



Meander Valley Council  
Working Together

# **ORDINARY MINUTES**

**COUNCIL MEETING**

**Tuesday 8 December 2020**

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Minutes of the Ordinary Meeting of the Meander Valley Council held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 8 December 2020 at 4.00pm.

**PRESENT**

Mayor Wayne Johnston, Deputy-Mayor Michael Kelly, Councillors Susie Bower, Stephanie Cameron, Tanya King, Frank Nott, Andrew Sherriff, Rodney Synfield and John Temple.

**APOLOGIES**

Nil

**IN ATTENDANCE**

John Jordan, General Manager  
Dino De Paoli, Director Infrastructure Services  
Jonathan Harmey, Director Corporate Services  
Matthew Millwood, Director Works  
Krista Palfreyman, A/Director Community & Development Services  
Merrilyn Young, Executive Assistant  
Jacqui Parker, Governance Coordinator  
Jo Oliver, Senior Strategic Planner  
Natasha Whiteley, Town Planner  
Justin Marshall, Senior Accountant

**229/2020 CONFIRMATION OF MINUTES**

Councillor Sherriff moved and Councillor Nott seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 10 November 2020, be received and confirmed.”***

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***

## 230/2020 COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
24 November 2020	<ul style="list-style-type: none"> <li>• Representations to Draft Amendment 1/2020 – Westbury Urban Residential Growth</li> <li>• Draft Amendment 3/2020 – Harrison Residential Estate</li> <li>• Presentation – Tasmania Fire Service</li> <li>• Presentation – Launceston Country Club proposed rezoning for urban development</li> <li>• Council Meeting Dates and Time 2021</li> <li>• Community Strategic Plan</li> <li>• Restructure Progress Update</li> <li>• Special Committee Elected Member representation</li> <li>• Teen Challenge proposal re Meander School Lease</li> <li>• Future of Meander School</li> <li>• Planning Application – 5271 Bass Highway, Deloraine</li> <li>• Events Calendar</li> <li>• General Manager Performance Review</li> <li>• Bracknell Hall Redevelopment Project Update</li> <li>• Items for Noting – a) Review of Policy No. 15 b) TasRail Joint Assets Interface Agreement c) Deloraine Squash Court – Project Update</li> </ul>

## 231/2020 ANNOUNCEMENTS BY THE MAYOR

### **10 November 2020**

Council Meeting

### **11 November 2020**

Deloraine Remembrance Day Service

### **19 November 2020**

NTDC AGM

### **24 November**

Council Workshop

### **25 November**

Recyclable Road Program – media

### **1 December**

Federal Group GM Cocktail Party

### **2 December**

NTDC Mayors Meeting

### **5 December**

MVC Christmas Dinner

### **6 December**

Picnic at the Plains – Dairy Plains Hall

## **232/2020 ANNOUNCEMENTS BY COUNCILLORS**

### *Councillor Susie Bower*

3 November	Carrick Hall Committee Meeting
4 November	Deloraine Art Trail Walk
10 November	Bracknell Hall Redevelopment Meeting
10 November	Council Meeting
11 November	Westbury RSL Remembrance Day Service
14 November	Mole Creek Progress Association Meeting
23 November	Meander Progress Association Meeting
24 November	Council Workshop
24 November	Meander Valley Suns AGM
1 December	Bracknell Hall Redevelopment Meeting
1 December	Carrick Hall Committee Meeting

### *Councillor Stephanie Cameron*

10 November	Council Meeting
14 November	Mole Creek Community BBQ
18 November	WasteNot Awards
24 November	Council Workshop
28 November	Carrick Community Market & Garage Sale Trail

## **233/2020 DECLARATIONS OF INTEREST**

Nil

## 234/2020 TABLING AND ACTION ON PETITIONS

Nil

## 235/2020 PUBLIC QUESTION TIME

### 1. PUBLIC QUESTIONS TAKEN ON NOTICE – NOVEMBER 2020

Nil

### 2. PUBLIC QUESTIONS WITH NOTICE – DECEMBER 2020

#### 2.1 *Peter Wileman, Westbury*

Has the council done anything to protect the Meander Valley's natural asset at Brushy Rivulet from the wrecking that the government are currently involved in in order to build their 19<sup>th</sup> century style prison? So far we have had a helicopter and a fixed wing airplane illegally flying over the Wedge Tailed Eagle's nesting site, (The FPA states that: "***There should be no helicopters used within 1 km of a known nest during the management constraint period (July-Jan)***"), and when the drilling team went onto the Brushy Rivulet site that still bears the DPIPWE signs saying 'PROTECTED AREA – PLEASE KEEP OUT', in late October neither the trucks nor the personnel disinfected, they had no toilet facilities for the workers and eventually, accepting that the conditions were terrible, they dumped a couple of thousand litres of water that they got from 'who knows where' to be able to extricate their bogged water truck. No ecologist would have allowed for this to happen, but there was no oversight by DPIPWE, Bio-Security Tasmania, or the state government. Is the council prepared to accept this illegal, loutish and bullying behaviour from the state government in respect of a natural asset of the municipality?

#### ***Response by General Manager, John Jordan:***

***The land in question is owned and managed by the Tasmanian Government and is not regulated by Council in respect of the concerns raised. Any concerns should be directed to the relevant Government department.***

### 3. PUBLIC QUESTIONS WITHOUT NOTICE – DECEMBER 2020

Nil

## 236/2020 COUNCILLOR QUESTION TIME

### 1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2020

#### 1.1 Cr John Temple

- a) In recognition of Joseph R. Biden Jr. being likely to soon adopt the mantle of Leader of the Free World, and as he is likely to be the greatest agent for change, will Meander Valley Council this Tuesday, as an urgent item, consider naming the Westbury cricket ground Joseph R. Biden Jr. Park in his honour and wish him well for his term of leadership. In considering this question today, it should be remembered that the Meander Valley relies largely on the good will of the Oval Office for its security and in considering this matter today we can be amongst the first in the world to confer such an honour.

***Response by John Jordan, General Manager:***

***Council's position on this matter needs to be determined. Councillor Temple may present a motion and have the matter dealt with under Section 16 of Local Government (Meeting Procedures) Regulations 2015. This allows Council an opportunity to vote on the motion and signal to the community a position on whether or not there is support for the actions proposed by the Councillor.***

#### 1.2 Cr Rodney Synfield

As a supplementary question to Councillor Temple's should we be getting the advice of the incumbent President before going down the path of renaming the said oval given the motion that came before us a few years ago it might be worth getting his input?

***Response by John Jordan, General Manager:***

***Council's position on this matter needs to be determined. A motion from Councillor Temple could address this aspect.***

## 2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2020

Nil

## 3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2020

### 3.1 Cr John Temple

Has there been any developments regarding the proposed prison in the Westbury area?

***Response by John Jordan, General Manager:***

**No**

### 3.2 Cr Rodney Synfield

Whilst there is a specific agenda item in today's matters before Council regarding Westbury this is a more general matter or question regarding Westbury.

- a) Is it proposed to change to 'Urban Mixed Use Zone' in Westbury to 'Village Zone'.

***Response by Jo Oliver, Senior Strategic Planner:***

**Yes**

- b) Given there has been a number of recent community comments regarding as to whether Westbury should be considered a town or a village, could we get some advice as to the rationale for why the change in zoning is being made?

***Response by Jo Oliver, Senior Strategic Planner:***

***The current Urban Mixed Use zoning in Westbury is the result of particular construction of that zone that was part of the Regional Planning Initiatives that set up the Interim Planning Scheme that came in 2013. This is a very different zone in terms of use to the Urban Mixed Use Zone under the Tasmanian Planning Scheme, which envisages application to areas like Elizabeth Street in North Hobart. The application of the Village Zone in the future, as opposed to Urban Mixed Use Zone is an exercise in the appropriateness of use and the applicable standards under the Tasmanian***



***Planning Scheme. The Village Zone was a better fit in terms of use and development standards for a town like Westbury.***

**237/2020 DEPUTATIONS BY MEMBERS OF THE PUBLIC**

Nil

## **PLANNING AUTHORITY ITEMS**

For the purposes of considering the following Planning Authority items, Council is acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993.

The following are applicable to all Planning Authority reports:

### **Strategic/Annual Plan Conformance**

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

### **Policy Implications**

Not applicable.

### **Legislation**

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

### **Risk Management**

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

### **Financial Consideration**

If the application is subject to an appeal to the Resource Management Planning and Appeal Tribunal, Council may be subject to the cost associated with defending its decision.

### **Alternative Recommendations**

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

### **Voting Requirements**

Simple majority

## **238/2020 5271 BASS HIGHWAY, DELORAINÉ**

The Mayor invited Amelia Reynolds and Selina Scott to address Council regarding this agenda item.

**Planning Application:** PA\20\0153

**Proposal:** Change of Use to include Transport Depot (storage of equipment & machinery, including construction of workshop, shipping container, two (2) new accesses & front fence).

