



Meander Valley Council
Working Together

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 11 August 2020

MEETING CONDUCT

The conduct of Council Meetings is currently being undertaken in accordance with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online avenues.

Given the current COVID-19 circumstance in Tasmania, Council has now resumed face to face meetings at the Council Chambers in Westbury.

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to the number of people who may gather. This obligation is balanced with the need to minimise disruption to the business of Council. Considering this, Council has determined that limited public access to Council meetings will be permitted from the date of the next Council Meeting on 11 August 2020.

During this first phase, only individuals making representations to planning applications which are subject to statutory timeframes, will be permitted to pre-register and attend the meeting for their relevant agenda item. To ensure compliance with Council's COVID-19 Safety Plan, those intending to attend must register their interest with Council's Customer Service Centre by phoning 6393 5300. On arrival, attendees will be required to provide their name, address and contact number to support COVID-19 tracing in the event it is necessary.

Overall numbers will be limited to four representors in the Council Chamber at once. People will be asked to leave the meeting at the conclusion of their agenda item. If more than four representors have an interest in an agenda item, people may be asked to leave the meeting room after their representation to allow others to make their representation to Council.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website and will review access for other people and media in due course.

These arrangements are subject to review based on any changing circumstance relating to the COVID-19 Disease Emergency.

SECURITY PROCEDURES

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

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



PO Box 102, Westbury,
Tasmania, 7303

Notice is hereby given that an Ordinary Meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 11 August 2020, commencing at 4.00pm.**

In accordance with Section 65 of the *Local Government Act 1993*, I certify that with respect to all advice, information or recommendations provided to Council with this agenda:

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

John Jordan
GENERAL MANAGER

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Agenda for an Ordinary Meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 11 August 2020 at 4.00pm.

Business is to be conducted at this meeting in the order in which it is set out in this agenda, unless the Council by Absolute Majority determines otherwise.

PRESENT

APOLOGIES

IN ATTENDANCE

CONFIRMATION OF MINUTES

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 14 July 2020, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Date	Items discussed:
28 July 2020	<ul style="list-style-type: none">• Business & Economic Recovery Update – Presentation• NTDC Presentation• Waste Management Strategy Action Plan• Tour of Tasmania Event Proposal• Teen Challenge Presentation
4 August 2020	<ul style="list-style-type: none">• Tour of Council Office renovations• Business & Economic Recovery• Westbury Urban Residential Rezoning• Camping on Council Reserves• Compliance and Enforcement• Planning Templates

ANNOUNCEMENTS BY THE MAYOR

20 July 2020

NTDC meeting with new Chair

22 July 2020

LGAT AGM

23 July 2020

NTDC Board meeting

24 July 2020

Media Launch – Greater Launceston Transport Vision

25 July 2020

Deloraine vs Meander Valley Suns – Westbury

28 July 2020

Council Workshop

29 July 2020

TEMT meeting - Launceston

ASPIRE launch - Launceston

31 July 2020

Sherriff Agencies release of tagged trout in Huntsman Lake

3 August 2020

Meeting with Deloraine Recreation Ground users

4 August 2020

Council Workshop

6 August 2020

Meeting with Brian Mitchell MP

ANNOUNCEMENTS BY COUNCILLORS

Councillor Susie Bower

20 July 2020 -APM Office Launch – Deloraine
21 July 2020 -Mole Creek Progress Association
28 July 2020 - Bracknell Hall redevelopment
30 July 2020 - Opening of Village Central Clothing – Westbury
5 August 2020 - Blackstone Heights Community Meeting

Councillor Frank Nott

30 July - Prospect Vale Reference Group (PVC)Meeting
3 August – Deloraine Recreation Ground users

DECLARATIONS OF INTEREST

TABLING AND ACTION ON PETITIONS

PUBLIC QUESTION TIME

(conducted under the COVID-19 emergency procedures)

General Rules for Question Time:

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

At the beginning of public question time, the Chairperson will firstly refer to the questions on notice. The Chairperson will note any questions on notice asked and answered in the Council Meeting Agenda.

The Chairperson will then ask a Council officer to read questions without notice.

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

The Chairperson may request a Councillor or Council officer to provide a response. A Councillor or Council officer who is asked a question without notice at a meeting may decline to answer the question.

All questions and answers must be kept as brief as possible. There will be no debate on any questions or answers.

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

If the Chairperson refuses to accept a question from a member of the public, they will provide reasons for doing so.

Questions on notice and their responses will be minuted. Questions without notice raised during public question time and the responses to them will be minuted, with exception to those questions taken on notice for the next Council meeting.

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

Notes

- The Chairperson may allocate a maximum time for each question, or maximum number of questions per visitor, depending on the complexity of the issue, and on how many questions are anticipated to be asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.
- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to Local Government, and any statements or discussion in the Council Chamber or any document, produced are subject to the laws of defamation.

PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – JULY 2020

Nil

2. PUBLIC QUESTIONS WITH NOTICE – AUGUST 2020

2.1 Emma Hamilton, Westbury

- 1 a) In the Meander Valley Council Ordinary Meeting audio recording for July the General Manager responded to Councillor Temple's question by saying he expected that the Government would probably put forward its planning application and rezoning application simultaneously. Will Mr Jordan explain why he suspects this?

Response by General Manager, John Jordan:

To progress development will require the zoning of the land to be considered as well as the development permit. The Tasmanian Government may lodge a combined amendment to effect a change of zone at the same time as seeking a permit for development OR first pursue a straight amendment to rezone (likely to establish a particular purpose zone) and then seek a permit for development. Logic suggests a combined application is more probable.

- b) Is it because the State Government's timeline only indicates one application or has Council received word from the government about how it will proceed with its application?

Response by General Manager, John Jordan:

The General Manager's response was not based on any advice from the Tasmanian Government.

- 2 a) In the Meander Valley Council Ordinary Meeting audio recording for July many councillors spoke of a desire to consult with the community about the northern regional prison intimating that council had always had a desire to consult with the community on this issue. A thorough examination of MVC minutes from each month from October to present shows the overall "message" from council that it was a State Government initiative and as such it was the State Government's duty to do the consulting and a reluctance to face the community on this issue. Indeed it has even been reluctant to make a decision about how it will ascertain the legitimacy of the government's social and economic report. One of the reasons cited by council for not doing its own independent consultation was because it didn't want to "waste" rate payers money when the government was already spending tax payer funds on consulting the community. Given how much rate payer funds have been spent to fight

MARRA on behalf of Teen Challenge will Council explain to the community what policy, criteria or legislation is used to determine what is and is not a “waste” of rate payer funds?

Response by General Manager, John Jordan:

Like all public authorities Council determines matters considering the public interest. “The public interest” may be considered an approach to decision-making rather than a specific outcome to be achieved. In essence, in making decisions Council avoids acting based on private, personal, parochial or partisan interests towards matters of broader (i.e. more ‘public’) concern. Expenditure, and ultimately value for money, is determined considering Council’s obligations under the Local Government Act and other legislation, including considering in the case of the Meander Primary School, relevant planning legislation and schemes. Council is required to address many aspects in its decision making and must act in a way that:

- **Complies with applicable law (both literally and in the spirit of legislative intent)**
- **Ensures functions are carried out fairly and impartially, with integrity and professionalism**
- **Complies with the principles of procedural fairness/natural justice**
- **Ensures proper accountability**
- **Avoids and addresses corrupt conduct or serious maladministration**
- **Avoids or properly manages situations where private interests conflict or might reasonably be perceived to conflict with the impartial fulfilment of official duties or functions**

At times the above considerations mean that actions and costs are incurred that a private party would not deem valuable. As a public authority Council must also act in response or defence of decisions that are challenged. At all times Council weighs cost, public interest and a question of reasonableness.

- b) Also will council explain what it means by consulting the community at an “appropriate” time? As Councillor Synfield rightly pointed out there have been retrospectively ample opportunities that would have been “appropriate” to consult the community. Council have delayed consultation in the past because the site at the industrial estate was only a “proposed” site and had no guarantee that an application would come to council. The government have explicitly stated this new site is “not a preferred site, it is THE site that they WILL build on”. It would seem that now is the appropriate time to consult BEFORE the application comes in and you are all wearing your “town planning hats”.

Response by General Manager, John Jordan:

Meander Valley Council has written to the Attorney General and Department of Justice seeking information about planned consultation and the timeframes for the release of due diligence information relating to Tasmanian Government's new preferred site for a northern prison.

While some people in the community want a public meeting now, Council is under no obligation to hold a public meeting within a timeframe that aligns to the expectations of one particular group in the community. By waiting for more information from the State Government, including the results of due diligence over the new site, Council serves the interests of the entire community.

Council will continue to engage broadly, particularly with the owners of neighbouring properties and those who may not yet have had their say. Council met with pro and anti-prison groups in February, making a commitment to continue to work with representatives from both groups to ensure everyone has equal access to consultation avenues. The new site was a surprise to Council as well as the community. When we have more information about the new site from the Tasmanian Government we will bring together community representatives to plan consultation; understanding COVID-19 restrictions.

2.2 Peter Wileman, Westbury

In light of the General Manager's assertion that the legal costs to Meander Valley Council (and by extension, to the ratepayers of the municipality) is "considerably less" than the \$250,000 that has been reported regarding their litigation surrounding the leasing of the Meander Primary School to Teen Challenge Tasmania for one dollar per annum. My question is:

- (a) What is the Meander Valley Council's calculation of the total financial cost to the council (and by extension, the community) in this matter?

Response by General Manager, John Jordan:

Council's total external costs with regard to the Meander School application by Teen Challenge to date are \$51,364.85 excl GST.

- (b) How much money has the Meander Valley Council spent on litigation between the council, and residents, community organisations and ratepayers of the municipality in the last five years?

Response by General Manager, John Jordan:

Given the broad range of actions taken by Council in the performance of its role as a regulator, planning authority and local government; a determination of total costs over a five year period would substantially and unreasonably divert the resources of Council from its other work. Moreover, in some instances matters are ongoing and the disclosure of information pertaining to costs prior to the conclusion of matters may prejudice the results. Council remains accountable for its expenditure through the annual budgets and annual reports over the nominated time period.

2.3 Sheila Williams, Westbury

I am very concerned about articulated trucks using Marriott Street. I recently had to back up onto the verge to allow such a vehicle to turn from Meander Valley Road into Marriott Street. The road, Marriott Street, is not wide enough to accommodate such vehicles.

Two vehicles passing one another with a safe distance between them would need to go onto the grass verge. Marriott Street, on the south side of Dexter Street, has an open drain and lower down, past Suburb Road, on the opposite side of Marriott Street there is another open drain just waiting for one of these large vehicles to fall into a ditch.

If we need such trucks to drive through Westbury then we need to build an appropriate motorway.

I trust you will discuss this serious, dangerous matter at the next Council meeting.

Response by Dino De Paoli, Director Infrastructure Services:

Council officers provide the following background for the information of Council.

An action identified in the December 2013 Westbury Outline Development Plan was for the implementation of a heavy vehicle route through Westbury, with the key north south section of the route being Marriott Street.

Although sections of Marriott Street had been upgraded to have a 6 metre sealed width, Council resolved at the May 2014 Ordinary Meeting of Council not to install road signage to designate Marriott Street as a heavy vehicle route, and also resolved that no designated truck route be implemented in Westbury.

The sealed width of Marriott Street from Meander Valley Road to Moore Street is 6 metres. This is adequate to provide for a traffic volume from 300 to 2000 vehicles per day, in accordance with current Tasmanian Standard Drawings, including over 10% of heavy vehicle traffic.

The most recent vehicle survey undertaken by Council officers in Marriott Street was between Meander Valley Road and King Street in May 2014. On this occasion, the average two-way volume of traffic was 475, with the percentage of heavy vehicles being 10%. The heavy vehicle percentage comprises heavy vehicles with a 2 axle configuration, such as a small bus or small truck, up to multi-axle configurations, such as semi-trailers.

2.4 Martin Hamilton, Westbury

1. In the December 2019 MVC Ordinary Meeting I asked the following question and received the following answer. "2.5 Martin Hamilton, Westbury (a) November 2019 Meeting – Minute 194/2019 - Tabling Petitions – We oppose the construction of a new prison to close to Westbury". Will you confirm who from the State Government the petition was handed over to and when it will be tabled in Parliament? Response by Acting General Manager, Jonathan Harmey The petition was sent to the State Government's contact point for their Northern Prison project: northern.prison@justice.tas.gov.au on 14 November. A State Government representative replied that day to advise the petition would be supplied to the social economic study consultants for their information to help inform the report. Council has not been informed if the State Government intend to table the petition in parliament." We can now confirm via Hansard that the State Government never tabled the petition in Parliament, and the "SGS Social-Economic report" is now available to be read by Council and the public. Is Council able to advise any evidence (ie cite page numbers) where there is any mention that a petition opposing the prison was handed over to the Department of Justice consultants and then on to the social economic study consultants to "inform the report", or will Council concede that the original petition has disappeared without trace never to be seen or mentioned again?

Response by General Manager, John Jordan:

On 12 November 2019, Council formally received a petition titled "We oppose the construction of a new prison so close to Westbury", the action determined by Council at that time was to provide the petition to the State Government to be included in the community consultation process being undertaken by the State Government. The petition was provided to the State Government on 14 November 2019. Council received a response that day from the Department of Justice to advise that they would supply the petition to the social economic

study consultants for their information to help inform the report. While Council cannot provide evidence of the State Government actions undertaken following receipt of the petition, in the interest of transparency we table the covering email that was sent to the State Government on 14 November 2019.

2. Does Council still have a copy of the original petition that was tabled in November 2019?

Response by General Manager, John Jordan:

Yes, Council retained the original petition as a public record.

3. PUBLIC QUESTIONS WITHOUT NOTICE – AUGUST 2020

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JULY 2020

Nil

2. COUNCILLOR QUESTIONS WITH NOTICE – AUGUST 2020



Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – AUGUST 2020


DEPUTATIONS BY MEMBERS OF THE PUBLIC

From: Jonathan Harmey
To: northern.prison@justice.tas.gov.au
Cc:
Subject: Meander Valley Council petitions received

Sent: Thu 14/11/2019 12:31 PM

Message  Second petition received from Heather Donaldson 11 November 2019.pdf (213 KB)  Main petition received form Heather Donaldson 11 November 2019.pdf (3 MB)

Good afternoon Northern Prison team,

At our Council Meeting on 12 November 2019 we received a complying petition form Heather Donaldson with 695 signatories. Her contact details are: 

On 11 November I received a second petition from Heather Donaldson with a smaller number of signatories and a different description. I have attached this for you also.

I trust that you will include these two petition's in your community consultation process that you are currently undertaking and include Mrs Donaldson in any action as you deem appropriate.

If you have any questions or would like to discuss this further, please contact me.

Regards

Jonathan Harmey | Acting General Manager
Meander Valley Council
working together

T: 03 6393 5300 | **F:** 03 6393 1474 | **E:** jonathan.harmey@mvc.tas.gov.au | **W:** www.meander.tas.gov.au
26 Lyall Street (PO Box 102), Westbury, TAS 7303



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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

PLANNING AUTHORITY 1

Reference No. 150/2020

42A PIONEER DRIVE, MOLE CREEK

Planning Application: PA\20\0203

Proposal: Food Services & General Retail & Hire (cafe & butcher)

Author: Justin Simons
Town Planner

1) Proposal

Application

Council has received an application for the construction of a Butcher Shop and Café on the land at 42A Pioneer Drive, Mole Creek.

Applicant:	Tasmanian Consulting Service
Owner:	Rowdy Room, Dennis R Durham Holdings & Charles R Durham Holdings
Property:	42a Pioneer Drive, Mole Creek (CT's: 50691/1)
Zoning:	Village Zone
Existing Land Use:	Vacant
Representations:	Seven (7) including a petition
Decision Due:	11 August 2020
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

If approved, the application will result in:

- a) Use and development of the land for a butcher shop and café;
- b) A 76.8m² undercover dining area;
- c) A sealed customer car park located between the building and the street;
and
- d) Gravelled employee parking and deliveries to the rear.

An indicative site plan and elevations are included below. Please refer to the attachments for the full application details and plans.

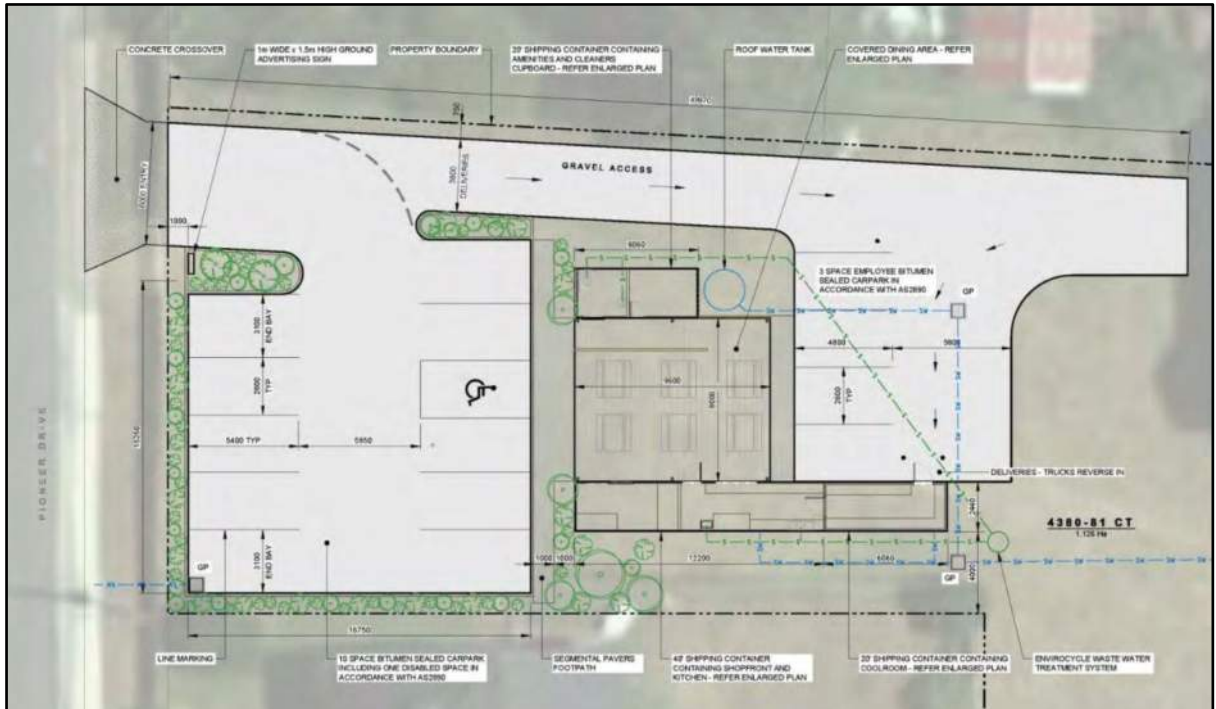


Figure 1: Proposed site plan.

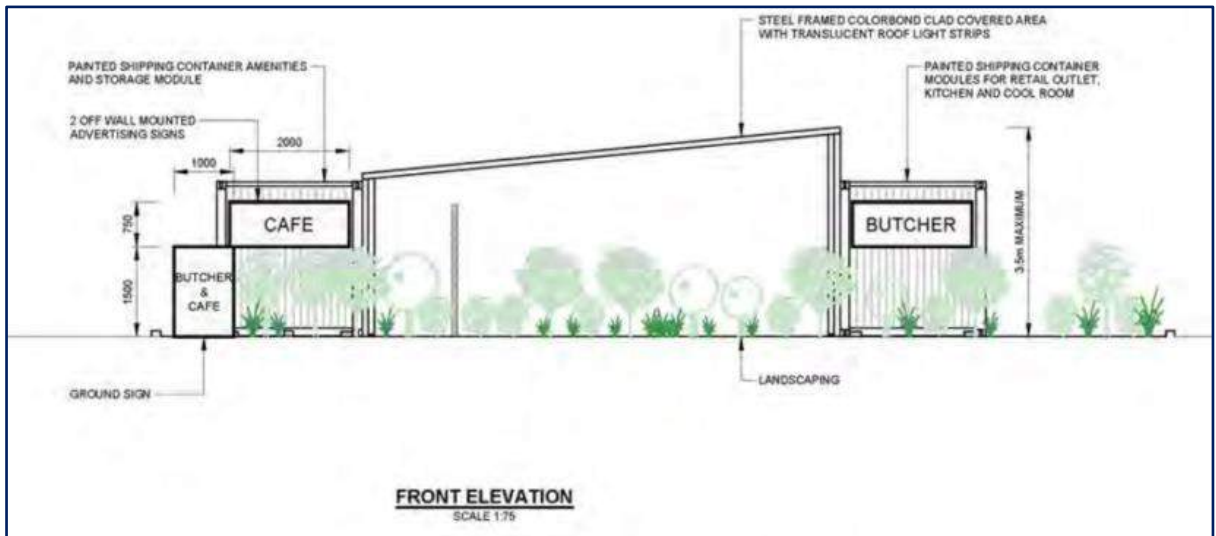


Figure 2: Elevation fronting Pioneer Drive.

Standards Requiring Discretion

The application relies on the following Performance Criteria:

- E6.7.1 Construction of Car Parking – P1
- E6.7.2 Design and Layout of Car Parking – P2
- E6.8.1 Pedestrian Walkways – P1
- E15.6.1 Sediment and Pollution - P2

2) Summary of Assessment

The application proposes the use and development of the land at 42a Pioneer Drive, Mole Creek for a butcher shop and café, including parking and alfresco dining area.

The standards of the planning scheme which require assessment of the Performance Criteria and the application of Council's discretion to approve or refuse the application are outlined above and detailed in the Scheme Assessment in Section 6.

Overview:

- The proposed use and development is compliant with the standards of the Village Zone. The uses are permitted uses in the Village Zone, and comply with all of the applicable Acceptable Solutions relating to use and development including setbacks and height.
- The development triggers Performance Criteria in relation to the car parking and the proximity to karst features. The car parking can be adequately managed by conditions to improve its function, appearance and pedestrian access, and is acceptable for the proposed development. The karst assessment demonstrates that there is adequate space on the title to accommodate the development with suitable setbacks from karst features. The development is compliant with the Performance Criteria.
- The site can be adequately serviced. The property has direct access to Pioneer Drive, with adequate safe sight distances to the east and west. The site has sufficient area to manage wastewater and stormwater on site and environmental impacts can be adequately managed by conditions.
- The proposal is located on a major road, within a local service centre, in close proximity to other services and businesses.
- Seven (7) representations were received during the advertising period. The development is considered acceptable in regard to these aspects (refer to Section 4 Representations).
- Some matters raised in the representations, including competition, demand, the number of toilets and the suitability of alfresco dining, are not planning concerns.
- Some matters raised in the representations relating to the form of the building, objection to shipping containers, operating hours and general concerns with the use relate to elements of the development that are fully compliant with the Acceptable Solutions and do not rely on Council's discretion.
- The impact of the development on the karst and management of wastewater have been adequately addressed in a report by a qualified karst expert.

- Conditions have been included in the recommendation for landscaping to improve the visual appearance of the carpark to the front of the development.
- It has been confirmed and reinforced through conditions that there will be no smokehouse, small goods manufacture or access to Hall Street as part of the proposal.

With appropriate conditions, the proposed development is compliant with all of the applicable provisions of the Meander Valley Interim Planning Scheme 2013 and is recommended for approval.

