 14TH JULY 1986

Solicitor's Reference
Council Clerk/Town Clerk

[Handwritten Signature]

OS K 3134

GOV 1 NOTICE OF MOTION – RESCIND DECISION

198/2018 – CR MICHAEL KELLY

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Cr Kelly.

2) Background (Cr Kelly)

Background:

At the Ordinary Council meeting October 2018, Council passed the following Notice of Motion:

“that Council correspond with the Tasmanian Minister for Police (and Labor and Greens spokespeople) seeking a review of the Firearms Act 1996 to consider the inclusion within the legislation, a requirement that, prior to issue of any licence to retail firearms and ammunition, including at Quamby Brook, that the application(s) be subject to widespread community consultation, including, municipal, regional and State communities.”

The motion was carried four to three (two Councillors were absent).

I believe the motion should be rescinded for the following reasons:

- The matter was not discussed at workshop with the full Council prior to consideration at the October meeting
- It is not an issue within the community and has not been raised by community representatives
- The proposal, that prior to an issue of a licence that there be widespread community consultation, is not practical and does not recognise the thorough vetting processes already in place
- It should have been a matter for the new Council to consider

In addition I do not think it is a Council matter.

For the reasons listed above I believe the motion should be overturned, and if necessary brought to a Council workshop for further discussion.

3) Strategic/Annual Plan Conformance

Not applicable.

4) Policy Implications

Not applicable.

5) Statutory Requirements

The following subsections of Regulation 18 (Motion to overturn decision) of the Local Government (Meeting Procedures) Regulations 2015 are applicable:

1. For the purposes of this regulation, a decision may be overturned, wholly or partly, by –
 - a. motion directly rescinding or otherwise overturning the decision or part of the decision; or
 - b. motion that conflicts with, or is contrary to, the decision or part of the decision.

2. A council or council committee may only overturn a decision passed at a previous meeting held since the last ordinary election –
 - a. by an absolute majority, in the case of a council; or
 - b. by a simple majority, in the case of a council committee.

6) Risk Management

Not applicable.

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 amend or not support the recommendation

11) Officers Comments

Regulation 18 of the Local Government (Meeting Procedures) Regulations 2015 requires the General Manager to provide a report to Council when considering a motion to overturn a decision which includes a response to the following matters:

- a. a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and
- b. the details of that previous decision, or the part of that previous decision, that would be overturned; and
- c. advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and
- d. if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out.

If Council resolved to support the Notice of Motion from Cr Kelly it would overturn the previous decision. In doing so, Council would not write to the Minister for Police seeking the inclusion of a provision within the Firearms Act 1996 which requires an application for a retail firearms and ammunition license to be subject to widespread community consultation.

The action to write to the Minister for Police included as part of the decision made at the October Ordinary Council Meeting has not been carried out.

There is nothing preventing Council from overturning the decision.

AUTHOR: Martin Gill
General Manager

12) Recommendation (Cr Kelly)

That Council, under regulation 18 of the Local Government (meeting Procedures) Regulations 2015, by absolute majority, rescind decision 198/2018 made at the Ordinary Council Meeting October 2018.

DECISION:

GOV 2 APPOINTMENT OF COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES AND ORGANISATIONS

1) Introduction

The purpose of this report is to consider Council representation on various committees and organisations.

2) Background

Council undertakes an annual review of its representatives on various Committees and organisations. The review usually occurs at the November Council workshop following the election and is brought to the Ordinary Council meeting in December for formal consideration.

In some cases Council has legislative requirement to provide a representative, in other cases Council participates in an external committee to further the objectives of the community strategic plan or to support a regional initiative.

This is year, however, the timing of General Meetings and Annual General Meetings for three external organisations where Council is required to have a representative means that Council needs to consider the appointment of representatives to:

- Northern Tasmania Development Corporation
- TasWater
- Local Government Association of Tasmania

The previous Council appointed the Mayor as the elected member to act as the representative for the organisations listed above.

The table below outlines the representatives that are required to be appointed.

Organisation	Representative
<i>Northern Tasmania Development Corporation</i>	1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government Committee
<i>TasWater</i>	1 elected member as Shareholder and 1 elected member as proxy
<i>Local Government Association of Tasmania</i>	1 elected member and Proxy/s

3) Strategic/Annual Plan Conformance

Further the objectives of the Council's Community Strategic Plan 2014 to 2024:

- Future Direction (5): Innovative leadership and community governance

4) Policy Implications

Not applicable

5) Statutory Requirements

Council is a voting shareholder in TasWater under the Water and Sewerage Corporation Act 2012 and is required to nominate a representative to act as a shareholder.

6) Risk Management

Not applicable.

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 resolve to appoint other elected members as representatives.

11) Officers Comments

As discussed in the Statutory requirement section of this report Council has a legislative obligation to provide a representative for TasWater. With respect to the other organisations referred to in this report:

- Council is a shareholder in the Northern Tasmania Development Corporation and bound by the corporation's constitution to provide representatives.
- Council is a paying member of the Local Government Association of Tasmania subject to the Rules of the Association which require Council to provide a voting delegate.

Council will have an opportunity to review all of the representative appointments to the various committees and organisations at the November workshop, but it is recommended Council resolve to appoint representatives to the following external organisations in order to meet our obligations and continue to participate in decision making processes.

Organisation	Representative
<i>Northern Tasmania Development Corporation</i>	Elected member <ul style="list-style-type: none">• Mayor Local Government Committee <ul style="list-style-type: none">• Mayor• General Manager
<i>TasWater</i>	Shareholder <ul style="list-style-type: none">• Mayor Proxy <ul style="list-style-type: none">• Deputy Mayor
<i>Local Government Association of Tasmania</i>	Elected member <ul style="list-style-type: none">• Mayor Proxies

Organisation	Representative
	<ul style="list-style-type: none"> • Deputy Mayor • General Manager

AUTHOR: Martin Gill
GENERAL MANAGER

12) Recommendation

It is recommended that Council resolve to appoint the following representatives:

Organisation	Representative
<i>Northern Tasmania Development Corporation</i>	Elected member <ul style="list-style-type: none"> • Mayor Local Government Committee <ul style="list-style-type: none"> • Mayor • General Manager
<i>TasWater</i>	Shareholder <ul style="list-style-type: none"> • Mayor Proxy <ul style="list-style-type: none"> • Deputy Mayor
<i>Local Government Association of Tasmania</i>	Elected member <ul style="list-style-type: none"> • Mayor Proxies <ul style="list-style-type: none"> • Deputy Mayor • General Manager

DECISION:

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor xx moved and Councillor xx seconded ***“that pursuant to Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public to discuss the following items.”***

GOV 3 CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 9 October, 2018.

GOV 4 LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

INFRA 1 CONTRACT No 197-2018/19 - DESIGN AND CONSTRUCTION OF BANKTON ROAD BRIDGES

(Reference Part 2 Regulation 15(20)(d) in dealing with matters relating to contracts for the supply and purchase of goods or services)

The meeting moved into Closed Session at x.xxpm

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

.....
WAYNE JOHNSTON (MAYOR)