**Author:** Natasha Whiteley  
Town Planner

### **1) Recommendation**

***It is recommended that the application for Use and Development for Transport Depot (storage of equipment & machinery, including construction of workshop, shipping container, two (2) new accesses & front fence) on land located at 5271 Bass Highway Deloraine (CT:156209/1), by S Scott, be APPROVED, generally in accordance with the endorsed plans:***

- a) Dornauf Contracting, application information including site plans; Sheets 1 – 8; and**
- b) Eureka Garages & Sheds; proposed shed elevations - 14 x 18 x 5, Sheet 1 of 1; and**
- c) Shipping Container details Sheet 1 of 1; and**
- d) Traffic & Civil Services; Dated 5 October 2020; Traffic Impact Statement; Pages 1-30.**

***and subject to the following conditions:***

- 1. Council approval will be required to be obtained prior to any intensification of the use of the site (including increased vehicle movements to the site) or expansion of the area utilised, beyond that which has been approved in accordance with the endorsed documents.**
- 2. All vehicles and equipment must be garaged and stored within the property boundary. Parking of vehicles in the road reservation of Griffins Road is not permitted.**
- 3. The driveway accesses must be constructed in accordance with**

**Tasmanian Standard Drawings TSDR04 and R05 to the satisfaction of Council's Director Infrastructure Services. The works must be completed by a suitably qualified contractor. Refer Note 1.**

- 4. Road widening off Griffins Road is to be completed by the developer in accordance with the findings of the TCS Traffic Impact Statement and Tasmanian Standard Drawings TSD-R01 to the satisfaction of Council's Director Infrastructure Services. All costs associated with the road widening are at the developer's expense. The works must be completed by a suitably qualified contractor. Refer Note 1.**
- 5. Prior to the construction of the machinery shed and colourbond fence, a colour schedule must be submitted and approved to the satisfaction of Council's Town Planner. Colours must be in tones that blend in with the landscape.**
- 6. Within three (3) months of the date of this approval, the following must be completed to the satisfaction of Council:**
  - a) Three (3) car parking spaces to the east of the shipping container must be formed having a minimum dimension of 2.6m wide by 5.4m long and are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner.**
  - b) The existing access to the transport depot must be upgraded in accordance with Conditions 3 & 4, to the satisfaction of Council's Director Infrastructure Services.**
  - c) The 1.8m high colourbond fence must be erected along the title boundary with Griffins Road in accordance with the endorsed site plan. Refer to Note 4.**
  - d) A landscape plan must be submitted to the satisfaction of Council showing the location of the vegetation screen and the species of vegetation as required in Condition 7, to the satisfaction of Council's Town Planner.**
- 7. Within nine (9) months of the date of this approval, a vegetation screen must be planted and established along the northern extent of the site area on the higher side of the embankment. The vegetation screen must grow to a minimum mature height of 2m. The vegetation screen must be maintained to ensure survival, with any plant that dies replaced. The vegetation screen must not be removed or destroyed**

**without the written consent of Council.**

- 8. Prior to the use of the entry point as shown on the endorsed site plan, directional signage must be erected at both the entry and exit points to clearly direct the flow of traffic. The signs must clearly identify the entry and exit points such as 'Entry Only' and 'No Entry' when viewed from Griffins Road, and 'No Exit' 'Exit Only' when viewed from within the site. The signage visible from Griffins Road must be erected on the property boundary, unless approval is obtained from Council's Road Authority for erection within the road reservation. The signage must be erected to the satisfaction of Council's Town Planner.**

Note:

1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
2. As per the recommendation in the Traffic Impact Statement, the applicant is advised to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over Griffins Road.
3. The applicant is advised to contact WorkSafe Tasmania regarding the requirements for storage of hazardous chemicals. WorkSafe Tasmania can be contacted on 1300 366 322.
4. The use and development is in proximity to TasNetworks powerline. TasNetworks have advised that the colourbond fence should be located 1m from the power poles. The applicant is referred to TasNetwork's Customer Enquires team at [Customer.Enquiries@tasnetworks.com.au](mailto:Customer.Enquiries@tasnetworks.com.au) to discuss the proximity of the development to the powerlines and power poles.
5. 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 Department on (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)
6. 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 (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

7. 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.
8. 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](http://www.rmpat.tas.gov.au).
9. 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.
10. 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.
11. 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](mailto:aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

## DECISION:

Cr Sherriff moved and Cr Cameron seconded ***“that that the application for Use and Development for Transport Depot (storage of equipment & machinery, including construction of workshop, shipping container, two (2) new accesses & front fence) on land located at 5271 Bass Highway Deloraine (CT:156209/1), by S Scott, be APPROVED, generally in accordance with the endorsed plans:***

- a) Dornauf Contracting, application information including site plans; Sheets 1 – 8; and
- b) Eureka Garages & Sheds; proposed shed elevations - 14 x 18 x 5, Sheet 1 of 1; and
- c) Shipping Container details Sheet 1 of 1; and
- d) Traffic & Civil Services; Dated 5 October 2020; Traffic Impact Statement; Pages 1-30.

***and subject to the following conditions:***

1. Council approval will be required to be obtained prior to any intensification of the use of the site (including increased vehicle movements to the site) or expansion of the area utilised, beyond that which has been approved in accordance with the endorsed documents.
2. All vehicles and equipment must be garaged and stored within the property boundary. Parking of vehicles in the road reservation of Griffins Road is not permitted.
3. The driveway accesses must be constructed in accordance with Tasmanian Standard Drawings TSDR04 and R05 to the satisfaction of Council’s Director Infrastructure Services. The works must be completed by a suitably qualified contractor. Refer Note 1.
4. Road widening off Griffins Road is to be completed by the developer in accordance with the findings of the TCS Traffic Impact Statement and Tasmanian Standard Drawings TSD-R01 to the satisfaction of Council’s Director Infrastructure Services. All costs associated with the road widening are at the developer’s expense. The works must be completed by a suitably qualified contractor. Refer Note 1.

- 5. Prior to the construction of the machinery shed and colourbond fence, a colour schedule must be submitted and approved to the satisfaction of Council's Town Planner. Colours must be in tones that blend in with the landscape.**
- 6. Within three (3) months of the date of this approval, the following must be completed to the satisfaction of Council:**
  - a) Three (3) car parking spaces to the east of the shipping container must be formed having a minimum dimension of 2.6m wide by 5.4m long and are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner.**
  - b) The existing access to the transport depot must be upgraded in accordance with Conditions 3 & 4, to the satisfaction of Council's Director Infrastructure Services.**
  - c) The 1.8m high colourbond fence must be erected along the title boundary with Griffins Road in accordance with the endorsed site plan. Refer to Note 4.**
  - d) A landscape plan must be submitted to the satisfaction of Council showing the location of the vegetation screen and the species of vegetation as required in Condition 7, to the satisfaction of Council's Town Planner.**
- 7. Within nine (9) months of the date of this approval, a vegetation screen must be planted and established along the northern extent of the site area on the higher side of the embankment. The vegetation screen must grow to a minimum mature height of 2m. The vegetation screen must be maintained to ensure survival, with any plant that dies replaced. The vegetation screen must not be removed or destroyed without the written consent of Council.**
- 8. Prior to the use of the entry point as shown on the endorsed site plan, directional signage must be erected at both the entry and exit points to clearly direct the flow of traffic. The signs must clearly identify the entry and exit points such as 'Entry Only' and 'No Entry' when viewed from Griffins Road, and 'No Exit' 'Exit Only' when viewed from within the site. The signage visible from Griffins Road must be erected on the property boundary, unless approval is obtained from Council's Road Authority for erection within the road reservation. The signage must be erected to the satisfaction of Council's Town Planner.**



Note:

1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
2. As per the recommendation in the Traffic Impact Statement, the applicant is advised to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over Griffins Road.
3. The applicant is advised to contact WorkSafe Tasmania regarding the requirements for storage of hazardous chemicals. WorkSafe Tasmania can be contacted on 1300 366 322.
4. The use and development is in proximity to TasNetworks powerline. TasNetworks have advised that the colourbond fence should be located 1m from the power poles. The applicant is referred to TasNetwork's Customer Enquires team at [Customer.Enquiries@tasnetworks.com.au](mailto:Customer.Enquiries@tasnetworks.com.au) to discuss the proximity of the development to the powerlines and power poles.
5. 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 Department on (03) 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)
6. 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 (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

7. 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.

8. 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](http://www.rmpat.tas.gov.au).
9. 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.
10. 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.
11. 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](mailto:aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff voting for the motion and Councillors Synfield and Temple voting against the motion.***

## 239/2020 239 WADLEYS ROAD, REEDY MARSH

**Planning Application:** PA\21\0047

**Proposal:** Subdivision (3 Lots)

**Author:** Jo Oliver  
Senior Strategic Planner

### 1) Recommendation

***It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 239 Wadleys Road REEDY MARSH (CT:227697/1) by PDA Surveyors, be REFUSED, for the following reasons:***

- 1. The subdivision does not satisfy 13.4.2.1 P1 in that it creates lots in an arrangement that is not consistent with the purpose of the Rural Living Zone at Reedy Marsh; and***
- 2. The subdivision does not satisfy 13.4.2.2 P1c) as it is not consistent with the Local Area Objectives and Desired Future Character Statements for Reedy Marsh.***

### DECISION:

As an alternate motion Cr King moved and Cr Cameron seconded ***“that the application for a 3 lot subdivision at 239 Wadleys Road, Reedy Marsh can achieve compliance with the Meander Valley Interim Planning Scheme - Performance Criteria for subdivision in the Rural Living Zone through the inclusion of conditions on a permit.***

***In particular, the Local Area Objectives and Desired Future Character Statements for Reedy Marsh to:***

- minimise development visibility from roads and other dwellings;***
- provide for substantial separation between building areas; and***
- minimise the clearance of standing vegetation,***

***are met through:***

- a) the inclusion of conditions for Lot 1 that require the careful location of the boundary fence to avoid the removal of trees within the E. ovata threatened vegetation community identified in the application report;***

- b) a change to the boundary of Lot 2 to provide for a development area, including an appropriate bushfire hazard management area, on the cleared land to the south western side of the proposed Lot 2, adjacent to existing access track; and***
- c) the identification of a designated development area on Lots 1 and 2 with restrictions on native vegetation removal outside of that development area and to require the retention of native vegetation to the frontage of Lot 1, through a Part 5 Agreement.***