3) Recommendation

It is recommended that the application for Use and Development for Food services & general retail & hire (cafe & butcher), on land located at 42A Pioneer Drive MOLE CREEK (CT:50691/1), by Tasmanian Consulting Service Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:

- Tasmanian Consulting Service, P/L; Development Application-Supporting Information; Revision 1, 11 June 2020, pages 13-35 (including drawing no. 8982, sheets 010, 011, 012 & 013);**
- Philip Cullen, *A Report on the Karst Features in the Vicinity of a proposed Butchers Shop and Associated Infrastructure at 42a Pioneer Drive, Mole Creek*, dated 9 February 2020; and**
- Landscaping plan approved in accordance with Condition 1.b).**

and subject to the following conditions:

1. Prior to the commencement of any works:

- Amended plans must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plans will be endorsed and will then form part of the permit. Drawings 8982-011 and 012 are to be amended to show:**
 - A pedestrian access from the Pioneer Drive Road reserve to the front of the building. The pedestrian access is to maintain a minimum width of 1.5m and is to be clearly line-marked where crossing the parking aisle. If necessary to accommodate the pedestrian path the width of the vehicle access may be reduced (to no less than 4.5m) and a single parking space to the front of the**

- building may be removed; and
- ii. **The parking aisle to the front of the proposed building is to be extended to 1m beyond the last parking space to provide for onsite turning in accordance with AS2890.1 (Figure 2.3).**
 - b) **A landscaping plan is to be submitted detailing landscaping between the carpark and the front boundary. The majority of species planted are to attain a mature height of 1.2m with at least one (1) feature tree with a minimum mature height of 1.8m.**
 - c) **Detailed engineering drawings showing the extent of the proposed access, including removal of the exiting access crossover and all associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application, (see Note 1); and**
 - d) **If discharging stormwater to the street: a drainage plan, including catchment area, flows and drainage design for any area discharging to the State Road Reserve must be submitted to the Department of State Growth as part of an application for approval to concentrate drainage of the land onto the State road network (see Note 2).**
2. **If stormwater is to be managed onsite, discharge is to be located outside of the identified karst buffer zone and is to be fitted with a spreader or similar dispersal system designed to mimic overland flow (see Attachment A).**
 3. **The landscaping between the car park and the frontage must be maintained in accordance with the endorsed landscaping plan, with any plant fatalities being replaced with a similar species.**
 4. **The east wall of the proposed butcher shop and café is not to include any transparent windows or doors with a sill height less than 1.7m.**
 5. **A privacy screen (or fence topper) with a minimum height of 1.8m and minimum of 30% transparency is to be erected between the front carpark and the west facing window of the dwelling at 42 Pioneer Drive. The screen is to extend 1.5m beyond the edge of the window.**
 6. **The driveway crossover is to be installed in accordance with LGAT Standard Drawing TSD-R09 – V1 (with deviated width), the redundant crossover removed and the kerb and nature strip rehabilitated.**

- 7. Wheel stops are to be installed in accordance with AS2890.1 for all parking spaces.**
- 8. With the exclusion of administration, cleaning, emergency maintenance, back of house tasks and deliveries, the hours of operation are limited to 9:00am to 5:00pm daily. Deliveries and commercial vehicles must only operate at the site 7:00am to 7:00pm Monday-Friday and 8:00am to 6:00pm Saturday and Sunday.**
- 9. No small goods manufacture is to be undertaken on the site.**
- 10. This permit does not approve:**
 - a) The use of the existing building or any other building as a smoke house; and**
 - b) Access to Hall Street or an associated gravel access road.**
- 11. Prior to the commencement of use:**
 - a) The driveway crossover is to be upgraded in accordance with Condition 6 and to the satisfaction of Council and the Department of State Growth.**
 - b) Landscaping is to be installed in accordance with the endorsed Landscaping Plan (Condition 1.b) to the satisfaction of Council's Town Planner.**
 - c) The stormwater is:**
 - i. To be directed to the kerb to the satisfaction of the Department of State Growth and Council's Director Infrastructure Services; or**
 - ii. To be managed onsite in accordance with Condition 2 and to the satisfaction of Council's Plumbing Surveyor.**
 - d) The privacy screen is to be erected in accordance with Condition 5 and to the satisfaction of Council's Town Planner; and**
 - e) Wheel stops are to be installed in accordance with Condition 7 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. In this instance both Council and the Department of State Growth are responsible for management of the road reserve. Each has separate requirements for additional approvals:

- a) Department of State Growth - A valid works permit is required for all works undertaken in the State road (Pioneer Drive) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways.
 - b) Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.
 - c) Council - An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312. The form must be completed prior to the commencement of works.
2. Approval is required from the Department of State Growth to concentrate and discharge stormwater or drainage onto the State road network. Details of the permit process and application forms can be found at: https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only.
 3. Registration as a Food Business under the *Food Act 2003* is required if food is provided as part of the proposed business. Please contact Council's Environmental Health Officer on (03) 6393 5320.
 4. Registration as a Private Water Supplier under the *Public Health Act 1997* is required if drinking water from the onsite tanks is supplied to any premises used for commercial purposes. Please contact Council's Environmental Health Officer on (03) 6393 5320.
 5. An application for a Plumbing Permit will be required at the Building and Plumbing Permit application stage for the on-site wastewater system servicing the building. Please note that an on-site wastewater design report by a suitably qualified person is required to accompany the application. The design report must be consistent with the provisions of the planning permit in regard to setbacks from karst features and must not be located within the easement servicing 42 and 40 Pioneer Drive, Mole Creek.
 6. Full plans including internal elevations for the proposed butcher shop and café will need to be provided with the building application and to accompany the Form 42 request from the building surveyor.

7. 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 (03) 6393 5320 or via email: mail@mvc.tas.gov.au.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.

13. 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.
14. 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; and
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

4) Representations

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

Seven (7) representations were received (attached documents). A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with full representations included in the attachments.

Concern - Privacy and Security

- The proposal is set to be developed directly over the fence from 42 Pioneer Drive and will be visible from the kitchen window. Concerns that people will be able see clearly into the dwelling.
- Desire for a higher boundary fence, however not if it will impact sun into the window.
- 1.8m fences should be erected on all adjoining boundaries for security, safety, privacy and to act as a barrier for vehicle noise and headlights.

Comment:

The proposed configuration of the development is such that the buildings will create a visual barrier between the proposed public dining area and the neighbouring property at 42 Pioneer Drive. This is considered adequate to minimise views into the private open space of the dwelling. There is one window directly adjacent to the proposed parking area, with an existing 1.5m boundary fence offering little privacy (see Photo 1 and Figure 3 below).



Photo 1: 42 Pioneer Drive, showing the window, boundary fence and approx. location of parking outlined in red.



Figure 3: Relationship between the proposed development and 42 Pioneer Drive.

It is not considered necessary that the entirety of the fence be increased in height to provide privacy to the window. However, a privacy screen with a minimum height of 1.8m and maximum transparency of 30% would minimise direct views into the dwelling without significantly impacting solar access.

The existing vegetation along the boundary at 44 Pioneer Drive adequately screens this property from view to the carpark and other public areas designed for customers (see Photo 2).



Photo 2: West side boundary fence, showing existing vegetation.

The adequacy of boundary fencing is a matter between the landowners and is managed through the *Boundary Fences Act 1908*.

Recommended Conditions:

1. The east wall of the proposed butcher shop and café is not to include any transparent windows or doors with a sill height less than 1.7m.
2. A privacy screen (or fence topper) with a minimum height of 1.8m and minimum of 30% transparency is to be erected between the front carpark and the west facing window of the dwelling at 42 Pioneer Drive. The screen is to extend 1.5m beyond the edge of the window.

Concern - Noise

- Excessive noise of bandsaws, unloading trucks, cars and people is concerning.
- Potential noise outside of the hours of operation.

Comment:

The application proposes to operate within the hours of operation identified in the planning scheme and the use is permitted in the zone. It is reasonable for some noise to be generated in normal business hours, including the noise of vehicles and people coming and going. It is recommended that a condition be placed on the planning permit to reinforce the proposed hours of operation and limit any after-hours activities to cleaning, administration and other low impact activities.

The nature of the business does not suggest an excessive amount of noise will be generated. The proposal will be required to comply with the *Environmental Management and Pollution Control Act 1994 (EMPCA)* and excessive noise can be regulated through this Act.

Some noise during construction is inevitable. Council can also manage any excessive construction noise at unreasonable hours through EMPCA.

Recommended Condition:

- With the exclusion of administration, cleaning, emergency maintenance, back of house tasks and deliveries, the hours of operation are limited to 9:00am to 5:00pm daily. Deliveries and commercial vehicles must only operate at the site 7:00am to 7:00pm Monday - Friday and 8:00am to 6:00pm Saturday and Sunday.

Concern - Karst

- Impacts on karst caused by wastewater and stormwater.
- Lack of study to show subterranean features.

Comment:

The application has been assessed against the provisions of the Karst Code and it is considered that, with appropriate conditions, the proposal is acceptable.

Karst assessments are generally based on visual surface cues. The development of the planning scheme focusses on surface features as the primary risks are from direct contamination by untreated wastewater and the concentration of water via surface openings such as caves, sinkholes and karren. In this instance the site does not have any caves or sinkholes. The site has been demonstrated to have well over 500mm of soil coverage in the vicinity of the development and this is sufficient to accommodate natural filtration prior to water entering any subterranean features. The karst assessor has identified a buffer around the watercourse and adjacent surface features. No development is proposed within the buffer.

It has also been recommended that the stormwater discharge point be fixed with a spreader to mimic overland flow and minimise concentration of stormwater.

Concern - Wastewater

- The proposed wastewater treatment system is located in an easement favouring other titles and already containing wastewater treatment systems.

Comment:

The proposal does include a wastewater treatment system within an easement dedicated to the management of wastewater from the dwellings at 40 and 42 Pioneer Drive. It would not be possible for a permit to be issued for the wastewater treatment

system in this location under the *Building Act 2016*. However, based on the area required for the wastewater treatment system and the area considered suitable for wastewater management in the karst assessment, Council's Environmental Health Officers have confirmed that there is sufficient area outside of the easement and outside the buffer to adequately manage wastewater on site.

A note is recommended to be included on the planning permit that the location of the wastewater treatment system must take into account the existing third party easement on the property and the buffers identified in the karst assessment report.

Concern - Dust

- Gravel access should be sealed to the same standard as the car park to minimise dust.

Comment:

The primary carpark associated with the proposal is sealed. It is proposed that the staff and service carpark to the rear of the buildings will be gravel. This is considered to be acceptable. Turnover of staff and delivery vehicles will be significantly less than customer vehicles. The semi-public nature of the proposal and the requirement for caution around customers also creates a low speed environment. The small area of gravel, low turnover of vehicles and low speed environment is unlikely to result in creation of dust at levels that would cause a nuisance.

Concern - Errors

- Inconsistent plans (plan in the karst assessment is different to the design plans).
- Lack of wastewater design detail.
- Lack of tank detail.
- Incorrect address for the abattoir referenced.

Comment:

Part of the assessment process is to resolve conflicts and address errors or inconsistencies. The karst assessment submitted with the application includes an early site plan, showing an access to Hall Street and a smoke house. These features are not included on the design plans and are not considered to be part of the proposal. The applicant has confirmed in writing that the application does not include a Hall Street access or a smoke house and no small goods will be manufactured onsite. The incorrect site plan used in the karst report is not considered to be so different that it impacts the validity of the findings. The application does not include an abattoir.

The design and suitability of the wastewater treatment system are matters dealt with under the *Building Act 2016*. From a planning perspective Council must be certain that there is sufficient area identified which can be used for the management of wastewater and is located sufficient distance away from karst features. Council's Environmental

Health Officers have assessed the area available for wastewater management and the type of system proposed and advised that there is adequate space within the area approved by the karst assessor to manage wastewater generated by the proposal. The brand and specifications of the system are not relevant, provided the system is consistent with the karst assessment.

The proposed rainwater tank has been confirmed to have a capacity less than 45,000L, is located more than 1m from a boundary and does not require a stand. As such, it is exempt in accordance with Clause 6.1.2 of the planning scheme.

While referenced in the application, the proposed abattoir at Big Den Road is not part of this assessment and is not an applicable consideration.

Recommended Conditions:

- No small goods manufacture is to be undertaken on the site.
- This permit does not approve:
 - a) the use of the existing building or any other building as a smoke house; and
 - b) access to Hall Street or an associated gravel access road.

Concern - Building Form

- Open alfresco not suited to Mole Creek Climate. Too cold in Winter and too hot in Summer.
- Alfresco unhygienic; open to pests and dust.
- No provisions for cyclists.
- Unattractive views of carparks.
- Insufficient toilet facilities.
- Unsafe due to lack of barriers between parking and dining.
- Shipping containers are unattractive, unimaginative, temporary and cannot be disguised.

Comment:

A number of concerns relating to the form of the building, including the use of an alfresco, the attractiveness of the dining area and the provision of a bike rack are commercial decisions and not matters regulated by the Meander Valley Interim Planning Scheme 2013.

The provision of toilets is regulated under the *Building Act 2016* and is not a planning matter. An accessible toilet for patrons is generally required where seating is provided for 20 customers. Building approval will be required under this Act prior to the commencement of any works.

The lack of barriers between the dining area and the car park has been considered in

the assessment below. It is considered warranted that wheel stops be installed for each parking space in accordance with AS2908.1 and a pedestrian access be installed. A condition has been included in the recommendation.

The construction of the buildings, including the use of shipping containers is a matter addressed under the *Building Act 2016*. Some landscaping has been recommended in the planning assessment to mitigate the visual impact of the carpark. A condition has been included in the recommendation.

Concern - Competition and Viability

- The proposal will compete with existing businesses in Mole Creek, impact their profitability and increase financial strain.
- Insufficient demand and business will not be viable.

Comment:

The viability of a business and competition between the proposal and existing businesses is not a planning matter.

Department of State Growth

- Advice regarding the requirement to submit an application for a Works Permit, prior to any access improvements being undertaken in the road reserve.

Comment:

The advice provided by the Department of State Growth is relatively standard regarding processes required under other legislation. It is common practice for this type of information from Statutory Authorities to be incorporated as a condition or note on the permit.

5) Consultation with State Government and other Authorities

Consent was obtained by the applicant from the Department of State Growth for works in the State Road Reserve prior to submitting the application.

The Department of State Growth was also notified as an adjoining land owner and submitted a representation to the proposal containing advice regarding the road reserve.

6) Scheme Assessment

Use Class: General Retail and Hire and Food Services.

Performance Criteria

Those aspects of the development which require Council to exercise discretion are outlined and addressed in the following tables. The Performance Criteria outlines the specific things that Council must consider in determining whether to approve or refuse the application.

Car Parking and Sustainable Transport Code	
E6.7.1	Construction of Car Parking and Access Strips
Objective	<i>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</i>
Performance Criteria	P1 <i>All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</i>
Response	<p>The application relies on Performance Criteria as part of the driveway and three (3) staff parking spaces at the rear of the property are proposed to be unsealed.</p> <p>The access and parking will be gravelled and readily identifiable. As they will be used by staff and delivery vehicles, users will generally be familiar with the parking arrangements. Turnover of delivery and staff vehicles will be relatively low. A gravelled access and parking area is considered to be acceptable for the low volume and nature of the traffic accessing the rear parking area.</p> <p>Due to the volume of parking available to the front of the buildings and the significant volume of street parking on Pioneer Drive, it is considered unlikely that the rear car park will be required for overflow parking.</p> <p>It is also noted that the parking to the rear of the property is in addition to the number of parking spaces required by the planning scheme and is not considered to be fundamental to the proposal.</p> <p>The car parking to the front of the property is to be sealed with asphalt and line marked. The front parking area complies with the Acceptable Solutions and is also considered to be constructed to an appropriate standard.</p> <p>The development complies with the Performance Criteria and the Objective.</p>

E6.7.2 Design and Layout of Car Parking

Objective

To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Performance Criteria

P1

The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:

- a) the layout of the site and the location of existing buildings; and*
- b) views into the site from the road and adjoining public spaces; and*
- c) the ability to access the site and the rear of buildings; and*
- d) the layout of car parking in the vicinity; and*
- e) the level of landscaping proposed for the car parking.*

Response

The application includes a 10 bay parking aisle located between the building and the frontage. The existing buildings on the site have not influenced the location of the carpark and there does not appear to be a specific reason why the parking could not have been behind the building line. The rear of the building is accessible.

While the proposed carpark is located in a prominent position on the lot, it is not considered to be detrimental to the streetscape. The lot does not have a large frontage and the proposed car park is relatively small. As such, it features in the immediate streetscape, but does not contribute significantly to the broader streetscape.

The application includes landscaping along the frontage between the car park and the street. It is considered appropriate in this instance to mandate the landscaping be installed, to soften the appearance of the carpark from the street. It is recommended that the majority of species planted achieve a mature height of 1.2m and include at least one (1) feature tree with a mature height greater than 1.8m.

The lot is currently fronted by an existing 1.5m solid timber boundary fence, which will be removed as part of the proposal. It is considered that with appropriate landscaping, the proposal will add visual interest to the streetscape and the appearance of the carpark to the front of the building will not be detrimental.

Recommended Conditions:

1. A landscaping plan is to be submitted showing, landscaping between the carpark and the front boundary. The majority of species planted are to attain a mature height of 1.2m with at least one (1) feature tree with a minimum mature height of 1.8m.

2. The approved landscaping must be maintained in accordance with the endorsed landscaping plan, with any plant fatalities being replaced with a similar species.

Performance Criteria

P2

Car parking and manoeuvring space must:

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.*

Response

The application relies on Performance Criteria due to the width of the driveway, the inability to enter and exit some of the parking spaces in a forward direction and due to non-compliance with Australian Standard 2890.1 Off Street Car Parking (AS2890.1).

The proposed parking is considered to be convenient, safe and efficient. The parking area is flat and generous space has been provided for onsite manoeuvring. The application proposes a driveway width of 6m. While this is greater than the 4.5m required by the Acceptable Solutions, it provides ample room for vehicles to enter and exit the site simultaneously. There are minimal street features and views of the access are generally unobstructed.

The intent of the proposal is for vehicles to enter and exit in a forward direction. Due to the blind aisle design of the front car park, there is insufficient space for the last two (2) parking spaces to manoeuvre and exit in a forward direction without some inconvenience. By extending the parking aisle 1m beyond the final parking space, this difficulty can be removed. The change is relatively minor and will not cause any increased detriment to any other party. Extending the aisle by 1m will also bring the proposal into conformity with AS2890.1

With a condition to improve onsite turning and manoeuvrability, the proposal complies with the Performance Criteria and the Objective.

Recommended Condition:

- The parking aisle to the front of the proposed building is to be extended to 1m beyond the last parking spaces to provide for onsite turning in accordance with AS2890.1 (Figure 2.3)

E6.8.1 Pedestrian Walkways

Objective

To ensure pedestrian safety is considered in development

Performance Criteria

P1

Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.

Response

The application does provide pedestrian access between the car park and the building, but does not propose a dedicated pedestrian access between the street and the building. Given the volume and convenience of street parking on Pioneer Drive, there is a high likelihood that pedestrians will access the property from the street. It is recommended that a pedestrian access be installed. The pedestrian access must have a minimum width of 1.5m and be clearly line marked where crossing the parking aisle. It is noted that a minor reconfiguration of the parking aisle may be required. In this instance, both the access width and number of parking spaces exceed the requirements of the planning scheme. A reduction in the access width, to no less than 4.5m and the removal of a single parking bay are acceptable and would not compromise compliance with any applicable planning standards.

It is also recommended that the parking bays be fitted with wheel stops to minimise encroachment into pedestrian paths.

With a condition on the permit, the application is considered to comply with the Performance Criteria and ensures safe pedestrian access.

Recommended Condition:

- Prior to the commencement of any works:
 - a) amended plans must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plans will be endorsed and will then form part of the permit. Drawings 8982-011 and 012 are to be amended to show:
 - i. a pedestrian access from the Pioneer Drive Road reserve to the front of the building. The pedestrian access is to maintain a minimum width of 1.5m and is to be clearly line-marked where crossing the parking aisle. If necessary to accommodate the pedestrian path the width of the vehicle access may be reduced (to no less than 4.5m) and a single parking space to the front of the building may be removed.

E15 Karst Management Code

E15.6.1 Sedimentation and Pollution

Objective

To ensure that the impacts of development are managed to minimise erosion and to prevent sediment and pollution entering the Karst System.

Performance Criteria

P2

Sediment and pollutant loss into the karst system is to be minimised through:

- a) the use of sediment control measures;*
- b) the avoidance of karst features and subterranean cavities in the construction of subsurface infrastructure;*
- c) vegetation retention or permanent perennial ground cover between the development and karst features;*
- d) improvement of vegetation cover in critical areas for soil conservation, such as steep slopes, unstable soils and riparian areas;*
- e) directing on-site effluent disposal away from Karst features; and*
- f) the use of specialised, lower impact on-site effluent disposal systems.*

Response

The application includes a karst report prepared by a suitably qualified person that identifies karst features on the site and recommends a suitable buffer. Assessment of the ability of the land to accommodate the development, wastewater and stormwater management is informed by this report. However the details and specifications of these systems are a matter dealt with under the *Building Act 2016* and will be considered at the building and plumbing approval stage.

The application proposes to discharge stormwater to the street, or onsite depending on the fall. Both options are considered acceptable, with appropriate conditions. The Department of State Growth has provided advice in regard to discharge to the State Road as follows:

The applicant must provide a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve as part of an application for approval to concentrate drainage of the land onto the State road network....

The advice will be included as a condition on the permit should discharge to the street be preferred.

Should onsite management of stormwater be preferred it is noted that there is adequate soil coverage to filter the relatively low volume of contaminants likely to be discharged from the carpark. It is recommended that the discharge be dispersed via

a spreader to mimic overland flow in accordance with Attachment A (see attached). Discharge of stormwater is to be located outside the buffer identified in the karst assessment. Roof water is generally free of contaminants and poses little risk.

The land has been demonstrated to have sufficient soil coverage over the bedrock to ensure that subsurface infrastructure does not interfere with any subterranean features. Subterranean features are contained in bedrock. Outside of bedrock, they very quickly become surface features, such as sinkholes and would have been readily identified. Soil pits prepared by the karst assessor in the vicinity of the development did not reach bedrock and there is no evidence of surface features.

The proposal will not disturb any steep or unstable areas and identifies a riparian buffer protecting karst features along Limestone Creek. All works and water disposal occur outside this buffer.

A preliminary wastewater report submitted with the application identifies that an Aerated Wastewater Treatment System (AWTS), a specialised secondary treated system with a higher quality water output, will be used to manage wastewater. The size of the system required is sufficient to demonstrate that a wastewater system can be accommodated within the buffer identified in the karst report. The exact specifications of the system are a matter dealt with under the *Building Act 2016*.

Recommended Conditions:

1. Prior to the commencement of works: The applicant must provide a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve as part of an application for approval to concentrate drainage of the land onto the State road network (see Note 1).
2. Prior to the commencement of use stormwater is to be discharged in one of the following manners:
 - a) A stormwater connection is to be provided to the kerb to the satisfaction of the Department of State Growth and to the satisfaction of Council's Director Infrastructure Services; or
 - b) Direct discharge is to be located outside of the identified karst buffer zone and is to be fitted with a spreader or similar dispersal system designed to mimic overland flow (see Attachment A)

NOTE: Approval is required from the Department of State Growth to concentrate and discharge stormwater or drainage onto the State road network. Details of the permit process and application forms can be found at: https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only

Acceptable Solutions

The following tables include an assessment of compliance against all of the applicable Acceptable Solutions of the Planning Scheme.

Village Zone		
Scheme Standard	Comment	Assessment
16.3.1 Amenity		
A1	Food services and general retail and hire are both permitted uses in the village zone.	Complies
A2	The application states that commercial vehicles will operate between 7:00am and 7:00pm Monday to Friday and 8:00am to 6:00pm Saturday and Sunday. This is within the parameters of the acceptable solution.	Complies
A3	Parking is provided onsite for commercial vehicles.	Complies
16.3.2 Village Character		
A1	The use does not cover more than 250m ² in floor area.	Complies
A2	No goods or materials are stored external to buildings.	Complies
16.4.1 Building Design and Siting		
A1	Site coverage is less than 50% of the property.	Complies
A2	The proposal has a maximum height of 3.5m.	Complies
A3	The development is setback more than 6m from the frontage.	Complies
A4	All development is more than 3m from the side and rear boundaries. The proposal is 4m from the nearest side boundary and a significant distance from rear.	Complies

E4 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment

E4.2 Application of this Code		
	The application will intensify the existing access.	Code applicable
E4.6.1 Use and road or rail infrastructure		
A1	The proposal does not increase vehicle movements onto a Category 1 or 2 road.	N/A
A2	The use is estimated to generate less than 40 vehicle movements onto Pioneer Drive.	Complies
A3	The road has a speed limit less than 60km/h.	N/A
<p>Comment: The application includes a relocation of the driveway crossover. To better meet the objective of the standard and provide safe and efficient access to the property it is recommended that a condition be included on the permit to ensure that the redundant crossover is removed and the new crossover constructed to Council standards. As the road is a State Road, approval of the Department of State Growth is also required.</p> <p>Recommended Conditions:</p> <ol style="list-style-type: none"> 1. Prior to the commencement of works, detailed engineering drawings showing the extent of the proposed access, including removal of the exiting access crossover and all associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application, see Note 1. 2. The driveway crossover is to be installed in accordance with LGAT Standard Drawing TSD-R09 – V1 (with deviated width), the redundant crossover removed and the kerb and nature strip rehabilitated to the satisfaction of Council’s Director Infrastructure Services and the Department of State Growth. <p>NOTE: Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. In this instance both Council and the Department of State Growth are responsible for management of the road reserve. Each has separate requirements for additional approvals:</p> <ol style="list-style-type: none"> a) Department of State Growth - A valid works permit is required for all works undertaken in the State road (Pioneer Drive) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads and traffic management/permits and bookings/new or altered access onto a road driveways Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written 		

<p>permit has been issued.</p> <p>b) Council - An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312. The form must be completed prior to the commencement of works.</p>		
E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways		
A1	The proposal is not within 50m of a railway or a Category 1 or 2 road.	N/A
E4.7.2 Management of Road and Accesses and Junctions		
A1	Development only includes one access.	Complies
A2	The road has a speed limit less than 60km/h.	N/A
E4.7.3 Management of Rail Level Crossings		
A1	The proposal does not include a level crossing.	NA
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings		
A1	The application includes a minor relocation of the access. Sight distance at the proposed access exceeds 200m to the east and 115m to the west. This exceeds the requirements of Table E4.7.4.	Complies

E5 Flood Prone Areas Code		
Scheme Standard	Comment	Assessment
E5.2 Application of this Code		
	The application is not mapped as being flood prone. While flooding of Limestone Creek did occur in 2016, the subject property was not impacted in the vicinity of the development.	Code not applicable
E6 Car Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
E6.2 Application of this Code		
E6.2.1	Code applies to all use and development.	Code is applicable
E6.6.1 Car Parking Numbers		
A1	The application proposes 13 parking spaces. The development requires seven	Complies

	(7) parking spaces; 6.2 spaces for food services with a dining area of 94m ² and 0.4 spaces for the retail area.	
E6.6.3 Taxi Drop-off and Pickup		
A1	Sufficient space in access and excess parking spaces.	Complies
E6.6.4 Motorbike Parking Provisions		
A1	Sufficient space in access and excess parking spaces.	Complies
E6.7.1 Construction of Car Parking Spaces and Access Strips		
A1	Parking spaces will be sealed and line marked in the customer parking area. Staff parking to the rear of the property will be unsealed.	Relies on Performance Criteria
E6.7.2 Design and Layout of Car Parking		
A1	The proposed parking is not located behind the building line.	Relies on Performance Criteria
A2	The gradient of the site is less than 10%. Vehicles cannot enter and exit in a forward direction due to lack of turning provisions at the end of blind aisle. The access width is 6m on the plan. This is more than 10% wider than required by Table E6.2. The development complies with Table E6.3, providing a width of access ways greater than 5.8m. The layout does not Comply with AS2890.1 as it includes a blind aisle without provisions for turning.	Relies on Performance Criteria
E6.7.3 Car Parking Access, Safety and Security		
A1	Less than 20 spaces are provided.	Complies
E6.7.4 Parking for Persons with a Disability		
A1	The proposed accessible parking space is located closest to the access.	Complies
A2	The accessible parking space complies with AS2890.6 including the provision of a shared space and bollard.	Complies
E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup		
A1	Loading bay complies and is suitable for the intended purpose.	Complies

E6.8.1 Pedestrian Walkways		
A1	More than 10 parking spaces are provided, however, pedestrian access is not provided in accordance with Table E6.5.	Relies on Performance Criteria

E14 Signage Code		
Scheme Standard	Comment	Assessment
E14.6.5 Ground Signs		
A1	One (1) ground sign is proposed. The sign is: <ul style="list-style-type: none"> • Located inside the boundary; • The only ground sign proposed; • Less than 4m²; • Max height is 1.5m; • 1m from the boundary; and • Not illuminated. 	Complies
E14.12 Wall Signs		
A1	Two (2) wall signs are proposed. The signs are: <ul style="list-style-type: none"> • Less than height of the building; • Not illuminated; • Fixed to wall and don't project; and • Will not exceed 25% of the wall area. 	Complies

E15 Karst Management Code		
Scheme Standard	Comment	Assessment
E15.5 Use Standards		
A1	No forestry is proposed.	Complies
A2	There are no caves or sinkholes identified on the title or within 70m of areas available for wastewater management.	Complies
A5	No access to caves systems.	Complies
A6	Hard waste not deposited onsite.	Complies
A7	No abstraction of water proposed.	Complies
E15.6.1 Sedimentation and pollution		
A1	No forestry proposed.	Complies

A2	There is karst features located within 100m of the proposed development.	Relies on Performance Criteria
A3	No vegetation removal.	Complies
A4	No filling sinkholes.	Complies
E15.6.2 High Sensitive Karst Features		
A1	Depth of soil well in excess of 500mm in the vicinity of the development.	Complies

Conclusion

It is considered that the application for Use and Development of a Butcher Shop and Café is acceptable in the Village Zone and is recommended for approval.