***The application is approved subject to the following conditions on the permit:***

**The application for Use and Development for Subdivision (3 lots) on land located at 239 Wadleys Road, Reedy Marsh (CT: 227697/1) by PDA Surveyors Pty Ltd, is APPROVED, generally in accordance with the endorsed plans:**

- a) PDA Surveyors; Plan of Subdivision; Dated 10 August 2020; Reference: 45963-P01; and**
- b) Livingstone Natural Resource Services; Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan – 239 Wadleys Rd, Reedy Marsh; Dated 8 September 2020,**

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 the 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 boundary between Lots 1 and 3 is to be located with the assistance of the qualified vegetation identification expert that prepared the natural values report, to ensure that the majority of the alignment is located outside the extent of the E ovata community, instead of a nominal offset to the creek, to the satisfaction of Council's Town Planner.**

- 3. Where the boundary between Lots 1 and 3 must bisect the E ovata community to the western edge of the site, the boundary line is located to ensure that the installation of a fence does not require the removal of standing vegetation and requires the clearance of understorey only for the purposes of fence installation, to the satisfaction of Council's Town Planner.**
- 4. The south western boundary of Lot 2 is to be reconfigured to provide for a building and bushfire hazard management area on the cleared land to the south west and adjacent to the formed access track. The bushfire hazard management area is to be configured such the removal of standing vegetation is not required, to the satisfaction of Council's Town Planner.**
- 5. Prior to this permit becoming effective, a Section 71 agreement must be executed, that provides the following:**
  - a) A designated development area on Lot 1 that will provide for a minimum of 15 metres depth of retained native vegetation between the frontage and future development area;**
  - b) A designated development area on Lot 2 in accordance with Condition 4; and**
  - c) Restriction on the clearing of native vegetation outside of the designated development area, except in accordance with Conditions 2 and 3 and subject to the management of diseased or unsafe circumstances (excluding bushfire).**

**Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.**

**All costs associated with preparing and registering the Agreement must be borne by the applicant.**

- 6. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
  - a) The proposed driveway access to Lots 1 and 2 must be constructed in accordance with LGAT Standard Drawing TSDR03 & R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1;**
  - b) The boundary fence between Lots 1 and 3 is to be installed in accordance with Conditions 2 and 3 above, to the satisfaction of Council's Town Planner;**
  - c) A revised, certified Bushfire Hazard Management Plan is to be submitted in accordance with the requirements of Condition 4; and**

**d) The section 71 Agreement must be executed and lodged with Council in accordance with the requirements of Condition 5.**

Note:

1. Prior to the commencement of any work within Council's Road Reserve, including construction of the driveways, separate consent is required by the Road Authority. An Application for Works in the Road Reservations is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312 or by email to [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au) .
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](mailto:mail@mvc.tas.gov.au)
3. 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 works commence:
  - a) Permit for vegetation clearance under the *Environment Protection and Biodiversity Conservation* (EPBC) Act 1999.
4. 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.
5. 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](http://www.rmpat.tas.gov.au)
6. 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.

7. 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.
8. 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.
9. 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](mailto:aboriginal@heritage.tas.gov.au)); and
  - c) The relevant approval processes will apply with state and federal government agencies.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff and Synfield voting for the motion and Councillor Temple voting against the motion.***

## 240/2020 DRAFT AMENDMENT 1/2020 – URBAN RESIDENTIAL GROWTH AT WESTBURY - REPORT ON REPRESENTATIONS RECEIVED

The Mayor invited Mr Dale Badcock to address Council regarding this agenda item.

**AUTHOR:** Jo Oliver  
Senior Strategic Planner

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### 1) Recommendation

***It is recommended that Council:***

- 1. Endorse *Attachment 1: Consideration of Representations to Draft Amendment 1/2020* as its report in response to the representations in accordance with Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*.**
- 2. Recommend to the Tasmanian Planning Commission the following modifications to Draft Amendment 1/2020:**
  - a) Include Certificates of Title 15169/1 and 108079/1 in the F6 Westbury Urban Residential Specific Area Plan;**
  - b) Include a new standard at F6.8.2 to provide for a 700m<sup>2</sup> lot size as an Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as detailed in Attachment 1 (Page 26); and**
  - c) Include a new standard at F6.8.3 to provide for public open space along the western boundary of CT129939/2 as a mandatory Acceptable Solution as detailed in Attachment 1 (Page 26).**

### DECISION:

Cr Kelly moved and Cr Bower seconded ***“that Council:***

- 1. Endorse *Attachment 1: Consideration of Representations to Draft Amendment 1/2020* as its report in response to the representations in accordance with Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*;**



2. Recommend to the Tasmanian Planning Commission the following modifications to Draft Amendment 1/2020:
- a) Include Certificates of Title 15169/1 and 108079/1 in the F6 Westbury Urban Residential Specific Area Plan;
  - b) Include a new standard at F6.8.2 to provide for a 700m<sup>2</sup> lot size as an Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as detailed in Attachment 1 (Page 26 of the Minutes); and
  - c) Include a new standard at F6.8.3 to provide for public open space along the western boundary of CT129939/2 as a mandatory Acceptable Solution as detailed in Attachment 1 (Page 26 of the Minutes).

*The motion was declared **CARRIED** with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff and Synfield voting for the motion and Councillor Temple voting against the motion.*

## Attachment 1

### Consideration of Representations to Draft Amendment 1/2020

Planning Authority Report under Section 39 of the Land Use Planning & Approvals Act 1993

Representor	Representation Issue	Statement of Merit
R & W Travis H Pettko A Loader E Hamilton K Mackenzie S Hartam S Scott-Smith	Township Character: <ul style="list-style-type: none"> <li>• Concerns regarding impacts of population growth on village/township amenity and character;</li> <li>• Concerns that the 'village feel' of Westbury will be compromised;</li> <li>• Concerns that additional traffic in the town generally will affect amenity; and</li> <li>• Concerns about the quality of future dwellings, inconsistent with the character of Westbury.</li> </ul>	<p>The number of dwellings that would eventuate through the rezoning is of a level that is not considered to adversely affect the amenity of the town.</p> <p>Westbury is an active district centre with a good level of service in community facilities such as primary school, health centre, sports ground and sporting clubs, emergency services and government offices. In addition Westbury is well serviced by private services such as doctor surgeries, pharmacy, veterinary surgery, post office, tourist accommodation, hospitality and food outlets, service station and retail outlets, including a significant new supermarket, all of which are combined with popular tourism offerings. The combination of these services is of a level that reflects an active district centre for a broader population and not a small 'village'.</p> <p>Most of these services are located on key arterial or connector roads that experience higher volumes of traffic, due to the distribution functions through the town, to the Bass Highway and to the residential areas. The northern area proposed for rezoning is located adjacent to William Street, which is the distributor road to the Bass Highway interchange and Birralelee Road, a key State freight route to the north. The southern area is adjacent to the primary school, an area which also experiences a higher degree of activity than the more outlying residential areas. Whilst the roads that would directly serve the land proposed for rezoning will experience an increase in traffic movements as new residents access</p>

		<p>services, traffic is quickly distributed to existing collector roads.</p> <p>The Traffic Impact assessment prepared for the draft amendment identifies that the traffic network beyond the frontages of the land to be rezoned has the capacity to accommodate the predicted traffic movements in a safe manner with some minor works. Connecting the proposed development area to the broader connector/arterial road network will require future investment by Council for works, such as such as carriageway and shoulder widening on Marriot and Lyttleton Streets. Council commits to undertaking these works to ensure that the amenity and safety of the broader residential environment is maintained.</p> <p>The established township of Westbury has a visual character that is a mixture of modern and historic buildings. The core of the town and the area surrounding the Village Green has a distinctive heritage character with numerous State heritage listed buildings. In the areas between the historic core of the town and the proposed areas for residential growth there are many twentieth century buildings, reflecting the historic growth patterns of Westbury over decades. The development of modern dwellings in the areas proposed for growth will not impact on the visual characteristics of the historic core of the town.</p> <p>The collector roads in Westbury that distribute local traffic to services located in the town centre and along Meander Valley Road, as well as functioning as an arterial route, such as Meander Valley Road and the William Street link to the Bass Highway, have capacity to absorb the impacts of population increase. The broader local road network will not be affected, other than by the direct input of traffic onto the roads that border the land to be developed and the routes to key services, which are to a large degree already affected by collector road functions</p>
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		<p>such as access to the primary school on Dexter and Taylor Streets and the William Street route in and out of Westbury form the Bass Highway. It is considered the practical impacts of an increase in traffic will be marginal and will not adversely affect the amenity of the town.</p> <p>However, Westbury's character is not solely related to the heritage aspects of the core of the town and is also enhanced by broad planting of street trees and pleasant pedestrian pathways. This aspect can be continued through to the new areas of development to provide for a visual enhancement of new development areas in a manner that is compatible with the existing visual characteristics of the town. Attention to street enhancements such as verges, footpaths and street trees, associated with the residential growth, will continue Westbury's visual appeal. In addition, elements such as the hedgerows on the boundaries of 41 Waterloo Street (see comments below) and to the farmland opposite on Lyttleton Street will continue to provide visual amenity compatible with historic features of the town. Council commits to ensuring that these enhancements are implemented to augment good quality connections to the growth area.</p> <p>Additional population will assist the prospects of further investment in the heritage assets in the historic core, enlivening the town centre which is universally accepted as improving town amenity, rather than unutilised or closed shop fronts.</p> <p>There is no ability to regulate the style of residential dwellings in the planning scheme, absent a local heritage or character precinct in the planning scheme. Westbury has not been subject to style controls over buildings since its establishment, which is clearly evident in the broad variety of building styles</p>
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		throughout the township. It is not considered appropriate or necessary to include visual style controls for an area that is distant from the historic core given the amount of modern buildings in proximity to both the northern and southern areas proposed for residential growth.
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representations.		