DECISION:

From: Hills, Garry
Sent: 23 Jun 2020 05:31:33 +0000
To: Planning @ Meander Valley Council
Subject: Notification of Application for Planning Approval - Tasmanian Consulting Service
- PA/20/0203 - 42A Pioneer Drive Mole Creek

Our Ref: D20/153485

Hello Sandi, thanks for your referral letter dated 19 June 2020 regarding the above.

I advise that the Department do not object to the proposal. However it is noted that modifications to access and drainage works are required.

In this regard it will be appreciated if you can arrange to include the below as a condition (and subsequent note) on any permit issued by Council;

- Detailed engineering drawings showing the extent of the proposed access, including removal of the exiting access crossover and all associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application, see Note 1.
- The applicant must provide a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve as part of an application for approval to concentrate drainage of the land onto the State road network, see Note 2.

NOTE 1: A valid works permit is required for all works undertaken in the State road (Pioneer Drive) reservation. Details of the permit process and application forms can be found at: www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways. Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

NOTE 2: Approval is required from the Department of State Growth to concentrate and discharge stormwater or drainage onto the State road network. Details of the permit process and application forms can be found at: https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/stormwater_discharge_only.

Let me know if you need any further information.

Cheers, Garry

From: Roger & Amanda Lane ✓
Sent: 6 Jul 2020 13:54:48 +1000
To: Meander Valley Council Email
Subject: RE-SEND: REPRESENTATION REGARDING DEVELOPMENT APPLICATION
PA\20\0203: CAFE/BUTCHER SHOP AT MOLE CREEK
Attachments: Durham cafe 2.pdf

6th July, 2020

Mr John Jordan
General Manager
Meander Valley Council
26 Lyall Street
Westbury Tas 7303

Dear Mr Jordan,

Apologieshad to re-send due to one page missing from previous email.

Please find attached our Representation (pages 1-21 plus cover page) regarding the Development Application PA\20\0203 for a proposed Café/Butcher Shop to be located at 42A Pioneer Drive, Mole Creek Tas.

The applicant is Tasmanian Consulting Service on behalf of the owners D Durham (and others).

Kind regards,

Roger and Amanda Lane
PO Box 167
Mole Creek Tas 7304
M: 0428-615-303 (Roger)

REPRESENTATION REGARDING A PROPOSED CAFÉ/BUTCHER SHOP
AT MOLE CREEK

PLANNING APPLICATION: PA\20\0203

APPLICANT: Tasmanian Consulting Service

PROPERTY OWNERS: Denis R Durham Holdings P/L
Charles R Durham P/L
Rowdy Room P/L
103 Curtis Road, Mulgrave, NSW 2756

ADDRESS OF PROPOSED DEVELOPMENT: 42A Pioneer Drive, Mole Creek, Tasmania 7304

PROPOSED DEVELOPMENT: Food Services and General Retail and Hire (Café/Butcher)-
Design and Layout of Car Parking, Pedestrian Walkways,
within Karst Management Area.

AUTHORITY: Meander Valley Council

DATE FOR SUBMISSION OF REPRESENTATION: Monday, 6th July, 2020

RW and AM Lane
 "Lachlan Mhor"
 PO Box 167
 Mole Creek Tas 7304
 P: 0428-615-303
 E: roger.lane@bigpond.com

5th July, 2020
 Mr John Jordan
 General Manager
 Meander Valley Council
 26 Lyall Street
 Westbury Tas 7303

Dear Mr Jordan,

SUBJECT: Representation on Planning Application: PA\20\0203

We write concerning the application to the Meander Valley Council regarding the proposed development of a new café/butcher shop to be sited at 42A Pioneer Drive, Mole Creek, Tasmania. (Refer Fig 1, p2) This Development Application was submitted to Meander Valley Council by the Tasmanian Consulting Service on behalf of the owners of 42A Pioneer Drive, Mole Creek (Mr Denis Durham and others).

We have been residents of the Mole Creek Community now for 14 years. We are landholders who run a simple beef fattening and prime lamb production on a 253 acre farm. We enjoy the lifestyle that Mole Creek provides and value the community ethic of this village. We believe that most residents, if not all of the Mole Creek Community, are quite proud of their village and its facilities as well as the many wonderful features of the vistas and features within and around Mole Creek.

INCLUSIONS AND REASONS FOR OBJECTION TO THE PROPOSED NEW CAFÉ/BUTCHER SHOP:

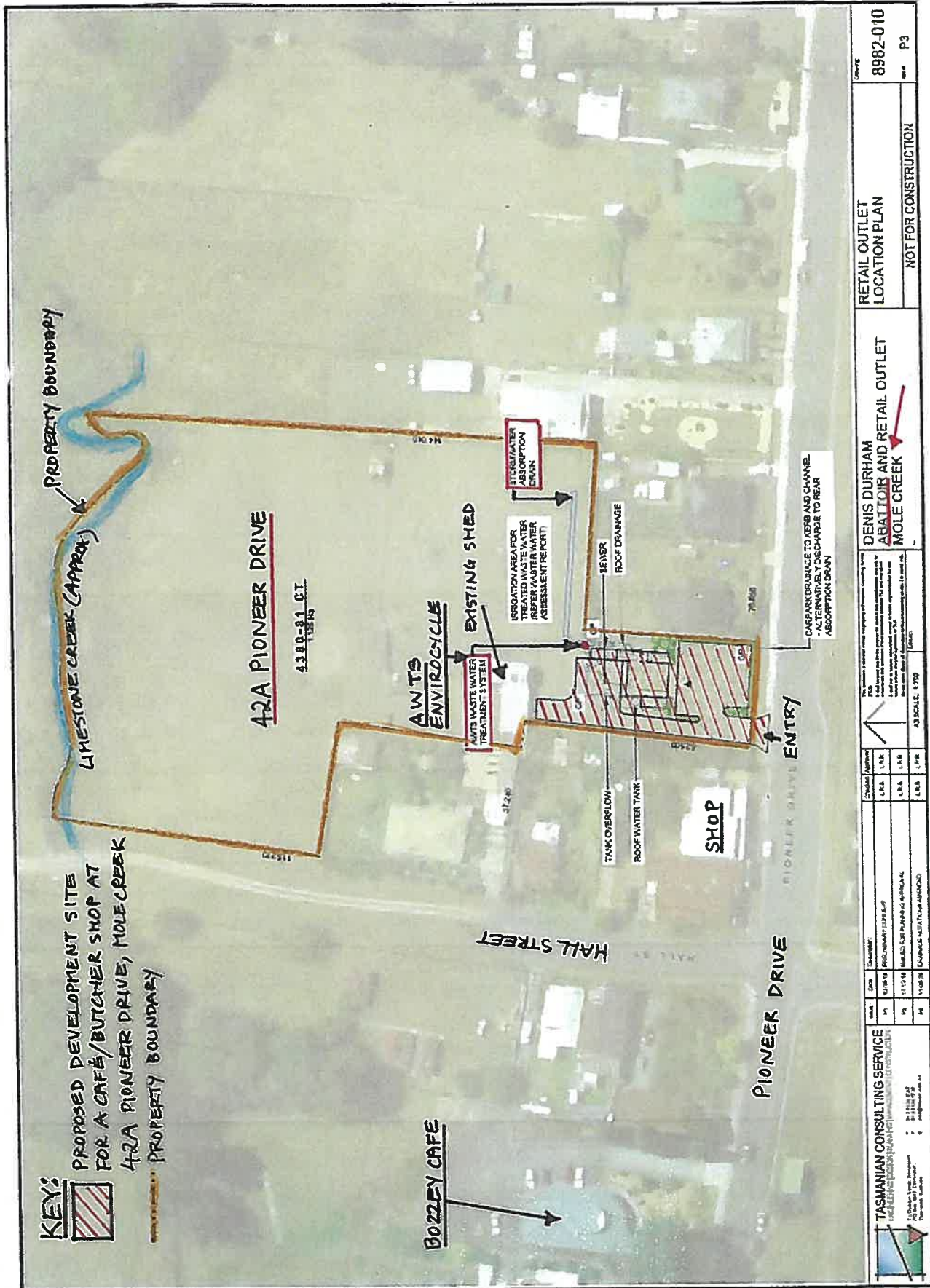
- (A) ERRORS AND INCONSISTENCIES WITHIN THE DEVELOPMENT APPLICATION
- (B) DESIGN PLANS OF THE CAFÉ/BUTCHER SHOP (Retail Outlet)
- (C) WASTE WATER AND WATER COLLECTION
- (D) NEED FOR THIS NEW CAFÉ/BUTCHER SHOP
- (E) MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013: COMPLIANCE
- (F) SUMMATION/CONCLUSION

(A) ERRORS AND INCONSISTENCIES WITHIN THE DEVELOPMENT APPLICATION:

(i) Address of associated abattoir (separate Development Application):

On page 13 of the Development Application-Supporting Information it is stated that: "it is anticipated that deliveries to the facility will be made 1-2 times per week in a single unit refrigerated truck from a proposed farm abattoir on a separate property at 20 Den Road, Mole Creek." When this separate Development Application (for a (private) abattoir) was initially submitted to Meander Valley Council, the issue over the address of this proposed abattoir was raised as to whether it was: 105 Den Road, Lot 3 Den Road or 20 Den Road, as all 3 versions of the address were used within the whole Development Application (which has since been required by Meander Valley Council to be

FIGURE 1: LOCATION OF PROPOSED CAFÉ/BUTCHER SHOP DEVELOPMENT
 (from: Development Application- Supporting Information section, page14)



(A) ERRORS AND INCONSISTENCIES WITHIN THE DEVELOPMENT APPLICATION: (cont)**(i) Address of associated proposed abattoir** (separate Development Application):

re-submitted by the proponent to Meander Valley Council). It would appear that this same error has been repeated in this Development Application for a new café/butcher shop! The address of the proposed abattoir could only be that of 20 Den Road, Mole Creek if the proponent for the new abattoir has changed the site for the abattoir entirely from that of the original site. The abattoir is also mentioned in the Development Application- Supporting Information section (Refer: Figs 1-3 and 5, pp2, 5, 6 and 9 respectively).

(ii) Site Plans:

Site Plans 8982-010 and 8982-011 (Refer: Figs 2 and 3, pp 5 and 6) and the plan (Refer: Fig 4, p 7) indicated in the Karst Assessment Report- Appendix A do not seem to fully correlate/match.

- **New gravel road/access:**
None of the plans indicated in the Supporting Information section of the Development Application indicate a new gravel road access linking the café/butcher shop development site with Hall Street. (Refer: Fig 4, p 7) Indeed, on page 4 of the Supporting Information section it is stated that “a section of the boundary at the north end adjoins Hall Street” and “there is no current access.”
- The Parking Area spaces at the front (southern side) of this development site is indicated as being “10 space bitumen sealed carpark” (Refer: Fig 2, p 5) when in fact there are 11 spaces, where one may be used by motorbikes (Refer p25 of the Development Application Support Information) and one for the disabled.
- The Driveway and Parking Area surface at the front (southern side) of this development site is indicated as being “10 space bitumen sealed carpark” (Refer: Fig 2, p5) but in the Karst Report-Appendix A plan (Refer: Fig 4, p7) the same parking area is indicated as being a gravel surface. We ask: which? Also, it would appear that there is no indication showing where the gravel surface of the driveway stops and the sealed part for parking begins for the rear parking area (Refer: Figs 2 and 3, pp5 and 6)
- **Smallgoods Manufacture:**
The Development Application Supporting Information cites on page 13 that “no smallgoods manufacturing will be undertaken on the property” (42A Pioneer Drive). However, in the Karst Report- Appendix A it is shown, by labelling on an existing shed on the property, that the use of this shed is to be a “smokehouse and hanging area/storage”. (Refer: Fig 4, p7) Again a direct contradiction/inconsistency is shown in this Development Application. Upon research into the processing of smallgoods we have found that, according to MLA: Guidelines for Safe Manufacture of Smallgoods, 2nd Edition, 2015, the smoking phase of producing smallgoods is part of the process of making smallgoods. This Development Application has not applied for any processing to occur on this development site and further, as mentioned, it is stated in the Development Application that there will be no smallgoods manufacturing occurring on this property! Further, we contend that the smoking phase of smallgoods production would create odours for the nearby neighbours to this development site.
- **Entrance to the Café/Butcher Shop Development Site:**
The Karst Report-Appendix A (Refer: Fig 4, p7) shows that the main entrance to this site from Pioneer Drive to be in a different position to that shown in the Site Plans within the Supporting Information section of the Development Application (Refer: Figs 1 and 2, pp2 and 5). We would suggest that Meander Valley Council

(A) ERRORS AND INCONSISTENCIES WITHIN THE DEVELOPMENT APPLICATION: (cont)**(ii) Site Plans: (cont)**

- Entrance to the Development Site: (cont)
and the general public have the right to know exactly where the main entrance to this proposed café/butcher shop is to be located.
- Karst Report is: missing the Café/2 containers from the plan and position of the 3rd container is incorrect.

(iii) Car Parking:

With reference to pages 26 and 27 of the Development Application-Supporting Information, Planning Scheme Compliance "E6.7.2 Design and Layout of Car Parking P1 (d) the layout of car parking in the vicinity" and compliance "(d) there is no other car parking in the vicinity". This statement that there is no other car parking in the vicinity is incorrect (Refer: Fig 7, p 11), albeit some may not be convenient to the new Café or available for public use.

There are examples of other car parking areas in the vicinity of this proposed development site:

- Mole Creek Primary School, Caveside Road, Mole Creek- formal sealed car parking.
- Mole Creek Memorial Hall, Caveside Road, Mole Creek- informal sealed car parking.
- Bozzey Café, 48 Pioneer Drive, Mole Creek- informal gravel car parking behind the café.
- Mole Creek Hotel (Pub), 90 Pioneer Drive, Mole Creek- informal sealed public parking opposite the Hotel.
- R Stephens Honey, 25 Pioneer Drive, Mole Creek- informal parking.

There is no indication as to the type/form of edging to be used in the proposed front carpark area and no indication of safety features between seated patrons and the car park area.

There appears to be no mention or provision for cyclists in this development proposal, considering Pioneer Drive is an 'extension' of the Scenic Corridor and a major tourist route that many cyclists use, as well as cyclists who use this road for training purposes. (Refer: "Car Parking and Sustainable Transport-Code E6: E6.1 (e) ensure that the design of car and bicycle parking space and access meet appropriate design standards.")

(B) DESIGN PLANS OF THE CAFÉ/BUTCHER SHOP (Retail Outlet):**(i) Features:**

We, as residents and landholders in Mole Creek, believe that, as part of the planning and information within this Development Application, clarity should be provided regarding:

- If the north and south facing sides of the café/eating area is open to the air, glass or clad in colorbond.
- If the north and south facing sides of the café/eating area is to be clad in colorbond, where are the windows and /or entrance door?
- Where is a patron/customer meant to enter the building? (No direction as to this is indicated)
- How is the eating area to be cleaned (possum and bird excreta, cats, vermin etc) ie: health requirements?
- What colour is the whole structure of the café/butcher shop to be, (especially as it is stated that the containers are to be painted)?
- If the north/south sides are open to the air there will be a wind tunnel effect!
- The café area will be hot in summer with insects, freezing in winter, rain effected underneath the roof etc.

(ii) Containers:

There appears to be 3 shipping containers evident on the site plans with the indication that they are to be part of the building structure for this proposed development for a café/butcher shop. (Refer Figs 2 and 3, pp5 and 6)

They are: 1 x 20' container (west side) = unisex toilet and storage/cleaners;
1 x 20' container (east side) = coolroom; and
1 x 40' container (east side) = meat display cabinet/counter & drinks/bakery fridge (shopfront), kitchen.

FIGURE 4: SITE PLAN OF THE PROPOSED CAFÉ/BUTCHER SHOP DEVELOPMENT
(from: Karst Report-Appendix A, page 3)



(B) DESIGN PLANS OF THE CAFÉ/BUTCHER SHOP (Retail Outlet): (cont)**(ii) Containers: (cont)**

We question the aesthetics and suitability of such structures given that containers are usually classified as temporary structures. Considering all of these containers (3) are to have plumbing and/or electrical fitouts installed, with two having incoming clean water and outgoing waste water, we question the suitability of these containers for the proposed purpose of each of them. There is no indication as to any anchoring (how/what with) of these 3 containers permanently to the ground.

It is almost irrelevant that Pioneer Drive is not formally designated as part of the Scenic Corridor. The fact that Mole Creek village is essentially a farming/rural and tourist based community, we would suggest that the aesthetics, social amenity and suitability of the appearance of this entire structure should be taken into account, especially given the inclusion of containers as part of the design.

Also, the position of all 3 of the containers is such that they predominantly face the neighbouring properties, of this development site, to the east (a home/backyard) and the west (a home/backyard and shop). A reasonable proportion of these containers would be visible above the property boundary fences and through any shrubbery. There is also no written evidence indicated within the Development Application to suggest any 'beautification' of these 3 containers other than they are to be painted (Refer: Fig 5, p9).

(iii) Toilet Facilities:

One Unisex Toilet facility for this proposed café/butcher shop is not enough (Refer: Fig 3, p6)! This toilet facility also appears to be for use by the employees of this proposed establishment. We suggest that most eating establishments provide at least 2 toilets (1 x men and 1 x women) with disabled facilities in each, or a third toilet for the disabled. Some establishments also include baby change facilities as well. The public toilet facilities are too far from this proposed café/butcher shop to be convenient for use by the patrons/customers of this proposed café/butcher shop. As Mole Creek relies on tourism in part for the village to exist, Mole Creek should be 'putting its best foot forward' and not 'skimp' on such basic facilities.

(C) WASTE WATER AND WATER COLLECTION:**(i) Tank:**

A roof-water tank is indicated on the plans for this proposed café/butcher shop (Refer: Figs 2 and 3, pp5 and 6). However, the size, colour and purpose of this tank have not been disclosed in this Development Application other than, obviously, it is to collect rainwater from the roof of some of the new structures.

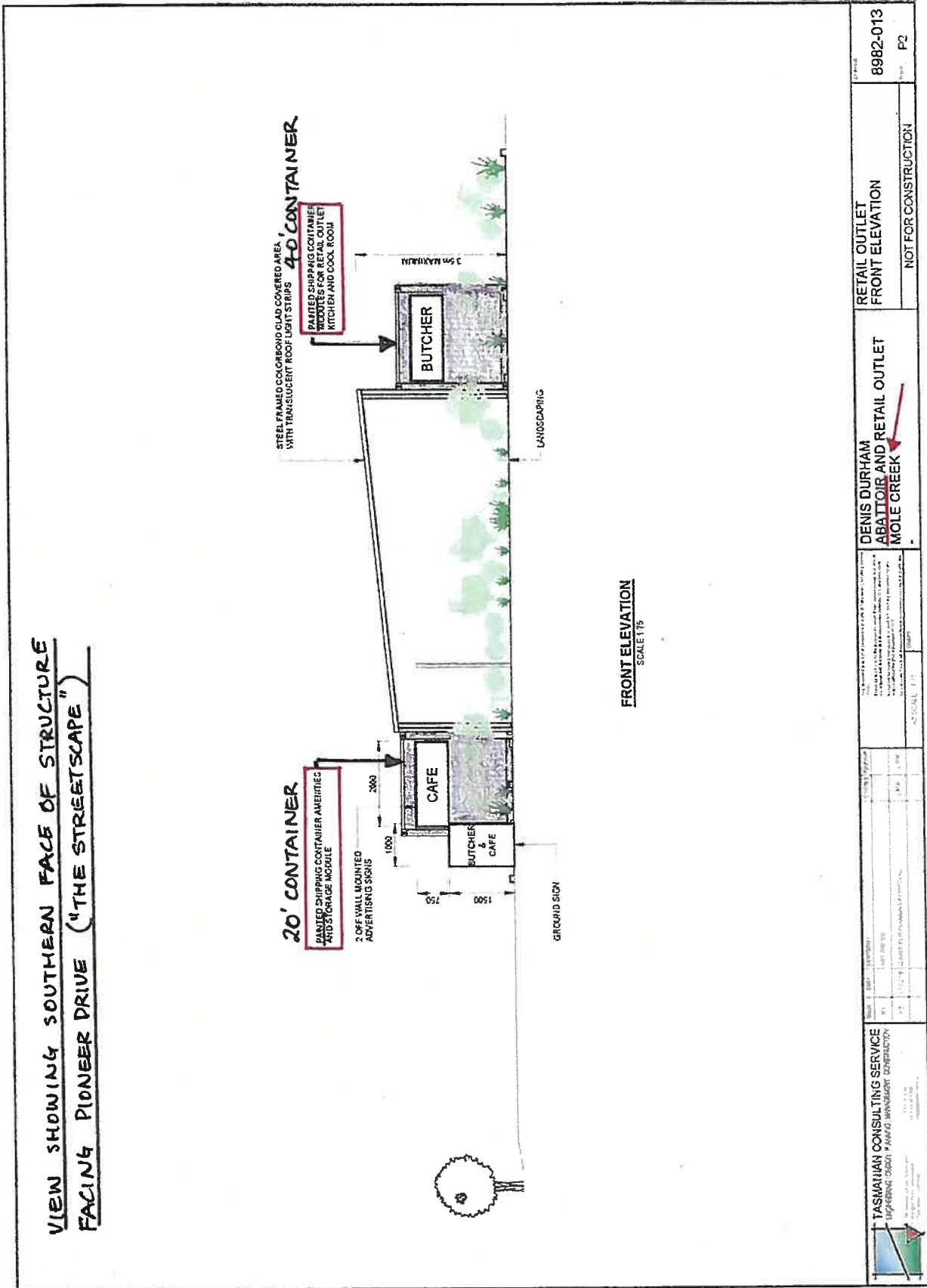
(ii) Aerated Wastewater Treatment System (AWTS):

Cited quite clearly and in bold type on page 5 of Appendix B-Waste Water Assessment is that the proponent needs to select and name which ATWS model is to be used and also to include the Certificate of Accreditation for that model before approval can be awarded for the proposed development. This Development Application appears not to have done so, other than to indicate that an "Envirocycle Waste Water Treatment System" will be used (Refer: Figs 1 and 2, pp2 and 5).

The proposed development of a Café/Butcher Shop at 42A Pioneer Drive is located within the Karst Management Area-High Sensitivity Area. Due to the highly sensitive nature of this environment in which this development is to possibly occur, it is vital that this information regarding the chosen waste water treatment system and its certification is provided before approval is granted and should have been included in this Development Application.

FIGURE 5: RETAIL OUTLET FRONT ELEVATION

(from: Development Application-Supporting Information section, page17)



(C) WASTE WATER AND WATER COLLECTION: (cont)**(iii) Stormwater Absorption Drain/Trench:**

The stormwater infrastructure is shown on the Site Plans (Refer: Figs 1 and 2, pp2 and 5). The stormwater absorption trench/drain is also depicted in a Site Plan (Refer: Fig 1, p2) and also in Appendix B Waste Water Assessment: Attachments Fig 1 and Fig 2 (not permitted to quote/copy from Appendix B).

No assessment appears to have been made in this Development Application regarding the volume of water generated by the roofing of this proposed development. It only shows that some roof-water is to be collected in a tank from some of the roofing and piped eventually to the stormwater absorption drain/trench.

The stormwater drain/trench is to be located, or already is located, on land that is level -higher in elevation and to the south of the waste water irrigation field (350m² in size), which is shown in Figure 1: Locality Plan and Figure 2: Site Plan of Appendix B- Waste Water Assessment: Attachments.

Our concern is that this relatively clean water (may have oils/fuels in it from the employees parking area and the deliveries bay) is to collect in this stormwater drain/trench and then: percolate downward into the ground and/or seep through the ground toward the irrigation field and/or flow over the surface of the ground toward the irrigation field (ie: in a north-westerly direction but downhill).

We suggest that this will have an impact upon the desired 'workings/functioning' of the waste water irrigation field because of extra water being added to the area. This would be particularly so during the wetter months of the year in Mole Creek (May- Sept/Oct) and wet periods at other times. This overloading of the waste water irrigation field would also impact upon the buffers of 70m and 50m regarding the Karst features and Limestone Creek (Refer Fig 6, p11).

There is no information regarding this stormwater drain/trench, other than its position. There are no specifications regarding the length and width of this drain provided on the plans within this Development Application. Nor is there any information regarding its depth. Hence, no information can be determined regarding its holding capacity. (The scales on these plans can be used to assist regarding determining the length and width, but surely this information should be provided nonetheless.) Because this information is currently missing from this Development Application regarding the stormwater absorption drain/trench, as well as the volume of stormwater to be expected also missing, the company who designed the waste water irrigation area may have adopted a different approach/design if they had the information in the first place. Surely this stormwater absorption drain/trench on the Drainage Easement should be redone to cope with the added stormwater but also another to be located to the north of this proposed waste water irrigation field so to cope with overloading/overflow due to the stormwater influxes, however, this may then impact the buffers to the Karst and Limestone Creek.

The information in Appendix B-Waste Water Assessment suggests that another company (Refer: Figs 1 and 2, pp2 and 3, Appendix B- Waste Water Assessment-Attachments) will deal with the stormwater absorption drain/trench. This information should be supplied within this Development Application before its submission by the Applicant/Proponent, not after or possibly not at all. We ask that this missing information be supplied for the public and Meander Valley Council to consider.

FIGURE 6: KARST BUFFERS AND STORMWATER:

(from: Karst Report- Appendix A, page 6 and the Development Application-Supporting Information, pages 7 and 14)

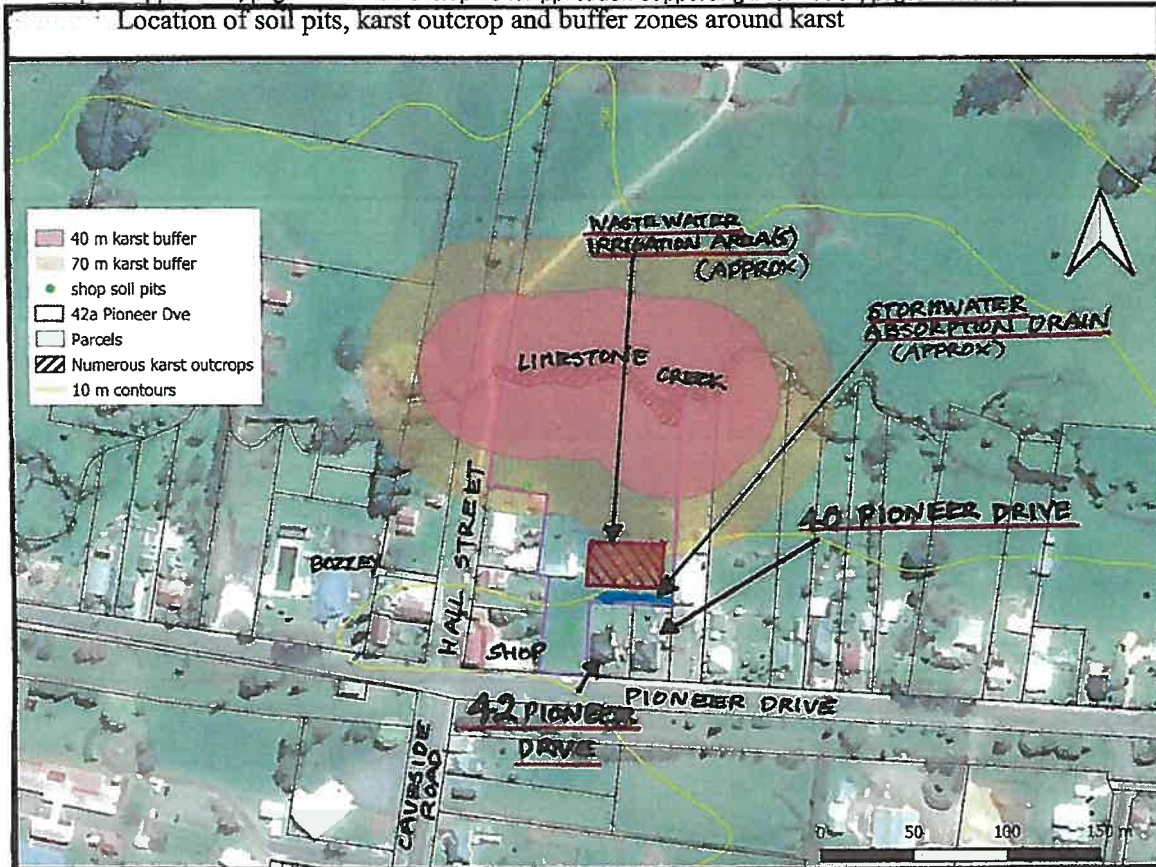
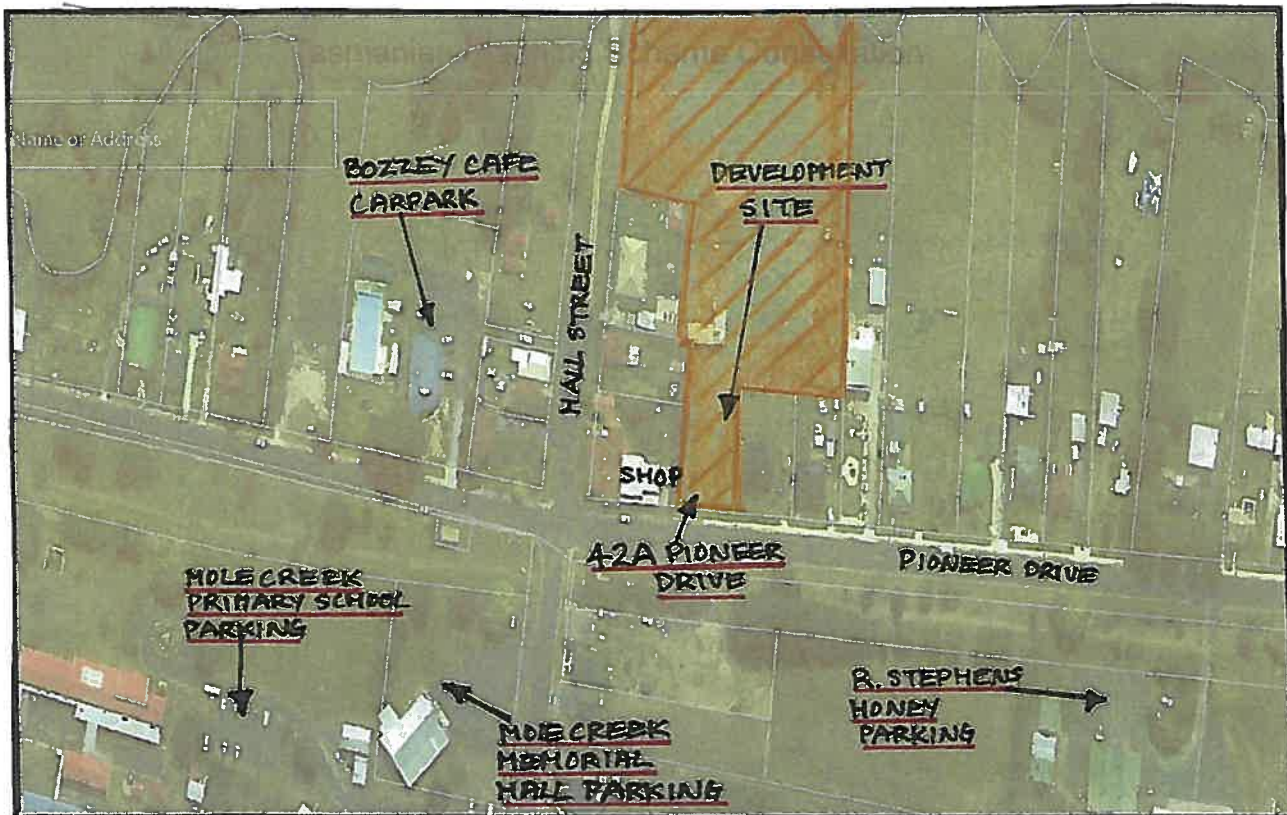


FIGURE 7: SOME EXAMPLES OF PREMISES WITH CAR PARKING SPACE

(from: Meander Valley Interim Planning Scheme 2013: Tasmanian Planning Scheme Consultation Overlay)



(C) WASTE WATER AND WATER COLLECTION: (cont)**(iii) Stormwater Absorption Drain/Trench:** (cont)

There is no apparent contingency plan(s) evident in this Development Application for a proposed café/butcher shop for times when the ground is too saturated to accept any waste water irrigation, as well as the stormwater. What is to happen with all this 700L/day of treated water from the treatment system at such times? We would expect that some evidence for a contingency plan is provided given it is human (and otherwise, eg kitchen) treated effluent that is involved and also the proximity to Karst features and Limestone Creek, which is designated as a "Waterway and Coastal Protection Area" as per the Meander Valley Council Interim Planning Scheme 2013: Tasmanian Planning Scheme Consultation Overlay!

"Lot 2" (Refer: Fig 8, p14) has a right to the 'Burdening Easement' (Drainage) located on the proposed development site, 42A Pioneer Drive, Mole Creek. "Lot 2", today, comprises a residence (42 Pioneer Drive) which has the right to this drainage easement. 38 Pioneer Drive also has a drainage easement right to 42A Pioneer Drive. The approximate roof area (including sheds) combined of these residential properties is approximately 403.6m².

We include **2 examples of generated stormwater** involved with this development proposal for a café/butcher shop in combination with the stormwater generated by the above-mentioned 2 properties ("Lot 2" and 38 Pioneer Drive).

Example 1: Regular Rainfall in Mole Creek

The actual amount of rain recorded for this example was on 19th-20th April, 2020 with the amount being 40mm over the 2 days (quite a typical rainfall amount for Mole Creek).

Stormwater Amounts:

-Roof of new café/butcher shop	= 150m ²	=6,000L
-Irrigation Field rainfall	=350m ²	=14,000L
- Lot 2 and 38 Pioneer Drive	=403.6m ²	=16,144L
-New site front path/carpark	=403.5m ²	=16,140L

Waste Water:

-700L per day over 2 days =1,400L

Total stormwater generated over these 2 days therefore= 6,000L + 14,000L + 16,144L + 1,400L + 16,140L

= 53,684L (including the new front paths and carpark of the proposal); or

= 37,544L (excluding the new front paths and carpark of the proposal).

However, in this real case instance, only one day had elapsed before a further 8mm of rain fell again. It would be doubtful that the absorption of the waste water had enough time to occur as well as the breakdown of pathogens in the waste water within the 350m² irrigation field before this extra 8mm of rain fell. In April 2020, we recorded rainfall in Mole Creek as follows: 52mm over 3 days, followed by 6mm 5 days later then 36.5mm over a 3 day period and then the amount in the example as shown above (40mm). Other incidental recordings also occurred throughout April 2020. By the stage that the above example of 40mm had fallen, the ground would already have been saturated. We question therefore that the intended functioning of the waste water irrigation field would have been compromised if it were constantly wet and hence pathogens not completely (or at all) broken down but also flowing away from the intended irrigation field site or ponding, as the waste water and stormwater would end up combined at the site! There are no air spaces left in the soil due to saturation and hence permeability is lost (Refer: p4 of Appendix B- Waste Water Assessment regarding permeability).

(C)WASTE WATER AND WATER COLLECTION: (cont)**(iii)Stormwater Absorption Drain/Trench:** (cont)**Example 2: Extreme Rainfall in Mole Creek.**

Instances of heavier rainfall are also common in Mole Creek with some events being more so than others:

2009 = June 169.5mm, July 242mm, August 289.5, September 119mm, the total being 820mm in 4 months!

2016 = 4th – 8th June = 316.5mm

In 2011, 12th -13th January, 232mm of rain fell on to relatively dry ground. This event saw flooding throughout the Mole Creek area, including on our own property. The following example indicates the effect of this event on the site for this proposed café/butcher shop at 42A Pioneer Drive using the 232mm rain over the 2 day period.

Stormwater Amounts:

-Roof of new café/butcher shop	=150m ²	= <u>34,800L</u>
-Irrigation Field Rainfall	=350m ²	= <u>81,200L</u>
-Lot 2 and 38 Pioneer Drive	=403.6m ²	= <u>93,635L</u>
New site front path/carpark	=403.5m ²	= <u>93,612L</u>

Waste Water:

700L per day over the 2 days =1,400L

Total stormwater generated over these 2 days therefore = 43,800L + 81,200L + 93,635L + 1,400L + 93,612L

= 269,881L or 269.881kL (including the new front paths and carpark of the proposal); or

= 176,269L or 176.269kL (excluding the new front paths and carpark of the proposal).

These are large amounts!

We ask: will the Irrigation Field/Drainage Easement cope with these volumes of water that Mole Creek regularly experiences? It seems from our experiences, and those of other residents/landholders in Mole Creek, that the ground/soils tolerate moisture to a reasonable extent and then ponding/flooding occurs rapidly. There are 2 Drainage easements involved: one attached to 42 Pioneer Drive (Lot 2) the other to 38 Pioneer Drive (not clearly shown on the applicant's title in this Development Application; Refer: Fig 8, p14).

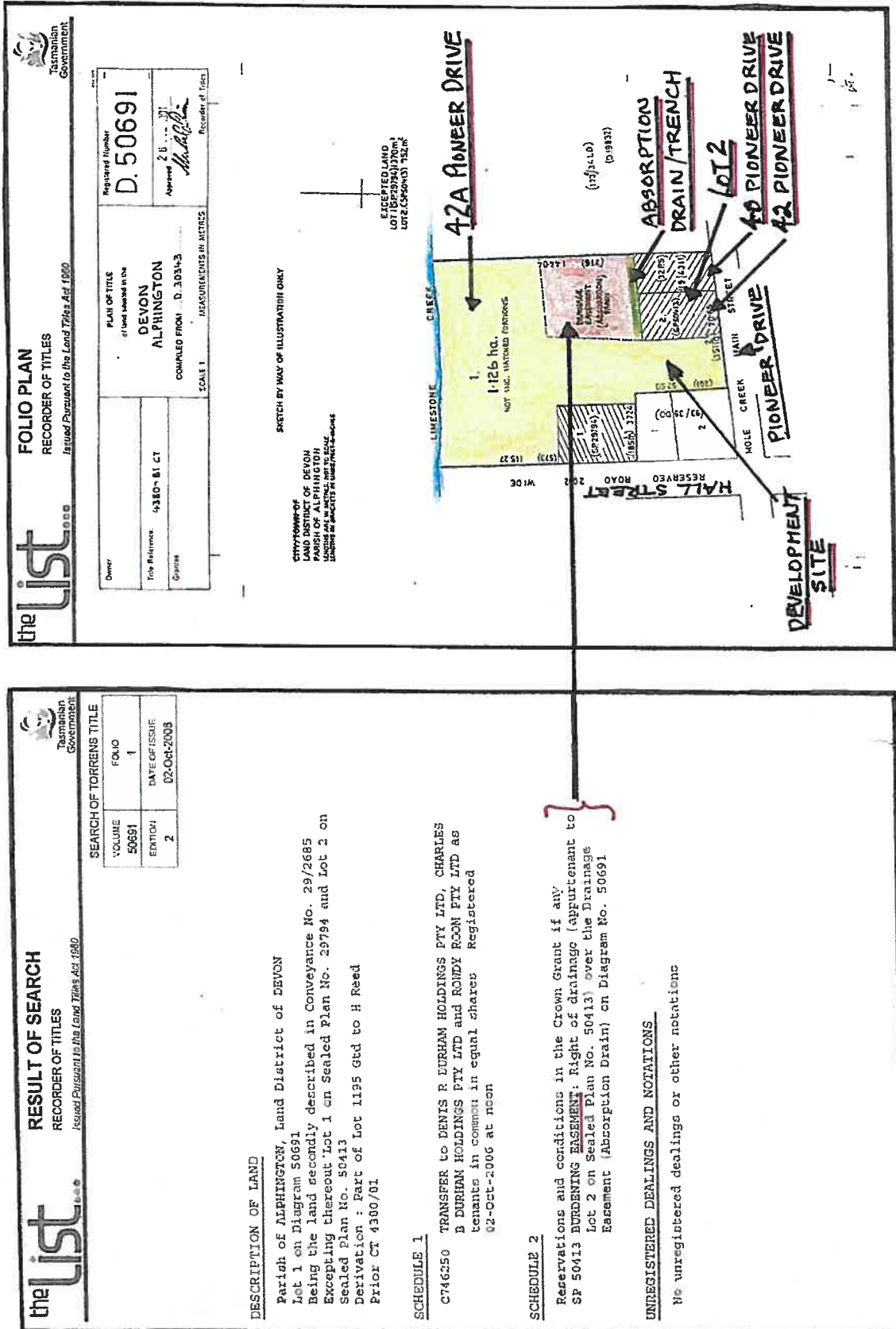
Rights to Use the Drainage Easement(s)?

The 'Burdening Easement-Drainage', whilst located on the proponent's property of 42A Pioneer Drive, Mole Creek, has the main purpose of providing a place for drainage from "Lot 2" Pioneer Drive (now 42 Pioneer Drive; Refer: Fig 8, p 14 and Fig 6, p11). With respect to the above examples of volumes of stormwater, we raise concerns as to whether this may be a hindrance created for "Lot2"/42 Pioneer Drive and their right to this easement for the drainage from their property. This right to the "Burdening Easement-Drainage" serves the purpose for the past, present and future use of "Lot 2"/42 Pioneer Drive. Hence, it is there in perpetuity for the current owners of this property, and the future owners, and as such the function of this easement should not be compromised in any way.

Testing:

- We also point out that there is no indication of testing the waste water to ensure that the correct/acceptable quality is maintained nor is the frequency of this indication procedure indicated.
- It is recommended in Appendix B that regular testing/checking of groundwater is undertaken. It is not indicated as to how and where this will be done. It should not be done in the official Burdening Easement but north of the Irrigation Field. Hence, a testing bore would be required.

FIGURE 8: TITLE AND EASEMENT INFORMATION:
(from: The List, Tasmanian Government)



(D) NEED FOR THIS PROPOSED ESTABLISHMENT IN MOLE CREEK?

We have undertaken to speak with people operating food outlets of various types in Mole Creek. In all cases it was indicated that there is a struggle to make a profit especially during the winter months. At the 2016 Census there were 514 people listed as being Mole Creek residents. There are 7 food outlets in Mole Creek with 6 of these operating (one has just opened for the first time). That would suggest one food outlet per 73.43 (approx.) people. We find it quite difficult to comprehend that yet another café/food outlet is being proposed let alone survive and/or do well, especially in the cold winter months here in Mole Creek! We, as Mole Creek residents do not want to see failed enterprises and empty or closed establishments, especially in the main street- Pioneer Drive! This would be unattractive to the tourists and would be quite depressing for the local residents to see every day! Hence, it is hard to see that this proposal for a café/butcher shop could be viable in such a small community and we hence suggest that there is no need for this proposed development. Other food outlet closures may occur due to this proposal.

We do understand that the Meander Valley Council Planning Department, particularly the Town Planners, are mainly concerned with the correct 'ticking of the boxes'. However, the Town Planners and indeed the Councillors do not live in Mole Creek and would not have to observe a depressing shut down establishment nor one with questionable aesthetics regarding the proposed appearance of the café/butcher shop, nor live in the vicinity of a smallgoods smokehouse regarding odours, nor experience the dust/noise from gravel surfaces and possible odours from the waste water irrigation fields.

(E) MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013- COMPLIANCE:**(a) Karst Management- Code 15:**

- *"E15.5 Use Standards-Objective: a) to ensure that use managed to minimise adverse impacts on the Karst System" and "P4: waste water disposal fields must be located at a suitable distance from sinkholes and caves to (b) avoid pollution of subterranean waterways as a result of runoff directly entering the karst system."*

No study appears to have been done, regarding this Development Application, to determine the presence of underground/subterranean systems such as waterways and caves. Appendix A-Karst Report, page 1, cites "it should be noted that this report is based on a survey of surface features and existing geology maps. A detailed geo-technical survey would be required to investigate the nature of underlying Karst and geological features." Considering both the treated effluent/waste water and stormwater (which will contain fuel/oil residues from the rear carpark) are to be directed towards a "Burdening Easement: Right of Drainage Appurtenant to Lot 2 SP 50413 over the Drainage Easement (Absorption Drain) on diagram number 5091" (Refer: Fig 8, p 14,) which is also only 70m (buffer) from Limestone Creek (protected water way), we contend that a more detailed study of the subterranean features of this site should be undertaken, as suggested in the Karst Report. Surely residual fuels/oils should not have even a remote chance of entering the Karst System from this proposed new development.

- *"E15.6.1 Development Standards: Sedimentation and Pollution-Objective: To ensure that the impacts of development are managed to minimise erosion and to prevent sediment and pollution entering the Karst System" and "A2.2 Runoff from buildings and access ways does not concentrate water flows into the*

(E)MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013 - COMPLIANCE: (cont)

(a)Karst Management - Code 15: (cont)

Considering that a study regarding the ground water systems and the presence of subterranean features (caves and waterways) has not been conducted, as well as the amount of stormwater generated by this development proposal is also yet to be determined, the approval of this Development Application should be at least delayed until Meander Valley Council and the public have been afforded this seemingly missing information. The impact of both the waste water and the stormwater generated combined with that of natural rainfall onto the ground surface has been discussed earlier (pp8, 10-12 of this Representation).

It is agreed that certainly the waste water/treated effluent disposal is directed towards a (new) waste water irrigation field, but the land does gently slope towards Limestone Creek which has numerous karst outcrops (Refer: Fig 6, p11). The stormwater is also directed toward the same area as the waste water but upslope and south of this new waste water irrigation field (Refer: Fig 6, p11). Most of this stormwater is to initially flow into the absorption drain/trench from where it percolates into the ground and/or travels across ground and downslope ie: over/through the new irrigation field. As mentioned this stormwater is likely to contain fuel/oil residues. Contingency plans, as mentioned earlier, for excess stormwater and waste water have not been included in this Development Application, other than to return some waste water back to a 'tank'(which?).

It is also seen that an 'Envirocycle' waste water treatment system is to be used on this proposed development site (Refer: Fig 2, p 5). As also previously noted there is no mention of the particular model or inclusion of the Certificate of Accreditation (required before approval) and hence the suitability of the system cannot be determined.

- *"E15.6.2 High Sensitivity Karst Features-Objective: to ensure that the environmental values of the higher sensitivity karst systems are protected through the appropriate location and treatment of development" and "P1 (i) pollution of surface or subterranean waterways" and "(l) significant alteration of the surface hydrology."*

The proponent for this proposed development has not shown whether this may or may not be the case due to not enough attention being afforded to the volumes of water involved (other than the waste water generating 700L per day of treated effluent) as well as information regarding rainfall (as pointed out in (C) Waste Water and Water Collection, pp8 and 10-12 of this Representation).

(a) Environmental Impacts and Attenuation – Code 11:

The proponent in the Development Application Page 31 regarding this code suggests in E11.2 "not applicable-not a sensitive use or use listed in E11.6.2". Firstly, we ask where in the Meander Valley Interim Planning Scheme is "Code E11.6.2" (as it is written both in the Development Application page 31 and in the MVC Interim Planning Scheme 2013 page E11-1 in "E11.2 Application of the Code" clearly indicated? Unless E11.6.2 means: E11.6 A2/P2?

The Meander Valley Council Interim Planning Scheme 2013 page B-9 defines sensitive use: "means a residential use or use involving the presence of people for extended periods except in the course of their employment".

This development proposal for a café/butcher shop relies on people (customers/patrons) being present between the hours of 9am and 5pm daily. This would imply that, other than employees, the proponent is hoping the patrons and customers will attend this proposed establishment to purchase products and/or eat at the café in order that the venture may be successful. Hence this code does apply as it will *"involve the presence of people for extended periods"*!

(E) MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013 – COMPLIANCE: (cont)**(c) Environmental Impacts and Attenuation-Code 11: (cont)**

- *“Table E11.1 Attenuation Distances: Smallgoods Manufacture 100m” :*

This suggests that the attenuation distance between the shed housing this activity (Refer: Fig 4, p7) is not met regarding neighbouring property boundaries (let alone the actual residences) both to the east and west of this development site. 11 properties would be within this attenuation distance of 100m from the shed /smokehouse, the property boundaries are even closer (Refer: Figs 6 and 7, p11 and refer to the scale). This smokehouse for smallgoods activity would suggest odours and smoke would be generated.

Further, the attenuation of 100m to the boundary of the property, in the Rural Living Zone, to the north of this development site is also not met: distance from the northern end of the smokehouse shed to the northern boundary (Rural Living Zone) is 95m; hence the distance is less than the required 100m.

- *E11.5 Required Application Information, page E11-2; (g) details of process that may give rise to emissions to air, ground and water and details of how these emissions are to be dealt with.”*

As mentioned earlier, this Development Application has indicated that a smokehouse (for a stage in smallgoods processing) is to operate in an existing shed on the property for development, 42A Pioneer Drive (Refer: Fig4, p7). This Development Application does not include an associated application to Meander Valley Council for Smallgoods Processing to take place at this site.