<b>Impact of Representation on Draft Amendment as a Whole</b>		
As the concerns in the representations in regard to township character are not supported, the representations do not affect the draft amendment as a whole.		
<b>Recommendation</b>		
The draft amendment is progressed as proposed.		
<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
A Loader E Hamilton K Mackenzie	Lot sizes: Potential future lot sizes under the Tasmanian Planning Scheme are incompatible with the	The Tasmanian Planning Scheme provides for a lot size of 450m <sup>2</sup> as an Acceptable Solution in the General Residential Zone and allows for smaller lots subject to performance criteria. The current Meander Valley Interim Planning Scheme 2013 currently provides for a lot size of 700m <sup>2</sup> as an Acceptable Solution and allows for smaller lots subject to performance criteria.

	<p>character of Westbury and will result in larger lot yields.</p>	<p>Whilst the Tasmanian Planning Scheme will allow for lots as small as 450m<sup>2</sup>, it is well known that there is no actual market for subdivided lots at this size in Westbury. The particular attraction of Westbury is being able purchase a block of sizable dimensions at a reasonable price.</p> <p>Historically, 450m<sup>2</sup> lots have been allowable under both the 1995 Planning Scheme and the Meander Valley Interim Planning Scheme 2013 (in effect for the last 35 years), however no subdivision has ever requested this size for lots during that time.</p> <p>Council considers that despite the very low likelihood of lots of 450m<sup>2</sup> being applied for, the maintenance of the character of the township warrants the inclusion of a standard that continues the current 700m<sup>2</sup> lot size as an Acceptable Solution. This reflects <i>"the pattern of development existing on established properties in the area"</i> which is one of the performance criteria that would apply to lot size under the Tasmanian Planning Scheme. The inherent contradiction with the Acceptable Solution of the Tasmanian Planning Scheme is that is that 450m<sup>2</sup> is not consistent with the pattern of development in the area. As such, it is appropriate to modify the draft amendment to set the minimum lot size for the growth areas at 700m<sup>2</sup> in the Specific Area Plan and expand the Specific Area Plan to incorporate the southern area of land at Dexter Street.</p>
<p><b>Need for Modification</b></p>		
<p>The draft amendment should be modified to expand the Specific Area Plan over the land bound by Dexter, Jones, Shadforth and Taylor Streets and include a subdivision lot size Acceptable Solution standard of 700m<sup>2</sup> for the northern and southern growth areas.</p>		

### **Impact of Representation on Draft Amendment as a Whole**

The matter raised relates to lot size and does not affect the draft amendment as a whole.

### **Recommendation**

It is recommended that **F6 Westbury Urban Residential Specific Area Plan** be modified to:

1. Include Certificates of Title 15169/1 and 108079/1; and
2. Include a new standard at F6.8.2 to provide for a 700m<sup>2</sup> lot size as an Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as follows:

#### F6.8.2 Lot Design

This clause is substitution of the provisions of the General Residential Zone – 10.4.15 Lot Area, Building Envelopes and Frontage A1 and P1 (Future Tasmanian Planning Scheme reference - 8.6.1 Lot Design).

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the prevailing lot character in the General Residential Zone in Westbury;</li> <li>(b) has an area and dimensions appropriate for use and development in the zone;</li> <li>(c) is provided with appropriate access to a road;</li> <li>(d) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</li> <li>(e) is orientated to provide solar access for future dwellings.</li> </ul>
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<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 700m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
<ul style="list-style-type: none"> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p>Page   32</p>



Representor	Representation Issue	Statement of Merit
E Hamilton	<p>Need for Rezoning:</p> <ul style="list-style-type: none"> <li>• Query the need for additional land when all zoned land in Westbury is not yet developed.</li> <li>• Queries focus on recent William Street subdivision.</li> </ul>	<p>The process of planning for longer term residential land supply takes a number of years before land is made available to the market. As such it is normal and appropriate practice to ensure an adequate 'rolling reserve' of zoned land for residential development that will provide supply for a number of years. Each circumstance will be different in regard to the proposed yields due to factors such as land ownership, the cost and sequencing in providing services and infrastructure and rates of anticipated lot take-up in a certain locality. To a large degree, market demand drives the amount of lots that are made available to the market at any one time by developers, with decisions typically based on holding costs and risk. However, financial feasibility dictates that the certainty of lot supply must cover the costs of infrastructure provision with appropriate margins.</p> <p>References to the recent William Street subdivision in the supporting report were noted only as the most recent indicator of land demand in Westbury and were not relied on as a significant factor in the supply and demand of land in Westbury. Given that planning for land supply provides for several years in advance, a 12 lot subdivision is not a significant influence on the decision as to whether additional long term residential growth should be provided for or not.</p> <p>Adequate land supply also ensures competition in land prices to avoid artificial inflation of land cost due to constraint on the number of lots available. The cost of land is a significant competitive advantage in attracting new residents to regional areas and rural towns.</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representations.</p>		

**Impact of Representation on Draft Amendment as a Whole**

As the concerns in the representation in regard to the need for the amendment are not supported, the representation does not affect the draft amendment as a whole.

**Recommendation**

The draft amendment is progressed as proposed.

<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
A Loader	Lack of services to support population growth.	<p>Westbury is well serviced as a district centre with government, community and private commercial services. Both the Westbury Primary School and Deloraine High School have capacity for additional students and public transport services operate daily from Westbury to Deloraine and Launceston for high schools and college.</p> <p>A key factor in retaining services in smaller rural centres is a sustainable population. Population growth not only supports the retention of existing services and the viability of existing businesses, but also encourages establishment of additional services and retail offerings. This is why population growth is a key strategic outcome in Council's Community and Strategic Plan 2014 2024.</p> <p>Westbury's services and infrastructure can readily accommodate the predicted population growth.</p>

**Need for Modification**

It is considered that there is no need for modification of the draft amendment in response to the representations.

### Impact of Representation on Draft Amendment as a Whole

As the concerns in the representation in regard to services are not supported, the representation does not affect the draft amendment as a whole.

### Recommendation

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
P Mackenzie R & W Travis B Mason E Hamilton B Landsberg S Scott-Smith	Impacts on Infrastructure – Roads & Services capacity, pedestrians: <ul style="list-style-type: none"> <li>• Concerns that Westbury roads and junctions with Meander Valley Road are not at an appropriate standard to accommodate additional vehicle loads.</li> <li>• TIA Calculations are based on 700m<sup>2</sup> lots and not the potential 450m<sup>2</sup> lots available under the zone.</li> <li>• Lack of pedestrian pathways.</li> <li>• Query whether sewer services have capacity.</li> </ul>	Richard Burk of Traffic and Civil Services has provided additional comment in regard to the concerns raised in the representations (attached document) and confirms that the Westbury road network adequately provides for traffic volume and safety, however will require some improvement works to the surrounding network, such as minor road widening.  Mr Burk advises that the potential increase in lot yields do not make a consequential difference to this conclusion, however it is noted that a recommendation for modification of the draft amendment to include a lot size of 700m <sup>2</sup> to address township character also addresses concerns regarding the TIA conclusions.  As stated above, Council commits to upgrades through widening of carriageways and shoulders of affected roads and street enhancements such as verges, footpaths and street trees, associated with the residential growth. Council commits to ensuring that these enhancements are implemented to augment good quality connections to the growth area, ideally also formalising a pedestrian link through the showgrounds.

		<p>Taswater has confirmed that there is sewer capacity. Refer to the Submission to Planning Authority Notice (attached document).</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representations.</p>		
<p><b>Impact of Representation on Draft Amendment as a Whole</b></p>		
<p>As the concerns in the representations in regard to impacts on road infrastructure and services are addressed, the representations do not affect the draft amendment as a whole.</p>		

<b>Recommendation</b>		
The draft amendment is progressed as proposed.		
<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
A Loader E Hamilton K Mackenzie S Scott-Smith	Concerns regarding the loss of Agricultural Land.	<p>The loss of agricultural land is reasonable and balanced against the economic benefits of population growth for the township of Westbury.</p> <p>The rationale for the conversion of the land and an assessment under the State Policy for the Protection of Agricultural Land is provided in the supporting report to the draft amendment.</p> <p>The landowner/farmer has confirmed that the ability to capitalise the land will result in agricultural improvements and efficiencies for the balance of the farm.</p>
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representations.		
<b>Impact of Representation on Draft Amendment as a Whole</b>		
As the concerns in the representations in regard to agricultural land are not supported, the representations do not affect the draft amendment as a whole.		
<b>Recommendation</b>		
The draft amendment is progressed as proposed.		
<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
E Hamilton	Lack of community	Meander Valley Council has, over a number of years, undertaken consultation with

<p>A Loader</p>	<p>consultation and the <i>Community and Strategic Plan 2014-2024</i>:</p> <ul style="list-style-type: none"> <li>• Report and justification puts too much reliance on Council's <i>Community and Strategic Plan</i>.</li> <li>• Lack of public engagement on the <i>Community and Strategic Plan</i> and it is under review.</li> </ul>	<p>the residents of Westbury through the processes of reviewing the statutory Strategic Plan, Preparing a Structure Plan (received though not endorsed) and planning scheme revisions such as the Interim Planning Scheme and the Tasmanian Planning Scheme. Population growth in rural towns is a key, documented strategy that stemmed from the consultations in these processes and reasonably reflects the views of the majority of the community. Council is obliged to ensure that the Future Directions and Strategic Outcomes are delivered.</p> <p>The notification of the draft amendment provides an opportunity for residents of Westbury to lodge their concerns.</p> <p>It is a legislative requirement under Section 20(1)(d) of the <i>Land Use Planning &amp; Approvals Act 1993</i> that all draft amendments demonstrate compliance with the Strategic Plan of the Council, the preparation of which is a statutory requirement pursuant to section 66(3) the <i>Local Government Act 1993</i>.</p> <p>This relates to the endorsed Strategic Plan in force at the time of initiation of the draft amendment, which is the <i>Meander Valley Community and Strategic Plan 2014-2024</i>, which was a publicly consulted document. An assessment against the current Strategic Plan is described in Section 1.5.3 of the notified draft amendment report.</p> <p>Representor concerns relating to the currency of the Strategic Plan or prior consultation are not a relevant consideration for the draft amendment.</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representation.</p>		