- *“E11.5 Required Application Information, Page E11-2; (h) details of any solid waste created and details of how this is proposed to be dealt with.” (No definition for ‘solid waste’ seems to be in the Meander Valley Interim planning Scheme 2013)*

The proponent in this development Application for a new Café/Butcher Shop has not indicated where the solid waste, for example: food waste, containers of various sorts, bottles, packaging waste, paper, customer rubbish and more, will be placed or stored, such as in a trash-pack or several MVC wheelie bins. There is consequently no indication as to where these receptacles will normally be kept or the frequency of having the contents emptied and/or carted away. Open patron-use bins are not an option due to the apparent ‘open air’ design of the café and thus vermin/feral animals would possibly gain access to the rubbish plus odours would be an issue.

- *“E11.6 Use Standards: Attenuation distances: A1 /P1 and A2/P2” pages E11-2 and E11-3 are not met.*

The exception being in E11.6.1 P2: (d) where the details regarding irrigation by effluent onto the land have been made.

(b) Water Quality – Code 9:

“E9.6.2 Water Quality Management- Objective: to maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses” and “A1 all stormwater must be (c) diverted to an on-site system that contains stormwater within the site” and “sources and types of potential contamination of the wetland or waterway.”

(i) Gravel Road:

The Development Application appears to include a new gravel road linking the development site buildings to Hall Street (Refer: Fig 4, p7). Using the scale on Figure 6 page 11 of this Representation, it can be seen that this new gravel road/track/access way is quite close to Limestone Creek (protected) and its multiple Karst outcrops (Refer: Fig 6, p11). If the new gravel road were to be graded angled to the south then the stormwater from this new road will

(E) MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013 – COMPLIANCE: (cont)**(d) Water Quality: (cont)**

flow into the neighbouring property. If this new road were to be graded angled to the north then the water will flow toward Limestone Creek. If usual road cambers were done then the water flow would be in both directions but halved. This water may also have fuel/oil residues within it. We suggest that this new gravel road should not be included in this Development Application due to dust, noise and added fuel/oil contaminants carried overland to Limestone Creek as well as risks to the neighbouring property (address on Hall Street). Limestone Creek may be used as a fresh water source for livestock troughs on smaller 'hobby' farms but also this creek joins Mole Creek which is definitely used for livestock and hence possible contamination of any type should not be permitted.

(ii) Too Much Water:

It is highly possible that there will be increased saturation, ponding and surface runoff that would occur outside and downhill from the proposed irrigation area which would then pose a threat to Limestone Creek and its Karst features, subterranean waterways and to public health, (substantiated in Appendix C- Certificate Forms page 5).

(iii) Only Irrigation Area/Overuse:

No doubt this proposed Café/Butcher Shop is intended to be a long-term operation. As such, issues will arise from constant use of the same main and 2nd waste water irrigation areas as well as the same area(s) for stormwater (as previously mentioned). Possible harmful effects may occur to the soil at this site, to the nearby Limestone Creek, to the groundwater systems (which would include the Karst Systems). This would be the case as placing the treated waste water anywhere else would impact on required buffer zones to Limestone Creek, (substantiated in Appendix C- Certificate Forms, page 5).

(iv) Plant Growth, Soil and Waste Water:

Mole Creek receives its rainfall in most months of the year but distinctly less in January, February and March (like much of Tasmania), aside from extreme events. During these drier months, Mole Creek has been known to experience a semblance of drought- the case in more recent years. Hence, with the constant irrigation in the same allocated area on this site for the proposed development, it is highly likely that excess nutrients, especially salts, may affect the soil and consequently plant growth (mainly pasture grasses), (substantiated in Appendix C- Certificate Forms, page 5).

(v) Contingency Plans and Waste Water/Stormwater:

As mentioned previously, there is no indication of any contingency plans in the event of too much waste water, saturated ground and nowhere else to store this water. Add to this the volumes of stormwater! As well, the Burdening Easement-Right of Drainage/Absorption Drain is appurtenant to "Lot 2" (Refer: Fig 8, p14) and hence enables water from this neighbouring property somewhere to drain. This may be compromised if the drain and land in this Easement is to be saturated by stormwater from this proposed development with its generated waste water and stormwater on top of usual rainfalls. It is irrelevant whether "Lot 2"/42 and 38 Pioneer Drive currently use this available easement for their drainage - it is there for their use now and/or the future!

(E) MEANDER VALLEY INTERIM PLANNING SCHEME 2013 – COMPLIANCE: (cont)**(c) 16 Village Zone:****(i) Zone Purpose:**

"16.1.2 Local Area Objectives: Mole Creek (b) to provide appropriate consideration of the potential impacts on the Karst System."

The Karst System may be impacted by the stormwater and waste water generated by this proposed development of a Café/Butcher Shop venture due to the fact that the subterranean nature of the property at 42A Pioneer Drive has yet to be determined as outlined previously in Meander valley Council Interim Planning Scheme 2013- Compliance (a) Karst Management- Code 15 on page 13 of this Representation.

(ii) 16.3 Use Standards:

"16.3.1 Amenity: to ensure that all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses" and "P1 discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination."

This Development Application is for a Café/Butcher Shop which is a **non-residential use**. The adjoining and nearby properties are mainly residential, except for the current Mole Creek shop/store. There are 10 residential properties which either adjoin or are within 100m of this proposed development (Refer: Fig 9, p20).

We suggest that 2 gravel roads/driveways (Refer: Fig 2, p5 and Fig 4, p7), due to the traffic movement, would enable the creation of dust (especially in summer) and noise. Smoke and odours will be an issue due to the smokehouse for the smallgoods to be undertaken in the existing shed on the property proposed for development. Customers/patrons will also create noise due to the fact that the design of the proposed café appears to have open sides to the north and south of the new building. As mentioned earlier in this Representation, we fear also that itinerant people will use this café area overnight for shelter during inclement conditions. Background music may also be used in the café and this may impact regarding noise and the neighbouring residences.

(iii) Village Character:

"16.3.2 Village Character- Objective: to ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement" and "A2 goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land" and "P2 storage of goods or materials is consistent with the local area objectives for visual character, if any."

The proponent suggests compliance due to "no outside storage proposed" (Refer: p19 of the Development Application-Supporting Information). As mentioned previously, due to the nature of the proposed activity on this site being a Café/ Butcher Shop, there will be solid waste (materials) generated by this proposed activity. The proponent has not indicated where this solid waste will be put or stored, or the receptacle into which the waste will be put.

The concern is that if a suitable receptacle is not used at this proposed site then vermin, cats, dogs etc will get access to the food wastes.

Mole Creek village has been awarded a "Tidy Towns" award in the past and the residents of this village and its surrounds would not be impressed with observable rubbish nor would the immediate neighbours to this development site. The proponent needs to disclose the means by which it is intended to deal with solid waste material especially as the site is prominent on Pioneer Drive and nearby to the Primary School and local pool.


FIGURE 9: 10 PROPERTIES and ATTENUATION:
 (From: The List, Tasmanian Government)



KEY:

 42A PIONEER DRIVE : ADDRESS OF PROPOSED DEVELOPMENT - CAFÉ/BUTCHER SHOP.

 PROPERTIES WITHIN 100 m ATTENUATION REGARDING SMOKEHOUSE (ODOURS/SMOKE).

 PROPERTIES ADJOINING 42A PIONEER DRIVE (EXCEPTING "4") WITH RESPECT TO SMOKEHOUSE (ODOURS/SMOKE) AND (DUST/NOISE) GRAVEL DRIVEWAYS (REFER: FIG 4, PAGE 7 OF THIS REPRESENTATION)

(F) SUMMATION/CONCLUSION:

We believe that this proposal for a café/butcher shop will have no benefit to the Mole Creek residents. We also believe that visitors to Mole Creek are currently well served with a good selection of food retail outlets.

The main points in summary are:

- Too many errors and inconsistencies: an address and aspects which do not correlate regarding plans of the site.
- Smallgoods processing (smokehouse) should not occur on this site (as indicated in the Karst Report- Appendix A) as there is no application for small goods processing.
- Some structural plans of this proposed development are unclear; few, if any, public safety precautions are evident and there is inadequate provision for toilet facilities in this development proposal.
- Drainage easements will be compromised.
- Visual amenity of the Mole Creek streetscape will be compromised (design).
- AWTS model is not specified and no associated Certificate of Accreditation supplied.
- Volume of stormwater has not been ascertained; details of the stormwater drain/trench have not been provided and no contingency plan(s) evident for water overload regarding the irrigation area.
- The aspects of health and cleanliness of an apparent “al fresco” style eating paved area is questionable given the permanent access to the public and animals of the covered eating area/café. (These types of tables/benches are available for public use along Pioneer Drive on the grassed areas and at the public pool.)
- Aspects of compliance with the Meander Valley Interim Planning Scheme 2013 are not met.

We respectfully request of Meander Valley Council **NOT to approve** this Development Application PA\20\0203 “Food Services and General Retail and Hire (Café/Butcher Shop) – design and layout of car parking, pedestrian walkways, within the Karst Management Area” and hence decline this Development Application.

We thank Council for making available their time to consider our Representation regarding this matter.

Kind regards,

(Mr and Mrs) Roger and Amanda Lane

REFERENCES/SOURCES:

1. Meander Valley Council Interim Planning Scheme, 2013 (www.meander.tas.gov.au)
2. Application for Development for Café/Butcher Shop PA\20\0203 (including; Karst Report- Appendix A by P Cullen; Appendix B – Waste Water Assessment by Geoton P/L Geotechnical Consultants)
3. Australian Bureau of Statistics:2016 Census (www.abs.gov.au)
4. Meat and Livestock Australia (MLA): Guidelines for Safe Manufacture of Smallgoods, 2nd Edition, 2015, p66 (www.mla.com.au)
5. Bureau of Meteorology (BoM) (www.bom.gov.au)
6. The List Tasmania (www.thelist.tas.gov.au)

Request No. 19503	
RECD	-6 JUL 2020 MVC
Request No. JS	Dept. 003
OD	✓

To the General Manager,

I wish to raise concern with regard to planning application PA\20\0203 development at 42a Pioneer Drive, Mole Creek.

Specifically and further to a conversation at Meander Valley Council chambers with Justin Simons on Wednesday 1st July 2020, where it was outlined to Justin that in fact the proposed drain field easement is not for proponents property but rather an adjoining property which there will already be underground assets and proposed works clearly cannot go over the top of existing works, specifically inside a clearly marked benefiting easement for said adjoining property.

The proponents and consulting services/surveyors show detailed plans of wastewater management along with soil and karst sensitive tests/documents and all have shown the absorption area for treated sewerage and shared stormwater to be in an 'area' North East of butcher shop/amenities and directly behind number 42 Pioneer Drive. This detailed plan is 'fatally flawed' due to the entire easement being a 'benefiting' easement for adjoining property Lot 2 on Sealed Plan 50413 and being a 'burdening' easement on the proponent's property CT 50691/1. (See attached title schedules).

Clearly there is existing drain field/s within this area marked A, B, C, D on SP 50413 and this entire area cannot be disturbed with regard to further development from surrounding property other than the listed benefiting property. (Initial legal advice also supports this).

After reading karst sensitive documents and viewing aerial views of differing classification of soils and sub soil/ limestone areas relative to this development it appears that wastewater cannot be dispersed any further North and closer to Limestone Creek due to sensitive Mole Creek karst which, as stated, has regional and continental significance. Please see attached references taken from proponent's own report of karst features in vicinity of proposed development including red line running across North end of burdening easement separating geology codes, O1 and QPAT (Figure 3, topography and geology) and 40m-70m karst buffer zones with relation to burdening easement. (Figure 4, location of soil pits, karst outcrop and buffer zones around karst).

Basically, outside the burdening easement there is no room for the proposed wastewater irrigation field and reserve area to be placed anywhere else on the property while being outside 70m karst buffer zone and other setbacks. (See attached, Appendix B wastewater assessment 7.5 setbacks).

Also, no considerations have been undertaken to include wastewater already discharging into burdening easement from adjoining properties with regard to proposed size of new wastewater at 700lt/day +800lt/day overload (quite a lot) and is there run off or soak from properties along other boundaries?

It is with this very obvious but overlooked misinterpretation I propose, that while considering this most serious matter the planning application must be 'rejected outright' as it stands. Also, all reports with outcomes and evidences relating to specific placement of wastewater and shared stormwater would now be irrelevant. Also, physically and legally there would be many issues of conflict.

Please note that I am an interested party to this application as I represent the property owner (my daughter and her partner) at 42 Pioneer Drive to which they hold 'benefiting easement' over the listed drainage easement and I am helping to protect her legal rights to live in, and to enjoy her residential dwelling as is, now and into the future.

I am willing to discuss these issues with proponents and developer. I can be reached on M: 0474316700 or email: daveevelyn62@gmail.com

Yours sincerely,

David Evelyn

C/O 42 Pioneer Drive,

Mole Creek 7304

SEARCH OF TORRENS TITLE

VOLUME 50691	FOLIO 1
EDITION 2	DATE OF ISSUE 02-Oct-2006

SEARCH DATE : 07-Apr-2020

SEARCH TIME : 10.55 AM

DESCRIPTION OF LAND

Parish of ALPHINGTON, Land District of DEVON
 Lot 1 on Diagram 50691
 Being the land secondly described in Conveyance No. 29/2685
 Excepting thereout Lot 1 on Sealed Plan No. 29794 and Lot 2 on
 Sealed Plan No. 50413
 Derivation : Part of Lot 1195 Gtd to H Reed
 Prior CT 4380/81

SCHEDULE 1

C746250 TRANSFER to DENIS R DURHAM HOLDINGS PTY LTD, CHARLES
 B DURHAM HOLDINGS PTY LTD and ROWDY ROOM PTY LTD as
 tenants in common in equal shares Registered
 02-Oct-2006 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP 50413 BURDENING EASEMENT: Right of drainage (appurtenant to
 Lot 2 on Sealed Plan No. 50413) over the Drainage
 Easement (Absorption Drain) on Diagram No. 50691

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 50413	FOLIO 2
EDITION 7	DATE OF ISSUE 27-Jul-2016

SEARCH DATE : 25-Sep-2018
SEARCH TIME : 03.48 PM

DESCRIPTION OF LAND

Parish of ALPHINGTON, Land District of DEVON
Lot 2 on Sealed Plan 50413
Derivation : Part of Lot 1195 Gtd. to H. Reed
Prior CT 4795/46

SCHEDULE 1

M517054 TRANSFER to BRETT ERNEST THORBURN and JODIE LEE THORBURN Registered 18-May-2015 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 50413 **BENEFITING EASEMENT: Right of Drainage over the drainage easement (absorption drain) ABCD on Sealed Plan No. 50413**
E57267 MORTGAGE to Australia and New Zealand Banking Group Limited Registered 27-Jul-2016 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

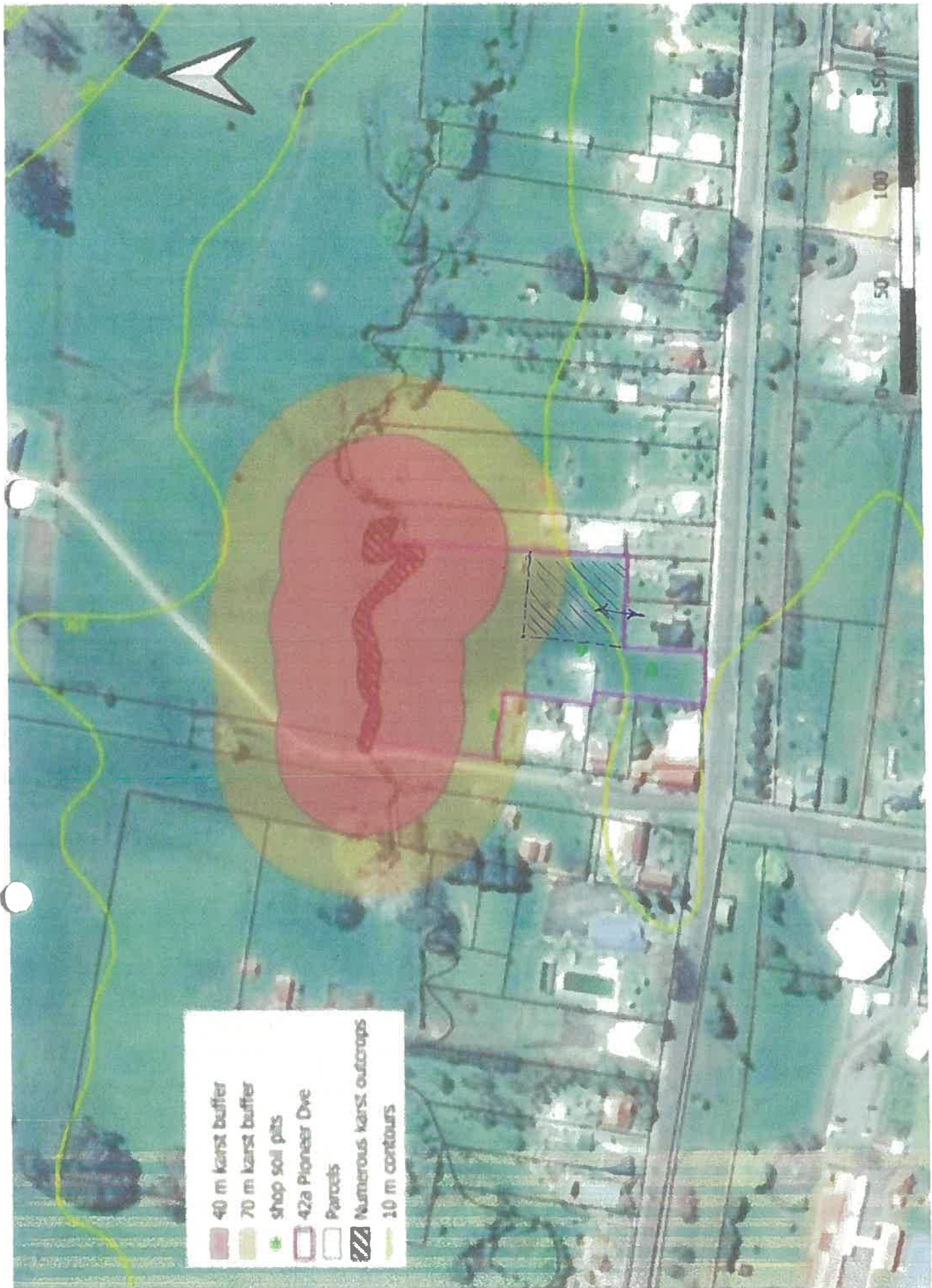
no unregistered dealings or other notations

Figure 3. Topography and Geology.



Geology codes: O1-Ordovician limestone (karst)

Qpat- Quaternary alluvial gravel, sand, and clay



Site Classification & On-site Wastewater Disposal Assessment and Design

- The irrigation lines are generally installed at a depth of 100mm into a minimum depth of 250mm of good quality topsoil. However, as an alternative, installing the irrigation lines on the surface and covering them with thick covers of mulch (at least 150mm thick) is considered acceptable;
- The irrigation lines are required to have a typical line spacing of 1m;
- The irrigation area is not to be located through any poorly drained depressions. As such, minor filling/mounding of the irrigation area may be required to ensure there is no localised saturated area; and
- The irrigation area shall be fenced off from livestock, as they can pug up the soil and damage the irrigation lines.

Guidelines for the design of sub-surface irrigation are outlined in AS/NZS 1547 Appendix M.

The area of the disposal field shall be vegetated with grasses or other suitable vegetation. A list of Tasmanian plants suitable for treated wastewater from AWTS units is attached as Appendix B.

The risk management process is an inherent part of the on-site wastewater disposal design. The on-site wastewater disposal system has been designed by considering the site characteristics and with risk identification in accordance with AS1547:2012. The risk reduction measures are detailed in the report and form the basis of the system selection and design.

As part of the Building Act, the client must specify the AWTS model and provide the Certificate of Accreditation for that particular model before the proposed development gets approval. A list of accredited AWTS models can be found on the Tasmanian Consumer, Building and Occupational Services website.

<https://www.cbos.tas.gov.au/topics/technical-regulation/plumbing-standards/wastewater/aerated-wastewater-treatment-systems>

7.5 Setbacks

The minimum separation distances between the disposal area and downslope features are based on Appendix R from AS/NZS 1547 "Recommended Setback Distances for Land Application Systems" and Section 3.1 from the *Building Act 2016: Director's Guidelines for On-site Wastewater Management Systems*. As per the documents, the following minimum setbacks are required:

- 25m from downslope sensitive features such as watercourses, including Limestone Creek;
- 70m from karst features;
- 1.5m from up-slope and cross-slope property boundaries;
- 6.5m from downslope property boundaries;
- 3.0m from buildings;
- 2.0m from the stormwater absorption trench; and

From: Annie Evelyn
Sent: 5 Jul 2020 19:30:33 +1000
To: Planning @ Meander Valley Council
Subject: PA\20\0203 Butcher and Cafe 42a Pioneer Drive Mole Creek
Attachments: Council representation.docx

Hi,

Please find attached a representation in regard to the butcher and cafe proposal located at 42a Pioneer Drive, Mole Creek.

Kind regards
Annie Evelyn

To the General Manager,

I am writing in relation to the application of a Butcher and Café proposal located at 42a Pioneer Drive, Mole Creek reference number PA/20/0203. My name is Annie Evelyn and I am the homeowner of 42 Pioneer Drive which directly adjoins the proposal property. I am writing to express some concerns that I have which I wish to be addressed.

My first concern is the noise that may be associated with having a business so close to my property. I have a young daughter and am due to have a newborn baby at the end of September, therefore excessive noise of bandsaws, unloading trucks, cars and people is concerning. The proposal states that business hours are proposed to be from 9am-5pm and I am aware that general noise from a retail business and food service is to be expected during these hours, however any other noise from the business outside of these hours will not be appreciated. To eliminate this issue, I would like to request something in writing that states the business will not be operating or making noise outside of their proposed business hours.

My second concern is my privacy. The proposal is set to be developed directly over the fence from my house in which I will be able to see the development from my kitchen window. I am concerned that people will be able to clearly see into my house which affects myself and family's privacy. As a way to resolve this issue, a higher fence may be a solution. However, the window is a main light source for our kitchen which I do not wish to be blocked by a high fence.

My third concern is in regard to my easement and absorption drain which is located on the proposal property. There is a separate written representation outlining this issue in detail with copies of title documents as supporting evidence which will be delivered by hand. I wish for this issue to also be addressed accordingly.

Another issue which I would like to put forward is whether the development will have a smoke house and hanging/storage area. During a meeting with Justin Simons on Wednesday 1st of July 2020, this was addressed in which I was informed that there would not be a hanging/smoke house, however according to the planning application, there is a building labelled as a smoke house and hanging area. I would like to be informed as to whether the applicant is planning to have a smoke house and how will issues such as smoke and smell be handled where it will not affect myself or my family's enjoyment of our property.

Thank you for taking the time to read my representation, I wish for my concerns to be taken into consideration and addressed accordingly.

Kind regards,

Annie Evelyn

42 Pioneer Drive, Mole Creek 7304

0476139488

annie.evelyn98@gmail.com

44 Pioneer Drive,
Mole Creek, 7304
05/07/2020

General Manager MVC John Jordan,

As business owners and residents at 44 Pioneer Drive Mole Creek we are opposed to the development application PA\20\0203 planned for 42A Pioneer Drive Mole Creek.

The proposed smoke house contravenes MVC planning scheme for sensitive use E11.6 Use Standards, E11.6.1 and table E11.1 Attenuation Distances.

The area of the proposed waste water is to dispersed is illegal, as it is on a drainage easement (appurtenant to Lot 2 on sealed plan 50413) for 42 Pioneer Drive Mole Creek.

The proposed gravel access should sealed to the same standard as the carpark to alleviate any dust issues.

1.8mt fences should be erected on all adjoining boundaries for security, safety, privacy and to act as noise barrier for traffic and delivery vehicles and to stop car head lights creating nuisance at night by shinning into adjoining properties, as the development it to be hired out for late night functions.

Is the proposed development economically viable as there is 7 other family owned food outlets in the Mole Creek area and any more financial strain placed on them in these times will make their profitability at best marginal.

We would also like to present a petition which was raised by the community against the development and in support of their locally owned family businesses.

Regards

J Thorburn
J Casey

03 63631134

We the undersigned wish to petition against the proposed development of a Butcher Shop and Cafe at 42A Pioneer Drive Mole Creek, 7304.

NAME	ADDRESS	SIGNATURE
Lorraine Fisher	7 Caveside Rd Mole Creek	L Fisher
David Jones	125 Cummings rd	D Jones
Jane Johnson	125 Cummings rd Mole Creek	J Johnson
W. Burtel	80 Union Bridge Rd Mole Creek	W Burtel
A. Cox	35 CEMETERY RD MOLECREEK	A Cox
Ian Fraser	2 Hall St M.C.	I Fraser
Leann Graham	4000	L Graham
SHERRY BLAIR	MOLE CREEK	S Blair
S. Johnson	MCWELL ST MOLE CK	S Johnson
MARGULY	49 th Caveside Rd Moleck	M Marguly
Riley Scott	34 Caveside Rd Mole Creek	R Scott
Randy Howe	57 Motta Lane chadleigh	R.S. Howe
Joshua Stephens	PIONEER DR MOLE CRK.	J Stephens
Joshua Wright	Caveside RD Mole Creek	J Wright
Katie Grubb	Caveside Rd Mole Creek.	K Grubb
Roger Lane	PO Box 167 MOLECREEK	R Lane
Martin Yalden	19 Union Bridge Road M.C.	M Yalden
Annie Evelyn	42 Pioneer Dr Mole Creek	A Evelyn
Zinzan Johnson	42 Pioneer Dr. Mole Creek	Z Johnson
E GAZE	36 PIONEER DR MOLE CREEK	E Gaze
D YARD	106 P " " "	D Yard
A. HARTLES	49A CAVESIDE ROAD	A Hartles
I. McM	MOLE CREEK	I McM
S. SCOTT	MOLE CREEK	S Scott
V. YALDEN	MOLE CREEK	V Yalden

We the undersigned wish to petition against the proposed development of a Butcher Shop and Cafe at 42A Pioneer Drive Mole Creek, 7304.

NAME	ADDRESS	SIGNATURE
JO THORBURN	44 PIONEER DR	[Signature]
Chloe Viner	44 PIONEER DRIVE	[Signature]
Brad McNeill	12 caveside road	[Signature]
HELEN SCOTT	284 CAVESIDE RD M.C.	[Signature]
IAN ROLO	11-CAVESIDE RD	[Signature]
P. FRASER	2 HALL ST	[Signature]
Kate Faulkner	48 CAVESIDE Rd	[Signature]
James CASEY	44 Pioneer Drive	[Signature]
T. Richards	Mole Creek	[Signature]
W. STEVENS	MOLE CREEK	[Signature]
Denise How	Mole Creek	[Signature]
M. GLEESON	Mole Creek	[Signature]
[Signature]	Delaware	[Signature]
M. Baker	Delaware	[Signature]
R. JOUDNEY	MOLE CREEK	[Signature]
M. T. Grace	main Rd. Mole creek	[Signature]
K. GALE	36 PIONEER DR MOLE CREEK	[Signature]
K. Green	70 Union Bld Rd Mole Creek	[Signature]
J. HOUSHAN	2 Union Bridge Rd Mole Creek	[Signature]
J. WALKER	169 South Mole Creek Rd	[Signature]
DAVID PAUL	MOLE CREEK	[Signature]
Tamarra How	38 Pioneer Drive	[Signature]
ETHAN HOW	44 Cave Side Road	[Signature]
DOT HOWE	71 DEN RD.	[Signature]
A. SCOTT	MOLE CREEK	[Signature]

**WE, THE UNDERSIGNED WOULD LIKE TO BRING YOUR ATTENTION
TO THE FOLLOWING RECOMMENDATION TO:
REDUCE THE SPEED LIMIT THROUGH MOLE CREEK TO 50KPH
(particularly with regard to the school crossing's location)**

NAME	ADDRESS	SIGNATURE
Suz Meure	80 Baldocks Rd Mole Ck	[Signature]
Jenny Lloyd	70 Baldocks Rd moleck	[Signature]
NIGEL SCOTT	342 CAVESIDE RD.	[Signature]
SHIRLEY BLAIR	16 MCNEILL ST Mole Ck.	[Signature]
Johnson	1 MCNEILL ST MOLECK	[Signature]
M Hawkless	49a Caveside Road Mole Creek	[Signature]
Dona Stewart	1570 Union Bridge Rd	[Signature]
S. Scott	78 Union Bridge Rd.	[Signature]
Danni Will	Henri Rd	[Signature]
Don Robins	11-CAVESIDE, RD	[Signature]
T. Richards	Mole Creek	[Signature]
M Grace	Mole Creek main B	[Signature]
MAL GULLY	49a Caveside Rd Mole Creek	[Signature]
A. SCOTT	MOLE CREEK	[Signature]
M. Baker	Delaware	[Signature]
C Scott	2 mole ck	[Signature]

From: P & N Pendergast
Sent: 26 Jun 2020 11:15:32 +1000
To: Planning @ Meander Valley Council
Subject: Representation regarding Tasmanian Consulting Service- PA\20\0203

Attention: General Manager

Re: Tasmanian Consulting Service - PA\20\0203, 42A Pioneer Drive MOLE CREEK

We wish to lodge our concerns regarding the above notated cafe and butcher shop development.

1. Concerns about covered dining area; open-air (Al fresco style) construction. No north or south walls to building making it unsuitable for the Mole Creek climate. Too cold in winter; providing no protection from northerly or southerly winds and driving rain. Too hot in summer; translucent roof light strips will allow heat transference to patrons below.
2. Unsafe venue for patrons and staff. No barriers to protect cafe occupants from cars, either mistakenly or purposefully, entering dining area from north or south carparks.
3. Unhygienic. Dining and food service areas will be open to insects, wildlife, dust, etc. Also, open premises would be accessible overnight to wildlife seeking food tidbits and/or human campers. Problems with feces and rubbish left on site.
4. Unattractive views for table diners i.e; Patron carpark (view to south). Employee carpark (view to north). There are already numerous picnic tables located in more pleasant settings along Pioneer Drive.
5. Only one Unisex toilet. Not enough toilets to cater for 20 patrons, some of whom may be confined to wheelchairs and likely to occupy the toilet for an extended time. Even small-type fast food restaurants provide 1 Male, 1 Female, & 1 Unisex toilet (Unisex toilets also include a change table).
6. Employee amenities. No separate toilet facility for employees as well as no lunchroom nor rest facility.

Mole Creek is not a remote mining camp. Shipping containers, though sturdy, are unattractive, unimaginative buildings because they look like shipping containers! Excellent for transporting goods, for storage or any temporary use they were designed to accommodate. A few shrubs planted around these containers won't disguise the impression of being "only temporary".

It is apparent there are enough eateries in the town, and nearby, to provide food service in attractive, hygienic settings for all. Unlike the applicant, local folks rely on their established food outlets to provide an income for themselves and employment for others.

Mole Creek has its own established, early-settler charm represented by clean, tidy, old-style buildings. Its ambiance, nestled alongside The Tiers, should be maintained for all to enjoy. Locals and tourists love Mole Creek as is.

We ask that you please consider the points we have made and decline permission for the applicant to construct the proposed business/s in Mole Creek. Thank you for your attention to our concerns.

Yours faithfully

Peter M and Nanette S Pendergast

PH: 63631202

gwtiers@bigpond.com

AIT

JUSTIN.

PA/20/0204

Index No. 17066			
Doc No.			
RCVD	25 JUN 2020	MVC	
Action Officer	JS	Dept.	CDS
EO		UD	✓

My name is Peter Fraser and I own the property at 2 Hall St, Mole Creek. I purchased the property on the 14th September 11 years ago. With COVID19 raging I'm led to believe the value of the housing market will drop substantially. I'm now being told that a road is about to be built encircling my property. An abattoir and a smoke-house is going to abut my side fence. The aroma from this structure will permeate my area and the centre of the town and be intolerable. These structures will greatly diminish the already dropping value in my property and every other within a hundred metres of the development.

So I'm totally opposed to this establishment in my back yard. The peace and serenity for which I bought the property will be non-existent.

Why an abattoir and smoke house should be built in the centre of any town, never mind Mole Creek, can't be allowed to take place.

Yours Faithfully

Peter Fraser

PLANNING AUTHORITY 2

Reference No. 151/2020

34 MARRIOTT STREET, WESTBURY

Planning Application: PA\20\0206

Proposal: Subdivision of three (3) lots to create two (2) lots and the construction of three (3) units on the vacant lot.

Author: Natasha Whiteley
Town Planner

1) Proposal

Application

Council has received an application for the Subdivision of three (3) lots to create two (2) lots and the construction of three (3) units on the vacant lot at 34 Marriott Street, Westbury.

Applicant:	Design to Live
Owner:	R & L Gray
Property:	34 Marriott Street, Westbury (CT's: 17285/5; 200414/1, 17285/4)
Zoning:	Urban Mixed Use Zone
Existing Land Use:	Residential
Representations:	Six (6)
Decision Due:	12 August 2020
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

If approved, the application will result in:

- e) The existing three (3) titles being reconfigured to create two (2) titles;
- f) The existing house and outbuilding will be contained within lot 1;
- g) Three (3) units being constructed on the vacant lot (lot 2); and
- h) A Strata Title being issued over the three (3) new units.



Photo 1: Aerial photo of subject land and proposed new title boundary.

The subdivision will result with the following arrangement.

Lot	Area (m ²)	Frontage (m)	Feature
1	1109.14m ²	25.496m	House
2	1319.6m ²	36.065m (Marriott St) 40.383 (Meander Valley Road)	Vacant (with trees)

Table 1: Features of the proposed subdivision.

The proposed units will be positioned on the property as shown on the following site plan.



Figure 2: Site plan showing the existing dwelling, proposed new title boundary and location of three (3) units.



Photo 2: Photo of the development site.

A full copy of the application, including plans and supporting documents, is included in the attachments.

Standards Requiring Discretion

Residential Use and Development in the Urban Mixed Use Zone is a Discretionary Use. As such the development must be considered against the Zone Purpose Statements, Local Area Objectives and Desired Future Character Statements. The application also relies on the following Performance Criteria:

- 15.3.1 Amenity – P3
- 15.4.1 Building Design and Siting - P3
- 15.4.2.3 Location of Car Parking – P2
- 15.4.2.4 Overlooking – P1
- 15.4.2.5 Private Open Space - P 1 & P2
- 15.4.3.1 General Suitability – P1
- 15.4.3.2 Lot Area, Building Envelopes and Frontage - P4
- E4.7.2 Management of Road and Accesses and Junctions – P1
- E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings – P1
- E6.7.2 Design and Layout of Car Parking – P2

2) Summary of Assessment

The proposal is for:

- The subdivision by way of amalgamation of three (3) existing titles to create two (2) titles.
- Construction of three (3) units on the vacant lot being created.
- Each unit will comprise open plan kitchen, dining and living, three (3) bedrooms, master with ensuite, and attached double garage.
- Each unit will be strata titled, with the common property being allocated to the front of Unit 1 where the water metres will be located.

The standards of the planning scheme which require assessment of the Performance Criteria and the application of Council's discretion to approve or refuse the application are outlined above and detailed in the Scheme Assessment in Section 6.

Overview:

- Residential is a discretionary use in the Urban Mixed Use Zone. The proposal is considered in keeping with the Zone Purpose, including the Zone Purpose Statements, Local Area Objectives and Desired Future Character Statements.
- The development adjoins land zoned General Residential and the proposal is consistent with the form of residential development within the area.
- The adjoining property to the west is 56 Meander Valley Road, Westbury (Fitzpatrick's Inn), a property that is registered on the Tasmanian Heritage Register. However, Heritage Tasmanian has advised that only the title incorporating Fitzpatrick's Inn and associated buildings is contained in the Heritage Listing. The separate title containing the gardens is not included in the heritage listing.



Photo 3: Aerial photo identifying the two titles that form Fitzpatrick's Inn. The heritage listing applies to CT: 17285/1 only.

- The hedge fronting Marriott Street and Meander Valley Road is considered an important element in the streetscape and is recommended to be retained. This is supported by the landscaping requirements for Multiple Dwellings in the Urban Mixed Use Zone.
- A 1.8m high timber paling fence is recommended for erection between Unit 1 and Fitzpatrick's Inn to comply with the overlooking requirements of the zone.
- Six (6) representations were received to the development. The main concerns were to do with:
 - a) *The density of the development and impact on heritage character of the area.* The development complies with the density requirements of the zone.
 - b) *The actual location of the development not advertised correctly.* The development is contained to 34 Marriott Street, Westbury and does not extend on to Fitzpatrick's Inn as the representations suggest. The application is considered to be advertised correctly.
 - c) *A boundary fence between 56 Meander Valley Road and 34 Marriott Street is requested.* Council cannot require the erection of a boundary fence, this is between the two property owners. However, a fence will need to be constructed between Unit 1 and Fitzpatrick's Inn.
 - d) *Concerns for the Heritage Listed Trees within close proximity to the boundary. They could be damaged as a result of the development and also pose a risk to the new units and occupiers.* The trees are not heritage listed. It is recommended as a note of approval for the

developers to consider the Australian Standard AS4979-2009 Protections of Trees on Development sites.

- e) *Restrictive Covenant on the title.* Council cannot consider covenants on titles as this is a civil matter.
 - f) *Impact of the development on Fitzpatricks Inn (a Heritage Listed Property and listed on the Estate of the National Trust) and the wider historic character of Westbury.* Council does not have the ability to consider the impacts of the development on Heritage Listed properties; however the Local Area Objectives and Desired Future Character Statements consider heritage character. The hedge and the trees are considered a significant visual component of the heritage precinct around Fitzpatrick's Inn. These components are considered important to retain the character as much as possible in providing for new development.
 - g) *The impact of the proposal on the streetscape.* It is recommended as a condition of approval for the hedge to be retained.
- The proposed development is in keeping with the intent of the Urban Mixed Use Zone and with the recommended conditions, the applicable provisions of the Meander Valley Interim Planning Scheme 2013 are complied with.
 - The application is recommended for approval, subject to conditions.

3) Recommendation

It is recommended that the application for Use and Development for Subdivision (3 lots to 2 lots) & Multiple Dwellings (3 units), on land located at 34 Marriott Street, Westbury (CT's 17285/5, 200414/1 & 17285/4), by Design To Live, be APPROVED, generally in accordance with the endorsed plans:

- a) **Design To Live; Dated: 18/5/2020; Job Number: MRRT34, Drawing: 1,3,4,7,9-11,13,15-17,19,21-26.**
- b) **Design to Live; Dated 25/3/20; Job Number: MRRT34, Drawings: 2, 6,12,18.**

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 are pre-existing and carried forward to new titles;**

- b) Such covenants or controls are expressly authorised by the terms of this permit; or
 - c) Such covenants or similar controls are expressly authorised by the consent in writing of Council.
 - d) 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 proposed driveway crossovers to service Unit 2 and Unit 3 must be completed in accordance with Local Government Association of Tasmania (LGAT) Standard Drawings TSDR03 and R04, to the satisfaction of the Director Infrastructure Services. Refer Note 1.
 3. The boundary between 34 Marriott Street and 56 Meander Valley Road, Westbury, must be confirmed by a survey and must clearly identify the location of the tree trunks within close proximity to that title boundary.
 4. A 1.8m high timber paling fence is to be constructed between Unit 1 and 56 Meander Valley Road, Westbury. This fence should be located along the title boundary where possible, unless it is to be located within 34 Marriott Street, to avoid damage to the tree trunks identified in the survey required by Condition 3. Refer to Note 4.
 5. A Section 71 agreement must be executed and registered on the title, that provides for the following:
 - a) The hedge fronting Meander Valley Road and Marriott Street must remain intact maintaining a minimum height of 1.5m, other than modification or removal for the purpose of hedge maintenance, such as for relaying or pruning, to ensure long term survival.

The hedge must not be removed or destroyed without the written consent of the Council. If removed or destroyed, the hedge must be replaced using plant species compatible with existing, and maintained to ensure survival. This condition excludes hedge removal for the approved new access points as shown on the endorsed plans.

- b) If the confirmation survey required in Condition 3 above identifies the trunks of the large trees within close proximity to the title boundary shared with 56 Meander Valley Road, as being wholly located within the 34 Marriott Street title, the trees must be retained.

- c) **The General Manager will consider any request to remove any tree identified for retention in b) above, subject to the consideration of a report prepared by a suitably qualified arborist that identifies that the relevant tree:**
- a) **is a safety hazard due to natural deterioration, disease or death; or**
 - b) **that the tree is suffering from disease or deterioration such that there are no reasonable prospects of survival.**

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 commencement of works for both the subdivision and the construction of the units, the following is to be submitted to Council:**
- a) **Engineering design to the satisfaction of Council's Director Infrastructure Services, detailing the proposed means of stormwater connection for both lot 1 and 2 into Council's reticulated stormwater system on Marriott Street. Refer Note 2; and**
 - b) **A confirmation survey as required in Condition 3, to the satisfaction of Council's Town Planner.**
- 7. Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
- a) **Stormwater connections to Lot 1 and Lot 2 must be installed in accordance with the approved engineering design required in Condition 6 a), to the satisfaction of Council's Director Infrastructure Services.**
 - b) **The Section 71 Agreement together with the completed Land Titles Office Lodgement Form and requisite fee must be executed for signing by Meander Valley Council and registration in accordance with Condition 5.**
- 8. Prior to the commencement of the use of the units, the following is required to be completed:**

a) Driveway crossovers installed to Units 2 and 3 in accordance with Condition 2 to the satisfaction of Council's Director Infrastructure Services; and

b) The timber paling fence erected in accordance with Condition 4 to the satisfaction of Council's Town Planner.

9. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2020/00654-MVC) attached.

Notes:

1. Prior to the construction of the driveways, separate consent is required from the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on telephone 6393 5312. Please note it is Council's minimum requirement for contractors undertaking work in the road reserve to hold current public liability insurance to the value of \$20M.
2. Design information must be prepared showing level information to control drainage from the two (2) allotments. The requirement for any work to be undertaken in Marriott Street to connect stormwater will be approved by Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
3. Stormwater detention will be required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
4. Boundary fences are managed by the *Boundary Fences Act 1908* and property owners have particular obligations under this act when erecting a boundary fence.
5. The *Neighbourhood Disputes about Plants Act 2017* provides for dispute resolution for trees and vegetation on, or overhanging a boundary.
6. The developer is referred to the Australian Standard AS 4970 Protection of Trees on Development Sites.
7. The development is in proximity to TasNetworks powerline. The developer is referred to TasNetwork's Customer Enquires team at Customer.Enquiries@tasnetworks.com.au to discuss the proximity of the

development to the powerlines.

8. In accordance with the *Strata Titles Act 1998*, any future amendments to the resulting Strata Plan are to be registered with the Recorder of Titles to reflect the development. For further information please contact Land Titles Office.
9. 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
10. 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.

11. 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.
12. 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
13. 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.
14. 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.

15. 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; and
- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
- c) The relevant approval processes will apply with state and federal government agencies.

4) Representations

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

Six (6) representations were received (attached documents). A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with full representations included in the attachments.

Concern - Density

Concerns were raised in some representations that the site is not suitable for unit development and three (3) units is an over-intensification of development. The site is perhaps better suited to two (2) units. The density of the units is not consistent with the settlement pattern of Westbury.

Comment:

The Urban Mixed Use Zone provisions consider density. It sets a minimum site area per dwelling of 400m². The units have the following site area per dwelling:

Unit 1: 454.08m².

Unit 2: 422.97m².

Unit 3: 423.05m².

All units comply with the density requirements of the Urban Mixed Use Zone.

The minimum lot size requirements for subdivision in the Urban Mixed Use Zone is 800m². Lot 1 will be 1,109m² and Lot 2 will be 1,319m², complying with this requirement.

Concern - Location of development and advertised application material

It is apparent in the representations that there is confusion over the actual property that the development applies to. Some representations think that the proposal

incorporates land known as Fitzpatrick's Inn and this property wasn't included in the advertising of the application, misleading the public.

Fitzpatrick's Inn is listed on the State Heritage List and Register of the National Estate and includes the whole of the Fitzpatrick's Inn property. Some representations believe that the titles of 34 Marriott Street, Westbury are incorporated in these listings. The land is considered an integral part of the iconic heritage property of Fitzpatrick's Inn. The application is believed to be on the heritage gardens. As such the application form may have misled or not properly advised members of the public about the impacts of the development.

There was also confusion regarding the old and new titles numbers that were included in the advertising material. Some representations believed the titles are owned by the owners of Fitzpatrick's Inn.

Comment:

The proposed development is for the property known as 34 Marriott Street, Westbury which comprises CT's: 17285/5, 200414/1, 17285/4. These three (3) titles are within the same ownership. No part of the application is proposed for land known as Fitzpatrick's Inn identified as 56 Meander Valley Road, Westbury.

Heritage Tasmania advised that for the heritage listing of Fitzpatrick's Inn '*only CT: 17285/1 is entered in the Tasmanian Heritage Register*'. As such CT: 17285/2 being the land that immediately adjoins 34 Marriott Street, Westbury is not listed on the Tasmanian Heritage Register.

Heritage Tasmania has also advised that '*The CTs 17285/5, 200414/1 and 17285/4 at 34 Marriott Street, Westbury are not entered in the Tasmanian Heritage Register, and not subject to provision of the Historic Cultural Heritage Act 1995*'.

As such, the application is considered to have been correctly advertised. The application form is also considered to have been completed appropriately.

The Register of the National Estate was closed in 2007 and is no longer a statutory list. As such, only those properties registered on the Tasmanian Heritage Register have statutory requirements.

Concern - Boundary Fence

The boundary location between 34 Marriott Street and Fitzpatrick's Inn cannot be identified because survey pegs have been removed and there is no permanent boundary fence erected between the two (2) properties. There is currently a temporary steel dropper and wire fence erected; however this fence may not be erected along the property boundary. The representation requests the boundary to

be surveyed which will establish the location of the trees in regards to the boundary.

The application material does not identify if a boundary fence is proposed along the boundary with Fitzpatrick's Inn. The representor requests a 1.8m high timber fence, or other design, along the boundary with Fitzpatrick's Inn and notes that it would be problematic given the trees roots. This fence will be subject to National Trust and Heritage Council approval.

Comment:

The title boundaries will be surveyed as part of the preparation of the Final Survey Plan which will be submitted to Council for sealing, prior to the titles being reconfigured. This survey will establish where the title boundary is located between 34 Marriott Street and Fitzpatrick's Inn.

A boundary fence has not been included in the proposal between 34 Marriott Street and 56 Meander Valley Road. However, the applicant has verbally indicated that the developer would like to erect the boundary fence. Boundary fences are a civil matter between property owners and managed by the *Boundary Fences Act 1908*. Council does not get involved in the construction of boundary fences. However, a condition of approval is for the erection of a 1.8m high timber paling fence between Unit 1 and 56 Meander Valley Road to achieve compliance with the overlooking requirements of the Planning Scheme. In order to appropriately place the fence without damage to the trees, a confirmation survey is required to be submitted to Council which identifies the location of the trees within close proximity to the boundary.

Concern - Mature Trees

There are several large Heritage listed trees on Fitzpatrick's side and are very close to the boundary. There are concerns for the health and safety of the trees and the proposed buildings and residents. There is also concern regarding falling limbs from heritage listed trees on buildings especially Unit 1 being 1.78m from the boundary.

There are concerns regarding the setback for Unit 1 to the Fitzpatrick's Inn boundary due to the closeness to the presumed heritage listed trees and because they overhang the boundary. The roots of the trees need to be considered in excavation work as damage could result in trees dying or falling. There is concern that the trees along the boundary could change as a result of the proposal.

'Advised by Chris Bonner of Tasmanian Heritage Council that there is an Australian Standard AS 4979 – 2009 for the Protection of trees on development sites which includes a recommendation that Tree Protection Zones and Structural Root Zones should be factored into development plans early in the process. This is usually done through an arborist report where these zones sizes are calculated'.

The sewer design plan shows the heritage tree on 34 Marriott Street. Believe that the trunk of this tree is on 56 Meander Valley Road. There have been issues with blocked drains in the past.

Comment

Whilst Fitzpatrick's Inn is a heritage listed property, Heritage Tasmanian has advised that '*only CT: 17285/1 is entered in the Tasmanian Heritage Register*'. CT: 17285/2 which adjoins 34 Marriott Street, Westbury is not comprised in the heritage listing and therefore, the large trees along the boundary are not heritage listed. 34 Marriott Street, Westbury is also not a heritage listed property. There are no provisions such as Heritage Precincts or Heritage Places in the Meander Valley Interim Planning Scheme 2013 that apply heritage controls/ protection. As such, potential damage to the trees is something that cannot be considered by the Planning Scheme and this assessment.

The Planning Scheme does not consider the Australian Standard referred to above. As such, Council cannot enforce the development to be constructed in accordance with the standard because the standard has no statutory power under the Planning Scheme. A note will be included on the permit to bring the standard to the attention of the developer.

The side boundary setback in the Urban Mixed Use zone is 1.5m. Unit 1 is proposed to be located 1.78m from the boundary complying with this requirement.

There are no provisions in the Planning Scheme that concern overhanging vegetation. The *Neighbourhood Disputes About Plants Act 2017* manages this and it is a civil matter that Council does not get involved with.

A recommended condition of approval is for the location of the trees to be identified by a survey. The large trees along the boundary of 34 Marriott Street and Fitzpatrick's Inn contribute to the heritage character of the area. Any tree located along this boundary that is wholly located within 34 Marriott Street, Westbury is to be retained, as per the recommended condition.

Sewer infrastructure is managed by TasWater. TasWater has issued a Submission to Planning Authority Notice for the proposal.

Suggested Options

The following options were suggested for the health of the tree and safety to buildings and residents:

- a) Unit 1 relocated further from the boundary; or
- b) changing the size of Unit 1; or

c) Not including Lot 5 (CT: 17285/5) as part of the development to protect the trees and roots which would likely restrict the development to 2 units instead of three.

Comment:

The proposal is considered to comply with the requirements of the planning scheme. The suggestions recommended in the representation are not considered necessary to comply with the Planning Scheme. These suggestions have been passed to the applicant along with all representations.

Concern – Need for Reports

To appropriately consider the impact of the development on the mature trees a 'report from an Arborist as well as National Trust and Heritage Council' is considered 'to be essential in being able to assess this development application'.

Comment:

A report from an Arborist, National Trust and Heritage Council is not required.

34 Marriott Street, Westbury is not a heritage listed property and the adjoining title CT: 17285/2, is also not heritage listed as per the advice from Heritage Tasmania.

There are no Heritage Precincts or Heritage Places identified in the Planning Scheme. Therefore, there are no requirements in the Planning Scheme to require the suggested reports.

Concern - Overshadowing

There are concerns that Unit 1 and the open space area will not receive direct sunlight in the afternoon and early evening because of shadowing from the trees. The heritage trees will overhang the unit.

Comment:

Overshadowing is a consideration of the planning scheme. However, the Performance Criteria (15.4.2.5 P2) does not consider the impact of overshadowing from trees. Only buildings on adjoining sites can be considered when assessing the impact of overshadowing.

Concern - Hedge

The established hedge is considered problematic because it is 1.5m to 3m wide and reduces area available on the site and not shown on plans. The hedge encroaches footpath. The hedge is of weed species and becomes thicker each year with trimming.