<b>Impact of Representation on Draft Amendment as a Whole</b>		
As the concerns in the representation in regard to Council's Strategic Plan are not supported, the representation does not affect the draft amendment as a whole.		
<b>Recommendation</b>		
The draft amendment is progressed as proposed.		
<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
B Mason K Mackenzie B Landsberg	Impacts on Wildlife: <ul style="list-style-type: none"> <li>• Paddocks are bandicoot habitat</li> </ul>	<p>The northern area of land proposed to be rezoned is a heavily modified, active agricultural paddock and the southern area is similarly, heavily modified and grazed. There are no known or recorded threatened species den sites.</p> <p>Bandicoot sightings throughout the Westbury township are reasonably common and include the urban, built-up areas. Bandicoots are known to forage in open fields and domestic gardens and it is considered that sightings throughout Westbury relate to the proximity of good habitat on nearby land at the edge of the township, such as the Town Common and riparian vegetation along the Quamby Brook. Important riparian habitat will not be impacted by development on the land proposed to be rezoned and ample foraging habitat will be unaffected on adjacent agricultural land and larger residential properties such as Culzean and 12 Lyttleton Street.</p>
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representation.		
<b>Impact of Representation on Draft Amendment as a Whole</b>		

As the concerns in the representation in regard to wildlife are not supported, the representation does not affect the draft amendment as a whole.


**Recommendation**

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
<p>B Landsberg B Mason H Pettko</p>	<p>Impact on the amenity and outlook from Waterloo Street and Jones Street:</p> <ul style="list-style-type: none"> <li>• Adverse impacts on amenity of existing dwellings.</li> <li>• Live in the area for rural outlook.</li> <li>• Impacts of construction</li> </ul>	<p>Inevitably, residential growth in townships will alter the outlook and environment of existing dwellings that are located in adjacent areas and will affect the perceived amenity that accompanies an area that has remained visibly unchanged for a long period.</p> <p>However, local and regional strategies promote population growth for regional townships to support local economies. This enables the case to be made for a change of the use of land that has been historically utilised for rural or rural-residential purposes, to an urban residential environment.</p> <p>As described in the draft amendment report, in regard to the circumstances for Westbury, there are very limited locations where this can occur for urban sized lots due to constraints on gravity connection to services. Efficient connection to services is a critical factor in the economic feasibility of urban development.</p> <p>It is noted that both areas proposed for change are not low-key environments, being adjacent to the railway line and the busy collector road of William Street in the northern area and the Westbury Primary School in the southern area.</p> <p>Although the outlook will change, as discussed above, Council commits to a</p>



		<p>program of streetscape enhancement for the proposed development areas that will include street tree plantings that reflects the existing street trees of Westbury and footpath works to enhance the pedestrian environment in connecting to key services in the centre of the town and the supermarket.</p> <p>In regard to the impacts of construction on nearby residents, future permits for subdivision can be conditioned to restrict construction hours to protect amenity. In addition, the Tasmanian Noise Regulations restrict hours for operating machinery in proximity to residential uses.</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representation.</p>		
<p><b>Impact of Representation on Draft Amendment as a Whole</b></p>		
<p>As the concerns in the representation in regard to outlook and amenity are not supported, the representation does not affect the draft amendment as a whole.</p>		
<p><b>Recommendation</b></p>		
<p>The draft amendment is progressed as proposed.</p>		

Representor	Representation Issue	Statement of Merit
R & W Travis	<p>Impacts on adjoining property at 41 Waterloo Street – features such as Hawthorn hedges:</p> <ul style="list-style-type: none"> <li>• Concerns about the loss of, or management difficulties of, common boundary features such as significant Hawthorn hedges.</li> <li>• Effect on rates of existing property.</li> <li>• Submits that the three titles fronting William Street (including 41 Waterloo St) should be zoned Low Density Residential Zone as it reflects their present use.</li> </ul>	<p>Hawthorn Hedgerows:</p> <p>The property at 41 Waterloo Street is a contemporary dwelling on a large, 2.1 hectare lot located amongst substantial gardens that have incorporated the historic hedgerows that border the titles along William Street and Waterloo Street. The corner property is reasonably prominent in the townscape due to its slightly elevated position and also the defining vegetation features of maturing exotic vegetation and the retained historic hedgerows. Refer Photo 1 below.</p>  <p>Photo 1: View north to 41 Waterloo Street from William Street.</p> <p>The existing dwelling is located approximately 10 metres from the eastern boundary where a substantive hedgerow exists that divides the property from the land that is proposed for urban residential development. The length of the eastern boundary is 155 metres, which would prove complicated for hedgerow</p>

		<p>management if numerous urban titles were to adjoin it.</p> <p>Noting that the draft Specific Area Plan prohibits new road junctions to Waterloo Street, any future subdivision of the land would require the inclusion of pedestrian linkages through to Waterloo Street to provide good pedestrian access to the centre of the town and to the supermarket through the showgrounds. The land alongside the eastern boundary of 41 Waterloo Street provides an ideal opportunity to include a high quality walkway as public open space. This would enable the retention and effective maintenance of the hedgerow on the eastern side whilst providing a public open space pedestrian link that has the instant benefit of the visual features that are a historic characteristic of Westbury.</p> <p>It is recommended that the Specific Area Plan be modified to include a designated 10 metre wide strip of public open space adjacent to the eastern boundary of No.41 and located on the adjoining lot, to provide for future pedestrian link. 10 metres width provides for the thickness of the hedgerow with sufficient room from machinery access and the planting of trees. The <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> provides for a five percent limit on the amount of public open space land that can be required for a subdivision. In this instance, the land area of 46 Lyttleton Street which would be subject to subdivision is 11.43 hectares, which would allow for 5,715m<sup>2</sup> public open space contribution. A 10 metre wide strip for a walkway at the boundary with 41 Waterloo Street would have an area of 1,550m<sup>2</sup> and is well within the statutory limit. The modification to the Specific Area Plan can be achieved through a mandatory standard in the ordinance.</p> <p>Rates:</p> <p>Potential effects on rates is not a matter that can be considered under the LUPAA, however it appropriate to note the submissions made in the draft amendment</p>
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		<p>report that highlights that effect of not having enough land supply, which is the artificial inflation of land values. Land value is the primary component in the calculation of rates.</p> <p>Zoning:</p> <p>The land fronting William Street can connect to services and as such it is not considered appropriate to restrict lot yields through a lower density zoning, when the aim is to achieve efficiency given the amount of remaining serviceable land. Although 41 Waterloo Street is an established, large residential property, landowners may wish to seek additional development opportunity in the future, noting that there is no compulsion for any owner to do so. It is noted that the dwelling at 41 Waterloo Street is setback a distance of approximately 86 metres from the northern boundary with substantive landscaping between, which is considered to provide a reasonable buffer to new development to the north.</p>
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<p><b>Need for Modification</b></p>
<p>The draft Specific Area Plan should be modified to include a standard requiring public open space to be included along the western boundary of CT129939/2 in any future subdivision as a mandatory requirement.</p>
<p><b>Impact of Representation on Draft Amendment as a Whole</b></p>
<p>The recommendation relates largely to the specific impacts on the adjoining property at 41 Waterloo Street and does not affect the draft LPS as a whole.</p>
<p><b>Recommendation</b></p>
<p>It is recommended that <b>F6 Westbury Urban Residential Specific Area Plan</b> be modified to include a new standard at F6.8.3 to provide for public open space along the western boundary of CT129939/2 as a mandatory Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as follows:</p>

### F6.8.3 Public Open Space

This clause is in addition to the provisions of the General Residential Zone –10.4.15 Subdivision (Future Tasmanian Planning Scheme reference - 8.6.1 Lot Design) and E10 Recreation and Open Space Code.

Objective:	That public open space is provided along the western boundary of Certificate of Title 129939/2 for the purposes of a public walkway.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>	A plan of subdivision of land at Certificate of Title 129939/2 must include a 10 metre wide strip of land along the length of the boundary with Certificate of Title 118081/6 which is to be dedicated as public open space.	<b>P1</b> No Performance Criterion

Representor	Representation Issue	Statement of Merit
S Scott-Smith	Concerns regarding lower land values.	Potential effect on land values is not a matter that can be considered under the LUPAA, however it is appropriate to note the submissions made in the draft amendment report that highlights the effect of not having adequate land supply into the future, which is the artificial inflation of land values. There is no evidence that standard residential development lowers existing land values.
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representation.		

<b>Impact of Representation on Draft Amendment as a Whole</b>
As the concerns in the representation in regard to the potential impacts on land values are not supported, the representation does not affect the draft amendment as a whole.
<b>Recommendation</b>
The draft amendment is progressed as proposed.

<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
Westbury Agricultural Society	Concerns regarding impacts on showgrounds, road reserve fencing and potential future purchase of road reserve.	Richard Burk of Traffic & Civil Services has assessed the future road width requirements along Taylor Street to the east of the existing showgrounds fence line that has historically encroached on the road reserve. Mr Burk has confirmed that there is sufficient remaining road width to accommodate a sealed carriageway, shoulders and a residential verge frontage the western side of Taylor Street at the appropriate standard, due to the limitations on new road junctions.  The current arrangements of the showgrounds will be unaffected.