Comment:

The hedge is considered an important element in the streetscape. The hedge appears to be of the same or similar species as in front of Fitzpatrick's Inn, although higher. The hedge is proposed to remain as part of the development and this will be reiterated by a recommended condition to retain the hedge. It is the owner's responsibility to ensure the hedge does not encroach the footpath. Council regulates encroachment within the road reservation.

Concern - Covenant

There is a Restrictive Covenant on the title. The trees along north and eastern boundaries may be considered in the covenant on the title. Cannot tell the area that is applicable to the subject title as the red boundary line is not showing. Is the covenant only for the land known as Fitzpatrick's Inn? Significant trees are covered under point 5 of the covenant.

The development is not consistent with the covenant or does not include National Trust Approval. The covenant protects the Inn and the associated Heritage gardens and significant trees and hedges. The proposal is in contravention of the Restrictive Covenants. The covenant must be honoured and respected and refuse the application.

There is a need to remove mature trees to build units, contrary to the Restrictive Covenant.

Comment:

There is a covenant on two of the three titles that make up 34 Marriott Street, Westbury. However, covenants are purely a civil matter between those people within the same sealed plan reference and in this case either National Trust or the Tasmanian Heritage Council because the restrictive covenant originally entered into by the National Trust was transferred to the Heritage Council in 2006. Council does not get involved with covenants on titles and, therefore, compliance with covenants is something that cannot be considered in the assessment of the application.

It is noted that whilst only a black and white copy of the covenant has been found to date, Heritage Tasmania has confirmed that the covenant does not apply to 34 Marriott Street, Westbury.

Concern – Heritage values

The certificate of titles for 34 Marriott Street, Westbury together with CT: 17285/1 & 2 form an integral part of Fitzpatrick's Inn. It is believed that these titles were historically apart of Fitzpatrick's Inn and contribute to the heritage values.

The application will result in a loss of heritage values of what is an essential townscape element of Westbury. Nothing is being done to protect heritage values

of the town and 'Fitzpatrick's and its garden are critical elements'. No Local Heritage List for Meander Valley Planning Scheme. People expect that national heritage including Fitzpatrick's Inn and the mature gardens will be protected by Meander Valley Council, State of Tasmania and National Trust. No Government management of Heritage that accords to LUPAA. Westbury requires precinct protection. Concerned that Heritage conservation and protection is not happening.

Concerns that the application claims that the land is vacant and that no heritage values or listings apply to the land.

The land is constrained by heritage listings and the restrictive covenant of the National Trust of Tasmania.

The application will remove part or all of the heritage garden over the three titles and the remaining garden remnants would not have any heritage value.

Council has not considered the multiple heritage listings and Restrictive Covenant.

There are no reports by a heritage expert or a heritage landscape consultant or heritage garden expert to 'ensure that the heritage aspects as considered by Council to ensure the objectives of the RMPS are met and that intergenerational equity is not being challenged and diminished.'

'Heritage values of the Fitzpatrick's Inn gardens would be entirely removed on the three subject titles..., where in addition to the subdivision and clearance of gardens, that the proposal to build three closely spaced dwellings... would not... be in keeping with the overall heritage amenity of the whole Fitzpatrick's Inn heritage site'.

The development 'would be ugly aesthetically displeasing and inappropriate in terms of heritage curtilage and in terms of streetscape itself. It would not only diminish the site but the sites heritage significance'. The proposal will detract from heritage character of Fitzpatrick's Inn. It is not reusing heritage character buildings or other underutilized buildings.

The advertising material does not address the impacts on the cultural heritage values of Fitzpatrick's Inn and its gardens such as a cultural heritage impact statement. Not suitable for adequate assessment for approval.

The subject land has always formed part of the gardens of Fitzpatrick's Inn since at least 1833. Reference to conservation in regards to the Burra Charter. Because Fitzpatrick's Inn and its gardens are intact, the proposal will undesirably reduce the cultural significance because the removal of the trees and construction of three (3)

units cannot be reversed.

Want Council's planners to undertake an historic assessment of Westbury using the research document Understand Place to determine Westbury's cultural heritage significance.

Environmental and cultural constraints have not been properly identified nor addressed. The proposed development site is a very sensitive area enclosed by hedging and featuring mature trees and plantings.

Seeks a landscape conversion plan and a conversion plan that considers the significance of the Inn to the Town.

Fitzpatrick's Inn is a local landmark and an essential townscape element.

The development is not in keeping with the Local Area Objectives for Westbury. It is not a respectful development in regards to heritage character.

Comment:

The development will be wholly contained within 34 Marriott Street, Westbury, which is not listed on the Tasmanian Heritage Register. The adjoining title, CT: 17285/2, is also not heritage listed as per the advice from Heritage Tasmania. The provisions of the *Historic Cultural Heritage Act 1995* are not applicable to the development. The listing on the Register of The National Estate, is now inactive, and is used as an archive of information only. This register no longer has any statutory power.

Local Heritage Precincts and Local Heritage Places are not incorporated into the Planning Scheme meaning that there are no specific heritage controls to be considered as part of the assessment. In order for the matters raised above to be considered, a head of power through a Local Heritage Provision is required in the Planning Scheme. In the absence of Local Heritage Provisions, the impact of the development on the heritage significance on the site and broader area cannot be considered and therefore, reports of this effect are not required.

The Local Area Objective and the Desired Future Character Statements of the Urban Mixed Use Zone broadly considers the heritage character when assessing new development, and is discussed in section 6 below. The hedge and any tree trunk along the boundary of Fitzpatrick's Inn and 34 Marriott Street that is wholly contained within 34 Marriott Street, Westbury, is to be retained as per the recommended condition. The assessment has demonstrated that the proposal is consistent with the Local Area Objective Desired Future Character Statement for Westbury.

Concern – Application should be Refused

Representors are opposed to the subdivision and development and seek the application to be refused. The application is against public interest, against the concept of sustainable development and the objectives of the Resource Management and Planning System.

Comment:

The application is considered to comply with the requirements of the Meander Valley Interim Planning Scheme 2013.

Concern - Streetscape

The proposal detracts from the amenity of the streetscape, degradation of heritage values.

Exotic and old trees on the site contribute to the heritage streetscape of Westbury. The gardens associated with the Inn provide an important contribution to the heritage values of the precinct which needs to be fully investigated before any decision is made on the application.

The corner of Meander Valley Road and Marriott Street Westbury will become modern if the proposal is approved.

The viewed approach from the east (with its old trees) would be lost. Trees are a signifier (exotic, old, tall add to aesthetics) that represents Westbury being a historic town/village. Exotic trees in the area contribute to micro evolved landscape that is Westbury.

The ambience of the Inn and its garden stands to be removed as a result of the proposal.

Comment:

Whilst there are no specific Heritage Precinct Plans or Heritage Listed Places within the Planning Scheme that would provide heritage controls, the Local Area Objectives and Desired Future Character Statement for Westbury considers how new development interacts with heritage character. The Desired Future Character Statements also provides for a mixed visual character. These matters are discussed in Section 6 below.

The existing hedge and the large trees contribute to the streetscape and the historic character of the area surrounding Fitzpatrick's Inn. As such, the hedge and any large tree that is located within close proximity to the shared boundary with Fitzpatrick's Inn, where the tree trunk is wholly located on 34 Marriott Street, Westbury is recommended as a condition of approval for retention.

The application proposes to retain the existing hedge and some larger trees on the site. The retention of vegetation is considered to blend the development into the streetscape, minimising the dominance of the additional three (3) units on the streetscape.

The planning scheme does not mandate what the aesthetics of a development should look like. The development being brick and colourbond, is consistent with other houses within the area.

Concern - Sight Distance

The sight distance for the two driveways does not meet standards.

Comment:

The Traffic Impact Assessment Report has concluded that the development will maintain an adequate level of safety to all road users.

Concern - Community Consultation

Council is requested to not make a decision on the application until high level community consultation has been conducted.

Comment:

Council must make a decision on the proposal by 12 August 2020. The application was advertised in accordance with Section 57 of the *Land Use Planning and Approval Act 1993*. Further community consultation on the application is not required as part of the planning assessment.

5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2020/0654-MVC) was received on 19 May 2020 (attached document).

Council has discussed the proposed development with Heritage Tasmania.

6) Scheme Assessment

Use Class: Residential

Zone Purpose

In the Urban Mixed Use Zone, Residential is listed as a discretionary use under Section 15.2 – Use Table. As such the proposed use is assessed against the Zone

Purpose including the Local Area Objectives and Desired Future Character Statements.

Urban Mixed Use Zone	
15.1	Zone Purpose
15.1.1	<i>Zone Purpose Statements</i>
15.1.1.1	<i>To provide for integration of residential, retail, community services and commercial activities in urban locations</i>
15.1.1.2	<i>To provide for a diverse range of urban uses that support the role of activity centres by creating demand, vitality and viability within adjacent activity centres.</i>
<p><i>Response</i></p> <p>The proposed three (3) unit development is consistent with the Zone Purpose Statement providing for residential use and development in an area where residential, retail and commercial activities are integrated. The proposed development enhances the diverse range of residential housing type that is available within the area. The three (3) additional units will complement and support the activity centre that is now established with the IGA Supermarket and Café 120m east and the Café and Hardware store 200m west. Community and commercial services are approximately 700m to the west.</p> <p>The proposal is in keeping with the Zone Purpose Statements.</p>	
15.1.2	<i>Local Area Objectives</i>
<p><i>Westbury</i></p> <p>a) <i>To maintain the current level of mixed use activities.</i></p> <p>b) <i>To maximize economic opportunities for reuse of heritage character buildings or other underutilised buildings.</i></p>	<p><i>Westbury</i></p> <p>a) <i>New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.</i></p>
<p><i>Response</i></p> <p>The mixed use of activities within the area will be maintained as a result of the proposal. The lot that is created by the reconfiguration of the title boundaries will be vacant of buildings. Therefore, opportunities for reuse of heritage character buildings or other underutilised buildings are not possible through this proposal.</p> <p>Three (3) single story dwellings are proposed for the vacant lot. They have an overall height of 4.9m and will be set behind a hedge that borders Marriott Street and Meander Valley Road. The trees close to both frontages are proposed to remain. The hedge is approximately 1.8m in height along Meander Valley Road and approximately 1.5m in height along Marriott Street. The adjoining property is</p>	

Fitzpatrick's Inn which is a heritage listed property. This property has the same hedge as 34 Marriott Street, albeit has been cut back to approximately 1.3m in height.

There are four (4) large trees within close proximity to the title boundary. These trees are considered to be a significant element within the streetscape when approaching the property from the east and are important to the heritage character of Fitzpatrick's Inn and the wider area. Given the height of the trees and hedge, the proposal is not considered to dominate or detract from the heritage character that is established around Fitzpatrick's Inn. Because these trees are an important component of the historic character of the area, it is important to identify which title these trees are located on. As such, it is recommended that a confirmation survey is undertaken to show the location of the title boundary and the position of the tree trunks within close proximity to that boundary. Where any tree trunk is located wholly within 34 Marriott Street, the tree must remain. This is will provided for through a Section 71 Agreement.

The proposed development is considered to be consistent with the residential character of Marriott Street. The existing houses along the western side of Marriott Street are located behind hedges softening the dominance of the dwellings to this side of the street.

The hedge is considered an important element to maintain both the heritage and residential character of the streetscape. Whilst it is shown to remain on the plans a condition on the planning permit is considered appropriate to ensure that the hedge remains into the future. The height of the hedge should be maintained to a minimum height of 1.5m. Even if the units become visible behind the hedge, the hedge and the trees along both of the frontages will still soften and aid in transitioning the development into the broader residential and historic landscape. The hedge will also minimise and soften the dominance and density of the residential development on the corner of Marriott Street and Meander Valley Road intersection, which is otherwise characterised by single dwellings on large lots.

Recommended Condition:

A Section 71 agreement must be executed and registered on the title, that provides for the following:

- a) The hedge fronting Meander Valley Road and Marriott Street must remain intact maintaining a minimum height of 1.5m, other than modification or removal for the purpose of hedge maintenance, such as for relaying or pruning, to ensure long term survival.

The hedge must not be removed or destroyed without the written consent of the Council. If removed or destroyed, the hedge must be replaced using plant

species compatible with existing, and maintained to ensure survival. This condition excludes hedge removal for the approved new access points as shown on the endorsed plans.

- b) If the confirmation survey required in Condition 4 above identifies the trunks of large trees within close proximity to the title boundary shared with 56 Meander Valley Road, as being wholly located within the 34 Marriott Street title, the trees must be retained.
- c) The General Manager will consider any request to remove any tree identified for retention in b) above, subject to the consideration of a report prepared by a suitably qualified arborist that identifies that the relevant tree:
 - a) is a safety hazard due to natural deterioration, disease or death; or
 - b) that the tree is suffering from disease or deterioration such that there are no reasonable prospects of survival.

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.

The incorporation of the requirement to retain the hedge and any large tree within proximity to the shared boundary, where the tree trunk is wholly located on 34 Marriott Street, will ensure that the heritage and residential character of the Marriott Street and Meander Valley Road streetscape is maintained, being consistent with the Local Area Objective.



Photo 4: Hedge along Marriott Street.



Photo 5: Hedge along Meander Valley Road and Marriott Street.



Photo 6: Continuation of hedge along Marriott Street.



Photo 7: Continuation of hedge along Meander Valley Road.



Photo 8: Continuation of hedge along Meander Valley Road.

15.1.3 *Desired Future Character Statements*

Westbury

- a) *The current strip of mixed uses along Meander Valley Road reflects an historic pattern of development which has resulted in a high degree of interspersed residential, community and business/commercial/tourism uses.*
- b) *This pattern continues through to the historic 'town centre', though occurs at a slightly higher density within the heritage building fabric.*
- c) *The mixed visual character of the urban mixed use area is to be maintained in a scale and density respectful to any heritage characteristics.*

Response

The proposed development will not significantly change the extent of interspersed residential, community and business/commercial/tourism uses that have historically developed along Meander Valley Road. The mixed visual character will be enhanced by the development, by enriching the type of residential development available within the urban mixed use area. There is a mix of use types, lot sizes, housing design that is also interspersed with historic properties and the residential use being single dwellings is the dominant housing type along Meander Valley Road. However, the multiple dwellings appearing as small residential lots, will complement the visual character.

There are many cottages that front Meander Valley Road that are built close to each other. The resulting development will appear as individual houses on a small lot,

similar to the cottages located between 33 and 37 Meander Valley Road, Westbury (refer photo 9). Here, there are three (3) houses within 47m of each other. The title boundary of the subject property along Meander Valley Road is 40 metres, and two units will form the Meander Valley Road frontage (noting that only one unit will be accessed via Meander Valley Road because Unit 2 will gain access from Marriott Street). As such, although a more modern design the proposal will maintain the mixed visual character of the area. The building elements proposed being brick walls and a colourbond roof, are materials that are used in other houses along Meander Valley Road.

However, to be respectful to the heritage character of Fitzpatrick's Inn, the retention of the hedge along Meander Valley Road and Marriot Street and any large tree that is within close proximity to the shared boundary where the tree trunk is wholly located within 34 Marriott Street (as discussed above) is an important factor for accommodating the density so that it is respectful to the heritage characteristics of Meander Valley Road.

The proposal is considered to be in keeping with the Desired Future Character Statements for Westbury.



Photo 9: Aerial photo of the properties at 33 to 37 Meander Valley Road, Westbury. Source: www.thelist.tas.gov.au.

Performance Criteria

Those aspects of the development which require Council to exercise discretion are outlined and addressed in the following tables. The Performance Criteria outlines the specific things that Council must consider in determining whether to approve or refuse the application.

Urban Mixed Use Zone	
15.3.1	Amenity
<i>Objective</i> a) <i>To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.</i> b) <i>To ensure that existing, lawful non-residential uses can continue to function without undue conflict with higher density sensitive uses.</i>	
<i>Performance Criteria</i> P3 <i>Where multiple dwellings exceed 2 dwellings on a lot that adjoins an existing non-residential use, the residential use must not be likely to be subject to an environmental nuisance through emissions by that existing use.</i>	
<i>Response</i> The adjoining property to the west of 34 Marriott Street, Westbury is Fitzpatrick's Inn. Fitzpatrick's Inn is used for visitor accommodation, function centre, and restaurant. The use of Fitzpatrick's Inn is not likely to cause an environmental nuisance through emissions generated by the use. Fitzpatrick's Inn does have a residential component associated with the property and as such, the activities at the property respect this. The Westbury Police Station and associated house is opposite the subject property. Again, because there is a residential use associated with the operation of the police station, the emissions from the police station will not likely cause an environmental nuisance. The proposal is consistent with the objective.	
15.4.1	Building Design and Siting
<i>Objective</i> a) <i>To ensure that the siting and design of development furthers the local area objectives and desired future character of the area.</i> b) <i>To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.</i>	

Performance Criteria

P3

Buildings may be setback to a road, a distance appropriate to the location, the efficient use of the site, the safe and efficient use of the road and the amenity of residents having regard to:

- a) the prevailing setbacks of existing buildings on nearby lots; and*
- b) the visual impact of the building when viewed from the road; and*
- c) retention of vegetation within the front setback.*

Response

Marriott Street is considered to be the primary road frontage for the vacant lot, whilst Meander Valley Road will be the secondary road frontage. Units 2 and 3 are located 5.25m from the boundary with Marriott Street, requiring assessment against the Performance Criteria (Acceptable Solution - 6m). Unit 1 is located 4.94m from Meander Valley Road and Unit 2 is located 3m from Meander Valley Road complying with the Acceptable Solution (Acceptable Solution - 3m).

The dwelling located at 36 Marriott Street, Westbury is located 5.5m from the front boundary whilst the dwelling opposite the subject property at 46 Meander Valley Road is located approximately 5.2m from Marriott Street. The proposed Units 2 and 3 setback at 5.25m is consistent with the prevailing setback within the area.

There is an existing hedge along the Marriott Street frontage which is proposed to remain. Hedging and landscaping within the frontage is a strong characteristic of the western side of Marriott Street, with the properties from 34 Marriott Street through to 44 Marriott Street, having a hedge. As such, the hedge within the front setback is considered an important element of the streetscape and will be retained. The hedge will minimise the visual impact of the two (2) units when viewed from Marriott Street.

The proposed setback is considered in keeping with the prevailing setbacks within the area and it will not compromise the safe and efficient use of the road. The proximity of the development to the road will be minimised through the retention of the existing hedge.

The proposal is in keeping with the objective.

15.4.2.3 Location of Car Parking

Objective

- a) To provide convenient parking for resident and visitor vehicles; and*
- b) To avoid parking and traffic difficulties in the development and the neighbourhood; and*
- c) To protect residents from vehicular noise within developments.*

Performance Criteria

P2

Car parking facilities must be:

- a) Reasonably close and convenient to the use it serves; and*
- b) Located to minimise visual impact to the streetscape.*

Response

Given the angle of the title boundary and the placement of the units on the property, the garage for Unit 2 and 3 is setback closer to the front setback, even though they are set behind the façade of the unit. As such, the performance criteria must be assessed.

The garage is located within the footprint of each unit and is close and convenient for the residential use. Because the garage is attached to the unit, and the unit steps forward 800mm from the garage, the streetscape will not be impacted. Garages attached to dwellings are a common design element in dwellings. There will be minimal impact on the streetscape from the garage being attached to the units.

The proposal is in keeping with the objective.

15.4.2.4 Overlooking

Objective

To minimise:

- a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and*
- b) any adverse impact on the amenity of the adjoining and the subject site.*

Performance Criteria

P1

Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:

- a) setback of the existing and proposed building; and*
- b) location of windows and private open space areas within the development and the adjoining sites; and*
- c) level and effectiveness of physical screening by fences or vegetation; and*
- d) topography of the site; and*
- e) characteristics and design of houses in the immediate area.*

Response

A visual barrier of 1.8m in height is not proposed between Unit 1 and Fitzpatrick's Inn meaning that Unit 1's living area and private open space area will directly look

into the adjoining property. There is currently no physical screen between the two (2) properties. As such a fence is considered appropriate to minimise any direct overlooking. There is the potential for loss of amenity to the residents of Unit 1, because Fitzpatrick's Inn is a dwelling and also a commercial property and people do explore the gardens. Unit 1 is proposed to be located 1.78m from the side boundary with windows directly facing 56 Meander Valley Road.

It is recommended that a 1.8m high timber paling fence is erected along the boundary (or as close as possible but within 34 Marriott Street), to afford Unit 1 with appropriate privacy. Given the proximity of the trees to the boundary, a confirmation survey is required to show the location of the tree trunks, so that the fence can be erected without damage to the tree trunks.

Recommended Conditions:

- Prior to the commencement of works a confirmation survey showing the boundary between 34 Marriott Street and 56 Meander Valley Road, Westbury clearly identifying the location of the tree trunks within close proximity to the boundary, to the satisfaction of Council's Town Planner.
- A 1.8m high timber paling fence is to be constructed between Unit 1 and 56 Meander Valley Road, Westbury. This fence should be located along the title boundary where possible, unless it is to be located within 34 Marriott Street, to avoid damage to the tree trunks identified in the survey required by Condition 3. Refer to Note.

Note: Boundary fences are also managed by the *Boundary Fences Act 1908* and property owners have particular obligations under this act when erecting a boundary fence.

15.4.2.5 Private Open Space

Objective

To provide adequate and useable private open space for the reasonable recreation and services needs of residents.

Performance Criteria

P1

Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs to the residents having regard to the:

- a) Useability of the private open space, including its size and accessibility; and*
- b) Availability of and access to public or communal open space; and*
- c) Orientation of the lot to the road.*

Response

Each unit is provided with a private open space area to the rear of the unit.

Unit 1's private open space area was nominated on the plans as being within the front of the unit, encroaching into the area nominated as common area. This area is not considered useable for private open space given it is not directly accessible from the living area of the unit and the small size of the area. The rear of the unit naturally lends itself to the recreational needs of the residents. There is 150m² of area to the rear of Unit 1 available for use as private open space.

The area to the rear and side of Unit 2 and 3 naturally lends itself to the use of private open space. This area has variable dimensions, however, the area is considered usable and is directly accessible from the living areas of the units. There is some area to the front of the units which can also be used where required. Both Unit 2 and 3 have approximately 140m² of area available for use as private open space.

All units have access to the Westbury Recreation Ground, the Town Common and Village Green which are within easy walking distance from the development. All units are orientated to face the road, and as such the main private open spaces areas are to the rear of the units.

Each unit is considered to be appropriately afforded private open space that is reasonable to the recreational needs of the residents. The proposal is in keeping with the objective.

Performance Criteria

P2

Private open space must receive adequate solar access having regard to:

- a) Topography of the site; and*
- b) Site constraints including orientation and shape of the site; and*
- c) Location and size of buildings on adjoining sites.*

Response

Given the designated private open space area for Unit 1 is to the rear of the unit, it cannot achieve the required amount of direct sunlight and requires assessment against the Performance Criteria.

The topography of the site is relatively flat. Unit 1 is orientated north, and the living spaces within the dwelling capture morning and afternoon sun. Unit 1's proposed strata title dimensions are 16.3m wide by 29.4m long. Given the proposed strata lot is not overly wide, the unit will comprise most of the width of the lot. This means that the private open space area will be to the rear and therefore southern side of the dwelling. The shadow diagram demonstrates that the private open space area for Unit 1 will receive sunlight from 11am through to 3pm. There are also no buildings on adjoining properties that will impact the amount of sunlight received to this private open space area.

As such, Unit 1 is considered to receive adequate solar access to meet the needs to the residents. The proposal is in keeping with the objective.

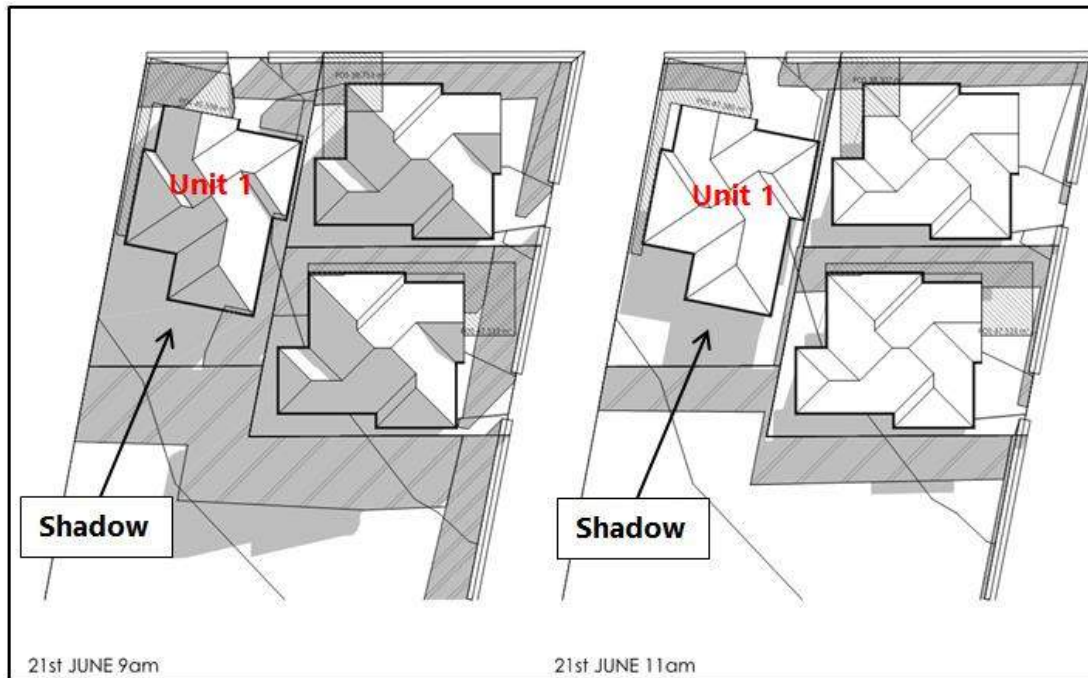


Figure 3: Shadow diagrams for the proposed development at 9am and 11am.