<b>Need for Modification</b>
It is considered that there is no need for modification of the draft amendment in response to the representation.
<b>Impact of Representation on Draft Amendment as a Whole</b>
As the concerns in the representation in regard to the potential impacts on the showgrounds are addressed, the representation does

not affect the draft amendment as a whole.

### Recommendation

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
E Hamilton	<p>Links to State Government Northern Prison project:</p> <ul style="list-style-type: none"><li>• Submissions that the proposal is to facilitate support for the proposed Northern Prison.</li><li>• Timeline of Council decisions submitted in support of claims that the draft amendment is to facilitate support for the proposed Northern Prison.</li><li>• Information in draft amendment report contradicts the Social and Economic Impact</li></ul>	<p>The proposed draft amendment has no relationship to the State Government proposal to establish a new Northern Prison near Westbury.</p> <p>Council has explained the background to this draft amendment, which arose from a representation by Mr &amp; Mrs Badcock to the Draft Local Provisions Schedule (LPS). As part of the process to respond to representations to the Draft LPS, Council's updated investigations revealed a lack of land supply into the future and committed to investigating a future planning amendment to look at rezoning of land for additional urban residential development in support of the Westbury local economy.</p> <p>Council has drawn its conclusions from statistical information available through the Australian Bureau of Statistics in determining the nature of population changes over time and the relationship to future outcomes for development. Work undertaken for the Tasmanian Government prison project is not a relevant resource for this draft amendment.</p>

	Assessment for the prepared for the prison.	
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representation.		
<b>Impact of Representation on Draft Amendment as a Whole</b>		
As the concerns in the representation relating to the State Government's proposal for a Northern Prison are not supported, the representation does not affect the draft amendment as a whole.		
<b>Recommendation</b>		
The draft amendment is progressed as proposed.		



Representor	Representation Issue	Statement of Merit
Tasrail	Concerns regarding intensification near railway assets.	<p>An assessment against the railway attenuation provisions of the planning scheme is provided in Council’s draft amendment report. The report shows that full compliance with attenuation requirements for rail assets can be achieved.</p> <p>Tasrail have submitted concerns, however have not provided any evidence to suggest that the attenuation requirements of the planning scheme are ineffective, nor has it provided evidence of conflict beyond the attenuation distance that result in an adverse effect on Tasrail’s business.</p> <p>The attenuation standard set for the Tasmanian Planning Scheme is the Tasmanian Government de-facto policy of acceptance. If Tasrail are seeking to expand the Tasmanian Government’s policy settings it should provide evidence to support that requirement.</p> <p>This is particularly relevant for regional towns, many of which have the historic rail line within the settlement, as Tasrail’s position has the potential to significantly affect local, regional and State strategies for population growth in regional settlements.</p> <p>Until such time as compelling evidence is submitted in support of the stated concerns and demonstrates why the Tasmanian Planning Scheme attenuation distance is insufficient, the representation is not supported.</p>
<b>Need for Modification</b>		
It is considered that there is no need for modification of the draft amendment in response to the representation.		

### Impact of Representation on Draft Amendment as a Whole

The concerns in the representation regarding intensification have the potential to affect the draft amendment as a whole, however the submissions are unsubstantiated.

### Recommendation

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
Department of State Growth	<ul style="list-style-type: none"><li>• Concerns regarding intensification near Bass Highway.</li><li>• Potential traffic impact on Birralea Road/Bass Highway interchange.</li></ul>	<p>Intensification:</p> <p>An assessment against the Category 1 highway attenuation provisions of the planning scheme is provided in Council's draft amendment report. The report shows that full compliance with attenuation requirements for highway assets can be achieved.</p> <p>The Department of State Growth (DSG) have submitted concerns, however have not provided any evidence to suggest that the attenuation requirements of the planning scheme are ineffective, nor has it provided evidence of conflict beyond the attenuation distance that result in an adverse effect on State road network.</p>

		<p>The attenuation standard set for the Tasmanian Planning Scheme is the Tasmanian Government de-facto policy of acceptance. If the DSG seeking to expand the Tasmanian Government's policy settings it should provide evidence to support that requirement. This is particularly relevant for regional towns that have physical limitations on locations that can feasibly support growth. The DSG position has the potential to significantly affect local, regional and State strategies for population growth in regional settlements.</p> <p>Until such time as compelling evidence is submitted in support of the stated concerns and demonstrates why the Tasmanian Planning Scheme attenuation distance is insufficient, the representation is not supported.</p> <p>Bass Highway Interchange:</p> <p>Richard Burk of Traffic &amp; Civil Services has undertaken additional assessment of the Bass Highway/ Birralelee Road interchange (Attached document).</p> <p>That assessment concludes that the interchange experiences very low usage at peak times and there is no expectation of an adverse impact on the function of the interchange as a result of the proposed residential growth.</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representation.</p>		
<p><b>Impact of Representation on Draft Amendment as a Whole</b></p>		
<p>The concerns in the representation regarding intensification have the potential to affect the draft amendment as a whole, however the submissions are unsubstantiated.</p> <p>Concerns relating to the Bass Highway interchange are specific and do not affect the draft amendment a whole.</p>		

<b>Recommendation</b>		
The draft amendment is progressed as proposed.		
<b>Representor</b>	<b>Representation Issue</b>	<b>Statement of Merit</b>
TasWater	<p>Land proposed to be rezoned is located within a 700 metre attenuation distance of the Westbury sewerage treatment plant.</p> <p>Submits that a site specific study should be undertaken to determine that there is no land use conflict as the plant currently operates.</p>	<p>Pursuant to the <i>Water &amp; Sewerage Industries Act 2008</i>, a <i>TasWater Submission to Planning Authority Notice (SPAN)</i> must be regarded as a representation under LUPAA processes.</p> <p>TasWater have submitted a diagram of an attenuation distance of 700 metres to the Sewer Treatment Plant (STP) that significantly expands the practiced attenuation distance, which was based on the environmental report undertaken for the upgraded STP that now exists.</p> <p>It appears that TasWater have embarked on a program of reclassification of its STP's, apparently in consultation with the Environment Protection Authority, that significantly alters the applicability of the planning scheme standards for attenuation, without an associated planning scheme amendment that notifies affected properties of the implications of that change. In addition, there has been no consultation with Council or sharing of the scientific assessment results that demonstrates the case for such a significant change that will affect approximately 140 properties. Scientific evidence has not been provided in the TasWater representation that supports the extent of the change, only a theoretical definition, nor has any history of complaints been provided.</p> <p>The effect of the TasWater submission is that third parties are required to undertake expensive studies (in the order of \$10,000 each) on TasWater assets and operations, to determine if the STP emissions are at the point that it adversely impacts substantive areas of residential development. Of particular concern is that TasWater is requiring third parties to undertake work to demonstrate that it is not in breach of its own permit for the Level 2</p>

		<p>Activity upgrade and operation of the Westbury STP, whereby <i>Atmospheric Condition A1 – Odorous gases</i> requires that "odorous gases must be managed, including collection and treatment as appropriate, so that gases do not cause environmental nuisance beyond the boundary of the land."</p> <p>Council submits that if TasWater is indicating that it has concerns that it is not complying with its permit to the extent that STP emissions are extending as far as 700 metres (a significant breach), then it is the TasWater organisation's responsibility and legal obligation to undertake a study to ensure TasWater and the STP is operating in compliance with its permit. If it is complying with its permit, TasWater has no need of a site-specific study as STP emissions will simply not reach the land proposed for future development.</p> <p>Council will not be undertaking a site-specific study of the performance and emissions of the Westbury STP.</p>
<p><b>Need for Modification</b></p>		
<p>It is considered that there is no need for modification of the draft amendment in response to the representation.</p>		
<p><b>Impact of Representation on Draft Amendment as a Whole</b></p>		
<p>The concerns in the representation have the potential to affect the draft amendment as a whole, however the submissions by TasWater are flawed and have significant natural justice implications more broadly.</p>		
<p><b>Recommendation</b></p>		
<p>The draft amendment is progressed as proposed.</p>		

## 241/2020 AUDIT REPORT 2020 FINANCIAL YEAR

**AUTHOR:** Justin Marshall  
Senior Accountant

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### 1) Recommendation

*It is recommended that Council receive the Auditor-General's independent audit report on the 2020 Financial Report.*

### DECISION:

Cr Kelly moved and Cr Cameron seconded ***“that Council receive the Auditor-General's independent audit report on the 2020 Financial Report.*”**

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***

# 242/2020 REVIEW OF POLICY NO. 15 - DRIVEWAY CROSSOVERS

**AUTHOR:** Dino De Paoli  
Director Infrastructure Services

## 1) Recommendation

*It is recommended that Council confirms the continuation of Policy No. 15 Driveway Crossovers with amendments as follows:*

## POLICY MANUAL

**Policy Number: 15**

**Driveway Crossovers**

**Purpose:**

To ensure that formal application is made to Council in any instances where a driveway crossover needs to be constructed or altered. ~~in any way.~~

**Department:**

Infrastructure Services

**Author:**

Dino De Paoli, Director

**Council Meeting Date:**

15 November 2016 8 December 2020

**Minute Number:**

2474/2016 242/2020

**Next Review Date:**

December ~~2020~~ 2024

## POLICY

### 1. Definitions

"Driveway Crossover"– is that part of the vehicular access from the road carriageway to the adjoining property boundary. This may include a kerb crossing or culvert in an open drain.

### 2. Objective

The objective of this Policy is to provide a process to ensure that driveway crossovers are constructed safely and to the ~~appropriate Council Standard.~~ satisfaction of Council's engineer.

### 3. Scope

This Policy applies to the Council, private and public authority landowners, and developers and anyone constructing or altering a driveway crossover.

### 4. Policy

- (a) Council will require an application to be made where ~~there is no a new~~ driveway crossover ~~is to be constructed~~, a driveway crossover ~~that~~ is not constructed to Council Standards or an alteration to an existing driveway crossover is needed.
- (b) Where ~~major alterations to driveway crossovers or~~ construction of additional new driveway crossovers to existing properties ~~or major alterations to existing driveway crossovers~~ are required, construction shall be undertaken ~~only~~ by a contractor approved by Council with the relevant ~~skills and qualifications~~, experience and public liability insurance.
- (c) Driveway crossovers are ~~to be classed categorised as either~~ rural or urban, ~~with this categorisation being dictated by the~~ based on the formation of the adjacent road ~~type~~. All driveway crossovers must be constructed to the satisfaction of Council's engineer and appropriate Council Tasmanian Standard Drawings ~~as required, and be to the satisfaction of Councils engineer~~.

### 5. Legislation

*Local Government Highways Act 1982*

### 6. Responsibility

Responsibility for the operation of this Policy rests with the Director Infrastructure Services.

## DECISION:

Cr King moved and Cr Kelly seconded ***"that Council confirms the continuation of Policy No. 15 Driveway Crossovers with amendments as follows:***



# POLICY MANUAL

**Policy Number: 15**

## **Driveway Crossovers**

**Purpose:** To ensure that formal application is made to Council in any instances where a driveway crossover needs to be constructed or altered.

**Department:** Infrastructure Services  
**Author:** Dino De Paoli, Director

**Council Meeting Date:** 8 December 2020  
**Minute Number:** 242/2020

**Next Review Date:** ***December 2024***

## **POLICY**

### **1. Definitions**

“Driveway Crossover”– is that part of the vehicular access from the road carriageway to the adjoining property boundary. This may include a kerb crossing or culvert in an open drain.

### **2. Objective**

The objective of this Policy is to provide a process to ensure that driveway crossovers are constructed safely and to the satisfaction of Council’s engineer.

### **3. Scope**

This Policy applies to the Council, private and public authority landowners, developers and anyone constructing or altering a driveway crossover.

### **4. Policy**

- (a) Council will require an application to be made where a new driveway crossover is to be constructed, a driveway crossover is not constructed to Council Standards or an alteration to an existing driveway crossover is needed.
- (b) Where construction of additional new driveway crossovers to existing properties or major alterations to existing driveway crossovers are required, construction shall be undertaken by a contractor approved by Council with the relevant experience and public liability insurance.
- (c) Driveway crossovers are categorised as rural or urban, based on the formation of the adjacent road. All driveway crossovers must be constructed to the

satisfaction of Council's engineer and appropriate Tasmanian Standard Drawings as required.

## **5. Legislation**

*Local Government Highways Act 1982*

## **6. Responsibility**

Responsibility for the operation of this Policy rests with the Director Infrastructure Services.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***

## **243/2020 2021 COUNCIL MEETING DATES & TIMES**

**AUTHOR:** John Jordan  
General Manager

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### **1) Recommendation**

***It is recommended that Council approve the following schedule of ordinary meetings for 2021, with meetings commencing at the Westbury Council Chambers at 3.00pm:***

- 1. Tuesday 19 January;***
- 2. Tuesday 9 February;***
- 3. Tuesday 9 March;***
- 4. Tuesday 13 April;***
- 5. Tuesday 11 May;***
- 6. Tuesday 8 June;***
- 7. Tuesday 13 July;***
- 8. Tuesday 10 August;***
- 9. Tuesday 14 September;***
- 10. Tuesday 12 October;***
- 11. Tuesday 9 November; and***
- 12. Tuesday 14 December.***

### **DECISION:**

Cr King moved and Cr Kelly seconded ***“that Council approve the following schedule of ordinary meetings for 2021, with meetings commencing at the Westbury Council Chambers at 3.00pm:***

- 1. Tuesday 19 January;***
- 2. Tuesday 9 February;***
- 3. Tuesday 9 March;***
- 4. Tuesday 13 April;***
- 5. Tuesday 11 May;***
- 6. Tuesday 8 June;***
- 7. Tuesday 13 July;***
- 8. Tuesday 10 August;***
- 9. Tuesday 14 September;***

10. *Tuesday 12 October;*
11. *Tuesday 9 November; and*
12. *Tuesday 14 December.*

*The motion was declared CARRIED with Councillors Cameron, Johnston, Kelly, King, Nott and Synfield voting for the motion and Councillors Bower, Sherriff and Temple voting against the motion.*

# 244/2020 APPOINTMENT OF COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES AND ORGANISATIONS

**AUTHOR:** John Jordan  
General Manager

## 1) Recommendation

***It is recommended that Council appoint representatives to the following Council Committees and external organisations:***

### **LEGISLATIVE COMMITTEE/ORGANISATION**

<b>Group</b>	<b>Representative/s</b>
Audit Panel <i>(1 or 2 elected members)</i>	<i>Cr Nott Cr Bower</i>
MVC Emergency Management and Community Recovery Committee <i>(2 elected members)</i>	<i>Currently Vacant Cr Sherriff</i>
TasWater <i>(1 elected member as Shareholder and 1 elected member as proxy)</i>	<i>Mayor Johnston (Proxy) Deputy Mayor Kelly</i>

### **EXTERNAL COMMITTEES/ORGANISATION**

<b>Group</b>	<b>Representative/s</b>
Great Western Tiers Tourism Association <i>(1 elected member as a liaison representative)</i>	<i>Any elected member</i>
Northern Tasmanian Regional Development Board <i>(1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government Committee)</i>	<i>Elected member: Mayor Johnston  Local Government Committee: Mayor Johnston</i>

	<i>General Manager</i>
Local Government Association of Tasmania	<i>Mayor Johnston (Proxy) Deputy Mayor Kelly (Proxy) General Manager</i>
Tamar Fire Management Area Committee (1 representative)	<i>General Manager or their proxy</i>
Central North Fire Management Area Committee (1 representative)	<i>General Manager or their proxy</i>

### **INTERNAL COMMITTEES**

<b>Group</b>	<b>Representative/s</b>
Australia Day Awards Committee (2 elected members)	<i>Cr Kelly Cr Bower</i>
Community Grants Committee (2 elected members)	<i>Cr King Cr Cameron</i>
Development Assessment Group (2 elected members)	<i>All Councillors</i>

### **DECISION:**

Cr Kelly moved and Cr Cameron seconded ***“that Council appoint representatives to the following Council Committees and external organisations:***

#### **LEGISLATIVE COMMITTEE/ORGANISATION**

<b>Group</b>	<b>Representative/s</b>
Audit Panel (1 or 2 elected members)	<i>Cr Nott Cr Bower</i>

MVC Emergency Management and Community Recovery Committee (2 elected members)	Currently Vacant Cr Sherriff
TasWater (1 elected member as Shareholder and 1 elected member as proxy)	Mayor Johnston (Proxy) Deputy Mayor Kelly

## EXTERNAL COMMITTEES/ORGANISATION

Group	Representative/s
Great Western Tiers Tourism Association (1 elected member as a liaison representative)	Any elected member
Northern Tasmanian Regional Development Board (1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government Committee)	Elected member: Mayor Johnston  Local Government Committee: Mayor Johnston General Manager
Local Government Association of Tasmania	Mayor Johnston (Proxy) Deputy Mayor Kelly (Proxy) General Manager
Tamar Fire Management Area Committee (1 representative)	General Manager or their proxy
Central North Fire Management Area Committee (1 representative)	General Manager or their proxy

## INTERNAL COMMITTEES

Group	Representative/s
Australia Day Awards Committee (2 elected members)	Cr Kelly Cr Bower

<b>Group</b>	<b>Representative/s</b>
Community Grants Committee (2 elected members)	<i>Cr King</i> <i>Cr Cameron</i>
Development Assessment Group (2 elected members)	<i>All Councillors</i>

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***



## 245/2020 APPOINTMENT OF MEMBERS TO SPECIAL COMMITTEES OF COUNCIL

**AUTHOR:** John Jordan  
General Manager

### 1) Recommendation

***It is recommended that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:***

<b><i>Special Committee</i></b>	<b><i>Members</i></b>
<b><i>Birralee Memorial Hall Committee</i></b>	D Arnold, Er Blackberry, Es Blackberry, G Blackberry, L Blackberry, J Booth, L Brient, F Camino, M Dewsberry, D Hall, N Hall, R Rumble.
<b><i>Bracknell Public Hall and Recreation Ground Committee</i></b>	A Cousens, S Cousens, C Jones, N Jones, Sh Jones, St Jones, E Leonard, R Leonard, I Mackenzie, T Preece, L Richardson, B Shelton, Ma Shelton, Me Shelton, O Shelton, C Spencer.
<b><i>Carrick Community Committee</i></b>	S Bollard, S Bower, J Cunningham, D Keygan, K Phillips, R Shean, D Williams, R Williams.
<b><i>Caveside Recreation Committee</i></b>	C Capper, G Capper, Ann Crowden, And Crowden, M Crowden, Z Crowden, C Doyle, N Doyle, L Ertler, Ka Haberle, Ke Haberle, B Harris, B Hedger, P Hickman, K Howe, M Howe, R Linger, M Manners, S Manners, J Philpott, S Philpott, C Robertson, G Robertson, J Robertson, T Robertson, D Rollins, M Rollins, A Scott, D Scott, J Scott, R Stafford.
<b><i>Chudleigh Memorial Hall Committee</i></b>	A Cameron, M Cameron, N Clarke, D Crowden, S Crowden, L Ertler, L Flannagan, L Haberle, P Hickman, L Middleton, L Motton, D Philpott, L Philpott, P Philpott, T Pickett, N Ritchie, S Snow, B Sturzaker, W Richardson, M Wyer.
<b><i>Dairy Plains Memorial Hall Committee</i></b>	Al Atkins, Am Atkins, G Atkins, K Atkins, N Atkins, P Atkins, R Atkins, L Dowling, R Dowling, B Phelan, T Phelan.
<b><i>Deloraine Community Car Committee</i></b>	K Earley, C Fowler, S Keegan, R Roles, M Savage, L Wadley, M Young.
<b><i>Meander Hall and Recreation Ground Committee</i></b>	A Berne, K Bird, E Braun, T Buttery, A Costello, C Chilcott, D Chilcott, S Jones, M Johnston, N Johnston (Hon), S Johnston, B McGowan, S

	Saltmarsh, H Smith, D Thompson, A Zolyniak.
<b>Mole Creek Memorial Hall Committee</b>	D Bishop, D Charlton, K Faulkner, M Martin, T Meure, J Nicol, K Philpott, M Philpott, R Quick, D Stewart, B Walters, S Wilks.
<b>Rosevale Memorial Hall and Recreation Ground Committee</b>	K Best, L Blackwell, G Cuthbertson, T Cuthbertson, W Cuthbertson, C Davson-Galle, M Eddington, R Hardwicke, C Hendley, T Hendley, R Millwood, T Reed, G Smith, B Tatnell, J Tatnell, H Scheibler, R Scheibler.
<b>Selbourne Memorial Hall Committee</b>	A Batterham, M Brown, J Brown, P Brown, D Eyles, G Eyles, J Eyles, P Eyles, D French, J French, M Heazelwood, M Hills, T Hills, A Reed, N Reed,
<b>Weegena Hall Committee</b>	J Buck, R Buck, C Gard, M Graves, S Harvey, J Hawley, A Lindsay, B Lindsay, G Lindsay, J Lindsay, M Lindsay, C Norton, L Norton, L Pittard, C Roberts, S Roberts, A Robinson, F Robinson, K Sheldon, M Sheldon, G Swinsburg, R Thomas, M Webster.
<b>Westbury Community Car Committee</b>	E Blackley, C Blazeley, T Carter, P Fielding, K Hewlett, W Jarman, P Kilroy, D Pyke, R Travis, W Travis.
<b>Westbury Recreation Ground Management Committee</b>	L Brient, G Claxton, M Claxton, J Humphreys, C King, G McDonough, J McDonough, K Pitt, R Reinmuth, B Richardson, S West.
<b>Westbury &amp; Districts Historical Society</b>	M Cameron, B Green, V Greenhill, P Matanle, J Starr-Thomas, P Swain, A Taylor, K Treloggan, S West, A Witherden.
<b>Whitemore Recreation Ground Committee</b>	P Coull, M Cresswell, M Dent, S French, K Hingston, N Hingston, K Johns, R Johns, B Pearn, S Pearn, K Pitt, E Shaw, C Suitor.

## DECISION:

Cr Kelly moved and Cr King seconded ***“that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:***

<b>Special Committee</b>	<b>Members</b>
<b>Birralee Memorial Hall Committee</b>	D Arnold, Er Blackberry, Es Blackberry, G Blackberry, L Blackberry, J Booth, L Brient, F Camino, M Dewsberry, D Hall, N Hall, R Rumble.
<b>Bracknell Public Hall and Recreation Ground Committee</b>	A Cousens, S Cousens, C Jones, N Jones, Sh Jones, St Jones, E Leonard, R Leonard, I Mackenzie, T Preece, L Richardson, B Shelton, Ma Shelton, Me Shelton, O Shelton, C Spencer.

<b><i>Carrick Community Committee</i></b>	S Bollard, S Bower, J Cunningham, D Keygan, K Phillips, R Shean, D Williams, R Williams.
<b><i>Caveside Recreation Committee</i></b>	C Capper, G Capper, Ann Crowden, And Crowden, M Crowden, Z Crowden, C Doyle, N Doyle, L Ertler, Ka Haberle, Ke Haberle, B Harris, B Hedger, P Hickman, K Howe, M Howe, R Linger, M Manners, S Manners, J Philpott, S Philpott, C Robertson, G Robertson, J Robertson, T Robertson, D Rollins, M Rollins, A Scott, D Scott, J Scott, R Stafford.
<b><i>Chudleigh Memorial Hall Committee</i></b>	A Cameron, M Cameron, N Clarke, D Crowden, S Crowden, L Ertler, L Flannagan, L Haberle, P Hickman, L Middleton, L Motton, D Philpott, L Philpott, P Philpott, T Pickett, N Ritchie, S Snow, B Sturzaker, W Richardson, M Wyer.
<b><i>Dairy Plains Memorial Hall Committee</i></b>	Al Atkins, Am Atkins, G Atkins, K Atkins, N Atkins, P Atkins, R Atkins, L Dowling, R Dowling, B Phelan, T Phelan.
<b><i>Deloraine Community Car Committee</i></b>	K Earley, C Fowler, S Keegan, R Roles, M Savage, L Wadley, M Young.
<b><i>Meander Hall and Recreation Ground Committee</i></b>	A Berne, K Bird, E Braun, T Buttery, A Costello, C Chilcott, D Chilcott, S Jones, M Johnston, N Johnston (Hon), S Johnston, B McGowan, S Saltmarsh, H Smith, D Thompson, A Zolyniak.
<b><i>Mole Creek Memorial Hall Committee</i></b>	D Bishop, D Charlton, K Faulkner, M Martin, T Meure, J Nicol, K Philpott, M Philpott, R Quick, D Stewart, B Walters, S Wilks.
<b><i>Rosevale Memorial Hall and Recreation Ground Committee</i></b>	K Best, L Blackwell, G Cuthbertson, T Cuthbertson, W Cuthbertson, C Davson-Galle, M Eddington, R Hardwicke, C Hendley, T Hendley, R Millwood, T Reed, G Smith, B Tatnell, J Tatnell, H Scheibler, R Scheibler.
<b><i>Selbourne Memorial Hall Committee</i></b>	A Batterham, M Brown, J Brown, P Brown, D Eyles, G Eyles, J Eyles, P Eyles, D French, J French, M Heazelwood, M Hills, T Hills, A Reed, N Reed,
<b><i>Weegena Hall Committee</i></b>	J Buck, R Buck, C Gard, M Graves, S Harvey, J Hawley, A Lindsay, B Lindsay, G Lindsay, J Lindsay, M Lindsay, C Norton, L Norton, L Pittard, C Roberts, S Roberts, A Robinson, F Robinson, K Sheldon, M Sheldon, G Swinsburg, R Thomas, M Webster.
<b><i>Westbury Community Car Committee</i></b>	E Blackley, C Blazeley, T Carter, P Fielding, K Hewlett, W Jarman, P Kilroy, D Pyke, R Travis, W Travis.

<b>Westbury Recreation Ground Management Committee</b>	L Brient, G Claxton, M Claxton, J Humphreys, C King, G McDonough, J McDonough, K Pitt, R Reinmuth, B Richardson, S West.
<b>Westbury &amp; Districts Historical Society</b>	M Cameron, B Green, V Greenhill, P Matanle, J Starr-Thomas, P Swain, A Taylor, K Treloggan, S West, A Witherden.
<b>Whitemore Recreation Ground Committee</b>	P Coull, M Cresswell, M Dent, S French, K Hingston, N Hingston, K Johns, R Johns, B Pearn, S Pearn, K Pitt, E Shaw, C Suitor.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***

The Mayor extended his best wishes as we head into Christmas. Thanks to the Councillors for putting their time and effort in representing the community, the community for being part of Meander Valley and lastly the staff for the time and effort they have put in through this trying time during 2020.

## **ITEMS FOR CLOSED SECTION OF THE MEETING:**

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

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, King, Nott, Sherriff, Synfield and Temple voting for the motion.***

Council moved to Closed Session at 5.09 pm.

### **246/2020 CONFIRMATION OF MINUTES**

(Reference Part 2 Regulation 34(2) Local Government (Meeting Procedures) Regulations 2015)

### **247/2020 LEAVE OF ABSENCE**

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

### **248/2020 LEASE - MEANDER PRIMARY SCHOOL (137 MAIN ROAD, MEANDER)**

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

### **249/2020 COMMUNITY CONSULTATION OPTIONS - MEANDER PRIMARY SCHOOL (137 MAIN ROAD, MEANDER)**

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

## **250/2020 AUSTRALIA DAY AWARDS 2021**

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

Council returned to Open Session at 5.56 pm.

Cr Cameron moved and Cr Bower seconded ***“that the following statement be released following decisions taken by Council in Closed Session and released for the public’s information.”***

Meander Valley Council has agreed to the early termination of Teen Challenge Tasmania’s lease over the former Meander Primary School site at 137 Main Road Meander effective from 11 January 2021.

It is now time for the community of Meander to focus on the alternative possibilities for the site. In the coming months Council will re-engage the community to determine how best the site can be used. “We want any process to identify options to bring the community together and make the most of the opportunity the school presents. We are seeking a future for the site that has broad community support and will be asking the Tasmanian Government to help achieve this by relaxing the permitted uses on the site”.

In the first half of next year, Council will call for proposals that can demonstrate a clear community benefit and a capacity to fund the refurbishment, maintenance and long term operation of the site. “A Community Evaluation Committee, made up from a representative from local community organisations rather than individuals, will help shortlist proposals for community feedback before Council decides on a preferred option. We are looking for organisations who are open and inclusive to represent the views of Meander residents” Mayor Johnston said.

It is hoped this process will be respected by all and result in a proposal to secure the long term viability of the site.

***The motion was declared CARRIED with Councillors Bower, Cameron, Johnston, Kelly, Nott, Sherriff, Synfield and Temple voting for the motion.***

The meeting closed at 5.56pm

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Wayne Johnston  
**Mayor**