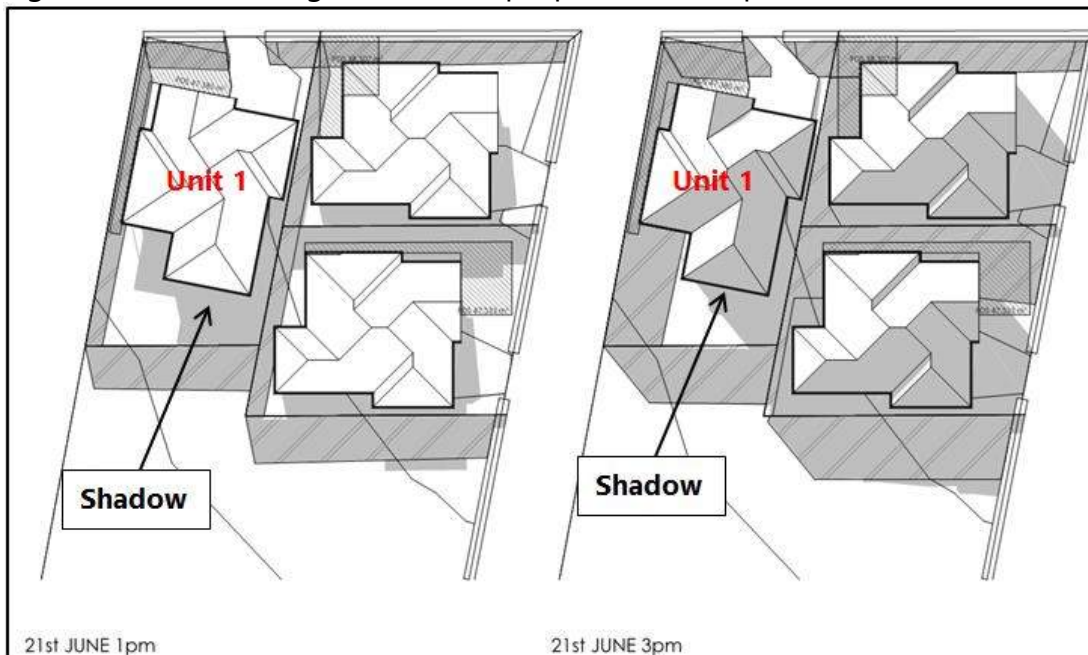


Figure 4: Shadow diagrams for the proposed development at 1pm and 3pm

15.4.3.1 General Suitability

Objective

The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Urban Mixed Use Zone.

Performance Criteria

P1

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

- a) slope, shape, orientation and topography of land;*
- b) any established pattern of use and development;*
- c) connection to the road network;*
- d) availability of or likely requirements for utilities;*
- e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values;*
- f) potential exposure to natural hazards.*

Response

The proposal is to reconfigure the existing title arrangement to a more appropriate configuration. The existing dwelling is currently constructed over the title boundary and the current configuration restricts development of the site. The proposed configuration will result in the three (3) titles being amalgamated and a new title boundary created that is orientated east west. The existing dwelling will no longer be constructed over the title boundary. The vacant lot is demonstrated, through this proposal, as being suitable for residential development that is consistent with the Zone Purpose.

The three (3) titles that make up 34 Marriott Street, Westbury are rectangular in shape. The topography of the site is relatively flat. The property has frontage to both Marriott Street and Meander Valley Road.

Consistent with the Urban Mixed Use zoning, there is an established mixed use pattern of development, ranging from residential uses to commercial uses. This pattern of development also exhibits varying lot sizes within the area.

The new lot that is being created will have access to both Meander Valley Road and Marriott Street and will be connected to reticulated water, sewer and stormwater. TasNetworks infrastructure is along the western side of Marriott Street.

There are no known ecological or scientific values that require protection. The subject property is not listed on the Tasmanian Heritage Register. The land has been in separate ownership, has been developed with a separate dwelling and the property has not had a functional relationship with Fitzpatrick's Inn and the gardens for a significant period of time. However, the hedge and the large trees within proximity to the title boundary shared with Fitzpatrick's Inn are considered to form part of the informal heritage character for the wider area and are a significant visual component that requires protection where possible. The existing boundary hedge

and the large trees are prominent in the streetscape and provide the appearance of continuity with the heritage character that surrounds Fitzpatrick's Inn. It is, therefore, recommended that a condition be included on the permit to mandate the retention of the hedge and any large trees that are within proximity to the title boundary with Fitzpatrick's Inn, where the tree trunks are wholly located on 34 Marriott Street. This will aid in retaining the visual character of the area as much as possible whilst providing for new development.

It is noted that *Neighbourhood Disputes about Plants Act 2017* provides the mechanism for dispute resolution regarding trees or vegetation on, or overhanging title boundaries. Given the Planning Scheme is a subordinate instrument, it does not override provisions provided for in other legislation. Therefore, if the tree trunks are located on the title boundary or fully within Fitzpatrick's Inn, then the process under the *Neighbourhood Disputes about Plants Act 2017* will prevail. As such, there is limited power and authority of the Planning Scheme to protect the trees that are located on the title boundary and also the adjoining land. Only the trees wholly located on 34 Marriott Street can be conditioned to be retained.

Furthermore, in the absence of any Local Heritage Precincts or Local Heritage Places in the Planning Scheme, vegetation removal for the erection of a boundary fence is exempt from requiring planning approval. However, the requirement for a Section 71 Agreement to retain any trees that are within close proximity to the shared boundary where the tree trunks are wholly located within 34 Marriott Street, will aid to protect the trees by requiring Council consent in the event that they are proposed to be removed for the erection of a boundary fence.

The potential exposure to natural hazards will not change as a result of the reconfiguration of the title boundaries

The proposed lot configuration is considered a suitable arrangement for residential use and development and is consistent with the purpose of the Urban Mixed Use Zone.

15.4.3.2 Lot Area, Building Envelopes and Frontage

Objective

- a) to achieve subdivision that provides for a range of residential, commercial, retail, community services and other uses which complement the mixed-use function of the locality; and*
- b) to encourage higher densities in urban locations that support walking and cycling and public transport; and*
- c) to encourage residential development that respects the neighbourhood character; and*
- d) to ensure the area and dimension of lots are appropriate for the characteristics*

- of the locality; and*
- e) *To ensure each lot has road access, water supply, and wastewater and stormwater disposal appropriate for the zone.*

Performance Criteria

P4

The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for disturbance or loss of amenity on adjoining residential zones having regard to:

- a) lot layout, design; and*
- b) orientation; and*
- c) access considerations; and*
- d) topography; and*
- e) the need for landscape buffers; and*
- f) provision for attenuation distance or physical separation.*

Response

The property to the south of the subject land is zoned General Residential and has a dwelling constructed on the property. Given the existing dwelling will be located on Lot 1 which is adjacent to the General Residential Zone, the proposed subdivision will not impact the amenity of the residential area. The subdivision will facilitate residential development which is consistent with the intent of the residential zoning.

The residential amenity of the area will be maintained as a result of the subdivision.

E4 Road and Railway Assets Code

E4.6.2 Management of Road Accesses and Junctions

Objective

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

Performance Criteria

P1

For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrian and cyclists.

Response

There will be two (2) additional accesses constructed fronting Marriott Street as a result of the proposal. There will however be only one (1) access serving each of the units. The location of the two (2) new crossovers will maintain an acceptable level of safety for all road users, including pedestrian and cyclists. No issues were identified

in the Traffic Impact Assessment Report or from Council's Road Authority raising concerns with the location of the two (2) new crossovers. The crossovers will be required to be constructed to the appropriate standard.

Recommended Condition

- The proposed driveway crossovers to service Unit 2 and 3 must be completed in accordance with LGAT Standard Drawing TSDR03 and R04 to the satisfaction of the Director Infrastructure Services. Refer to Note.

Note: Prior to the construction of the driveways, 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 telephone 6393 5312. Please note it is Council's minimum requirement for contractors undertaking work in the road reserve to hold current public liability insurance to the value of \$20M.

E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Performance Criteria

P1

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.

Response

The proposed new crossovers on to Marriott Street are located less than the prescribed Safe Intersection Sight Distance (SISD) table. The crossover to Unit 2 will be located approximately 19.6m from the intersection with Meander Valley Road, whilst Unit 3 will be located approximately 37.3m from the same intersection. The sight distance to Meander Valley Road from the new crossovers in Marriott Street is less than 80m. The Traffic Impact Assessment Report states '*Vehicles turning into Marriott Street from Meander Valley Road will be undertaking this manoeuvre at considerably reduced speed (less than 10km/h) and not seen as an impact on SISD*'.

It is also noted that the crossover that comes off Marriott Street at 46 Meander Valley Road Westbury is located less than 10m with the Meander Valley Road intersection, whilst 51 Meander Valley Road's crossover on to Marriott Street is 20m from the Meander Valley Road Intersection.

The crossovers will be required to be constructed to the appropriate standards. The

location of the access is considered to provide adequate sight distance to ensure the safe movement of vehicles.

E6 Car Parking and Sustainable Transport Code

E6.7.2 Design and Layout of Car Parking

Objective

To ensure that car parking and manoeuvring spaces are designed and laid out to an appropriate standard.

Performance Criteria

P2

Car parking and manoeuvring space must:

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*
- b) provide adequate space to turn within sites unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.*

Response

The proposed crossovers to Unit 2 and 3 are 4m in width, wider than the 3m as prescribed in the Planning Scheme.

Each unit has an attached double garage, and if needed visitors will park in the driveway. The car parking is considered convenient to the proposed residential use. The slope will be relatively flat and the design can cater for the expected number of vehicles (dwellings require two (2) car parking spaces). Whilst there is not adequate space to turn within the site, reversing from the site is not considered to adversely affect the safety and convenience of users and passing traffic. It is common for residential properties to reverse in to the street.

The proposal is in keeping with the objective.

Acceptable Solutions

The following tables include an assessment of compliance against all of the applicable Acceptable Solutions of the Planning Scheme.

Urban Mixed Use Zone

Scheme Standard	Comment	Assessment
15.3.1 Amenity		
A1	Residential Use.	N/A
A2	Residential Use.	N/A

A3	The development proposes the construction of 3 units.	Relies on Performance Criteria
15.4.1 Building Design and Siting		
A1	Lot 2 is proposed to be 1319.6m ² . The 3 units will have combined site coverage of 500.25m ² . Site Coverage for the units on Lot 2 equates to 38%.	Complies
A2	Building height is less than 8m. Unit 1: 4.902m. Unit 2: 4.94m. Unit 3: 4.94m.	Complies
A3	Primary frontage is Marriott Street. Front setbacks are (standard 6m): Unit 2 is setback 5.25m. Unit 3 is setback 5.25m. Secondary frontage is Meander Valley Road (standard 3m). Unit 2 is located 3.01m from the secondary frontage. Unit 1 is setback 4.45m from the secondary frontage.	Relies on Performance Criteria
A4	Unit 3 is located 1.5m from the side boundary of the new title boundary. Unit 1 is located 1.78m from the side boundary.	Complies
A5	The proposal is for Residential development.	Complies
15.4.2.1 Density Control		
A1	Site area per dwelling: Lot A: 454.08m ² . Lot B: 422.97m ² . Lot C: 423.05m ² .	Complies
A2	Not constructed at a density greater than 25% by lot number, of the number of lots on the same side of the road.	Complies
A3	The adjoining properties do not contain multiple dwellings.	Complies
15.4.2.2 Streetscape integration and appearance		
A1	The front doors and windows of each unit face the road.	Complies
15.4.2.3 Location of Car Parking		

A1	No shared driveways. Each unit has an individual access.	Complies
A2	<ul style="list-style-type: none"> a) Garages are attached to each unit. b) Whilst set behind the unit, the garage is closer to the front boundary. c) N/A Not an internal driveway. 	Relies on Performance Criteria
15.4.2.4 Overlooking		
A1	Dwellings built on ground level. 1800mm high timber fence will be built along strata boundary.	Relies on Performance Criteria
A2	N/A – Solid 1800mm high timber fence is to be constructed along strata title boundary.	N/A
15.4.2.5 Private Open Space		
A1	<p>Each unit has a continuous area of 40m². Unit 1's private open space encroaches into the common property to the north, however, there is an area to the south of the dwelling which is more likely for private open space.</p> <p>Unit 2 and 3 however cannot achieve 40m² having a minimum dimension of 4m.</p> <p>All areas are directly accessible from a habitable room.</p> <p>Gradient is flat.</p> <p>Located to the side and rear of the units.</p>	Relies on Performance Criteria
A2	<p>Unit 2 and 3 will receive a minimum of 4 hours sunlight on 21 June to 50% of the space.</p> <p>Unit 1 is to the rear of the dwelling and will not comply with the acceptable solution.</p>	Relies on Performance Criteria
15.4.2.6 Landscaping		
A1	Landscape plan provided for all units. Landscaping provided within the frontage and retains the existing hedge. Pathways, lawn areas and garden beds are shown.	Complies
Comment:		
The assessment has identified that the hedge is an important component of the		

streetscape. It will be conditioned to be retained to maintain this.		
15.4.2.7 Storage		
A1	6.6m ³ of storage is proposed for each unit.	Complies
15.4.2.8 Common Property		
A1	Common Property for water meters is clearly shown. No other common property required.	Complies
15.4.2.9 Outbuildings and Ancillary Structures		
A1	No significant outbuildings or ancillary structures proposed. Only storage sheds (garden sheds) proposed.	Complies
15.4.2.10 Site Services		
A1	Bin storage provided. Mailboxes shown.	Complies
15.4.3.1 General Suitability		
A1	No acceptable solution.	Relies on Performance Criteria
15.4.3.2 Lot Area, Building Envelopes and Frontage		
A1	Lot 1 = 1109.14m ² . Lot 2 = 1319.6m ² . 15m diameter circles are possible within 15m from the frontage. New boundary complies with the setback requirements.	Complies
A2	Each lot has greater than 6m frontage.	Complies
A3	Connected to reticulated water, sewerage and stormwater.	Complies
A4	Subdivision is on the boundary of a residential zone.	Relies on Performance Criteria

E4 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
E4.6.1 Use and road or rail infrastructure		
A1	N/A	
A2	Use does not generate more than 40 vehicles.	Complies
A3	N/A	
E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways		

A1	N/A	
E4.7.2 Management of Road and Accesses and Junctions		
A1	One (1) access to each unit, but two (2) new accesses proposed on Marriott Street.	Relies on Performance Criteria
A2	N/A	
E4.7.3 Management of Rail Level Crossings		
A1	N/A	
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings		
A1	Less than 80m of sight distance is achieved at the proposed new accesses.	Relies on Performance Criteria

E6 Car Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
E6.6.1 Car Parking Numbers		
A1	Two (2) spaces provided in garage of each unit. Adequate space for visitor parking in front of garage.	Complies
E6.6.3 Taxi Drop-off and Pickup		
A1	Space available	Complies
E6.6.4 Motorbike Parking Provisions		
A1	Space available	Complies
E6.7.1 Construction of Car Parking Spaces and Access Strips		
A1	Formed to adequate level and drained. Will be concrete.	Complies
E6.7.2 Design and Layout of Car Parking		
A1	N/A – Not providing for four (4) or more spaces. N/A – Not within the General Residential Zone.	
A2	Gradient less than 10%. Each unit only requires two (2) parking spaces. Proposed new crossovers are 4m in width. Will be constructed to standard.	Relies on Performance Criteria

E10 Recreation and Open Space Code		
Scheme Standard	Comment	Assessment
E10.6.1 Provision of Public Open Space		
A1	General Manager Consent provided –	Complies

	Going from three (3) lots to two (2) lots. Cash in lieu will be \$0.	
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Internal Referrals

Infrastructure Services

Recommended Conditions:

- The proposed driveway crossovers to service Unit 2 and Unit 3 must be completed in accordance with LGAT Std drg TSDR03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note.

Note: Prior to the construction of the driveways, 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 telephone 6393 5312. Please note it is Council's minimum requirement for contractors undertaking work in the road reserve to hold current public liability insurance to the value of \$20M.

- Prior to construction, the applicant must submit an engineering design to the satisfaction of Director Infrastructure Services, detailing the proposed means of stormwater connection for both Lot 1 and 2 into Council's reticulated stormwater system on Marriott Street. Refer Note.

Note: Design information must be prepared showing level information to control drainage from the two (2) allotments. The requirement for any work to be undertaken in Marriott Street to connect stormwater will be approved by Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.

Recommended Note:

- Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.

Conclusion

It is considered that the application for Use and Development for a subdivision (3 lots to 2 lots) and Multiple Dwellings (3 units) is acceptable in the Urban Mixed Use Zone and is recommended for approval.

DECISION:



PROPOSED AMALGAMATION, SUBDIVISION,
STRATA, & MULTIPLE DWELLINGS
34 MARRIOTT STREET,
WESTBURY, 7303.

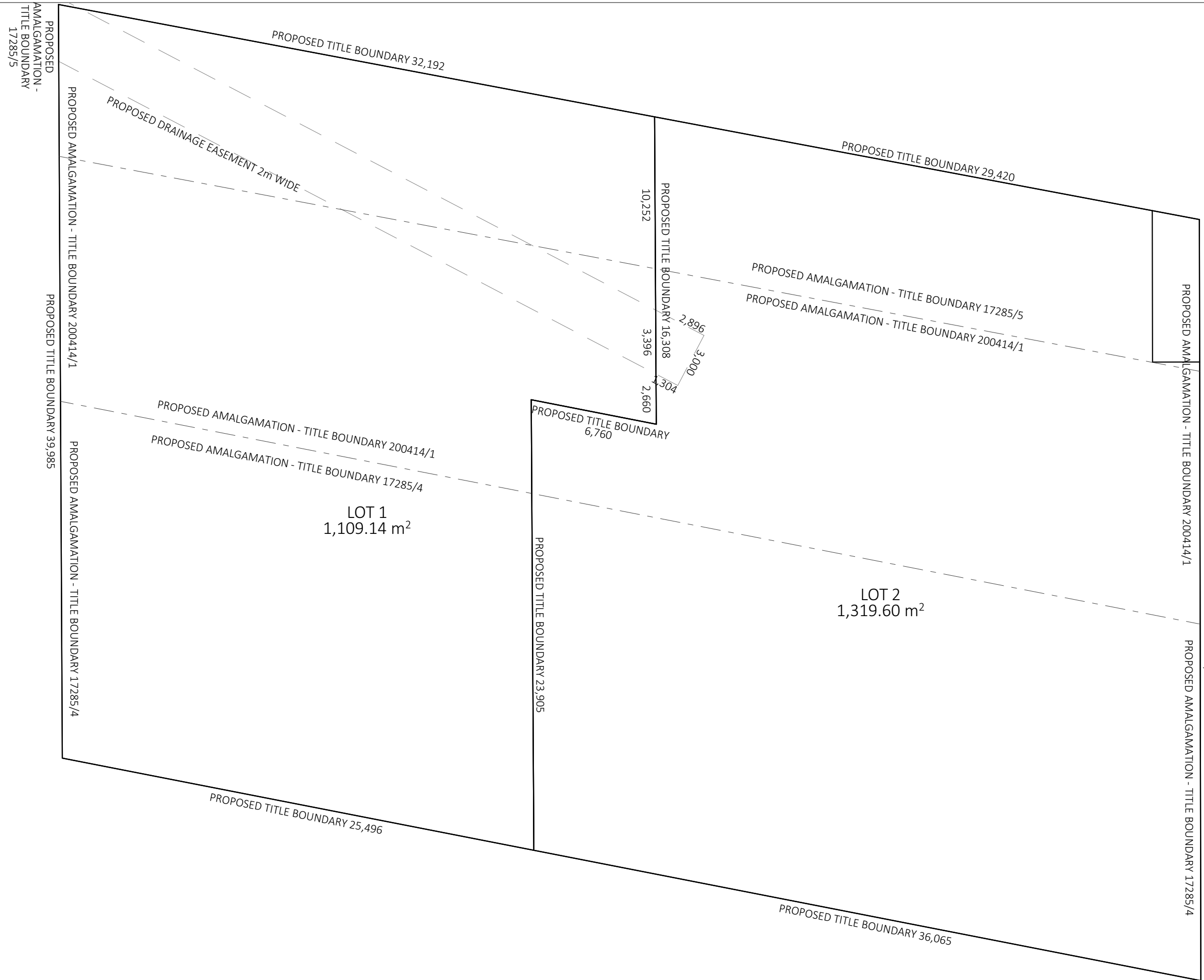
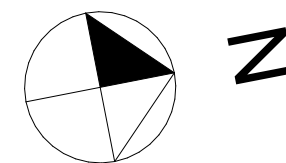


DRAWING #	DRAWING	
MRRT34-1	COVER PAGE	
MRRT34-2	SITE PLAN	
MRRT34-3	SUBDIVISION PLAN	
MRRT34-4	STRATA PLAN	
MRRT34-5	EXTERNAL SERVICES	
MRRT34-6	SITE PLAN	
MRRT34-7	GROUND PLAN	UNIT 1
MRRT34-8	EXTERNAL SERVICES	
MRRT34-9	ELEVATIONS NTH-STH	
MRRT34-10	ELEVATIONS EST-WST	
MRRT34-11	LANDSCAPE PLAN	
MRRT34-12	SITE PLAN	
MRRT34-13	GROUND PLAN	UNIT 2
MRRT34-14	EXTERNAL SERVICES	
MRRT34-15	ELEVATIONS NTH-STH	
MRRT34-16	ELEVATIONS EST-WST	
MRRT34-17	LANDSCAPE PLAN	
MRRT34-18	SITE PLAN	
MRRT34-19	GROUND PLAN	UNIT 3
MRRT34-20	EXTERNAL SERVICES	
MRRT34-21	ELEVATIONS NTH-STH	
MRRT34-22	ELEVATIONS EST-WST	
MRRT34-23	LANDSCAPE PLAN	
MRRT34-24	PERSPECTIVES	
MRRT34-25	SUN DIAGRAMS	
MRRT34-26	SUN DIAGRAMS	

ATTACHMENTS

COUNCIL	ZONE	ENERGY STAR RATING	TBC
MEANDER VALLEY	URBAN MIXED USE	BAL RATING	TBC
EX. DWELLING	164.96	LAND TITLE REFERENCE	17285/5 + 17285/4 + 200414/1
EX. OUT BUILDING	38.39	PROPERTY ID	7783941
PROPOSED UNIT 1	165.29	LOT SIZE (M ²)	487 + 759 + 1142
PROPOSED UNIT 2	166.96	PLANNING OVERLAY	N/A
PROPOSED UNIT 3	166.96	CORROSION ENV'	N/A
		DESIGN WIND CLASS	TBC
		SOIL CLASSIFICATION	TBC
		CLIMATE ZONE	7
		ALPINE AREA	N/A

MITCHELL LLOYD ACC # CC6320 ABN. 71 615 812 747 PH. 6344 7319 Meander Valley Council Ordinary Agenda 34 MARRIOTT STREET, E. mitch@designtolive.com.au	CLIENT/S: R & L GRAY	DRAWING COVER PAGE	I/WE APPROVE THESE DRAWING TO BE CORRECT PER CONTRACT. SIGNATURE: _____ DATE: _____ SIGNATURE: _____ DATE: _____	COPYRIGHT: This is the sole property of Design To Live, and may not be used in whole, or in part without written or formal consent from Design To Live. Legal action will be taken against any person/s infringing the copyright.	REV. R1	DATE 25/03/2020	DESCRIPTION PRELIM	DESIGNER M.L.	JOB NUMBER MRRT34
	SITE ADDRESS: 34 MARRIOTT STREET, WESTBURY, 7303.				PLANNING AUTHORITY	R2	18/05/2020	PLANNING RFI	DRAWN SdH



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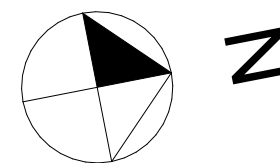
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			CHECKED	M.L.	SCALE (A3)	1:200

INSTALL INSPECTION OPENINGS AT MAJOR BENDS FOR STORMWATER AND ALL LOW POINTS OF DOWNPIPES.

PROVIDE SURFACE DRAIN TO BACK OF BULK EXCAVATION TO DRAIN LEVELLED PAD PRIOR TO COMMENCING FOOTING EXCAVATION.

SERVICES

THE HEATED WATER SYSTEM MUST BE DESIGNED AND INSTALLED WITH PART B2 OF THE NCC VOLUME THREE- PLUMBING CODE OF AUSTRALIA.

THERMAL INSULATION FOR HEATED WATER PIPING MUST:
 A) BE PROTECTED AGAINST THE EFFECTS OF WEATHER AND SUNLIGHT; AND
 B) BE ABLE TO WITHSTAND THE TEMPERATURES WITHIN THE PIPING ; AND
 C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

HEATED WATER PIPING THAT IS NOT WITHIN A CONDITIONED SPACE MUST BE THERMALLY INSULATED AS FOLLOWS:

1. INTERNAL PIPING

a) ALL FLOW AND RETURN INTERNAL PIPING THAT IS-
 i) WITHIN AN UNVENTILATED WALL SPACE
 ii) WITHIN AN INTERNAL FLOOR BETWEEN STOREYS; OR
 iii) BETWEEN CEILING INSULATION AND A CEILING
 MUST HAVE A MINIMUM R-VALUE OF 0.2

2. PIPING LOCATED WITHIN A VENTILATED WALL SPACE, AN ENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE

a) ALL FLOW AND RETURN PIPING
 b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM,
 MUST HAVE A MINIMUM R-VALUE OF 0.45

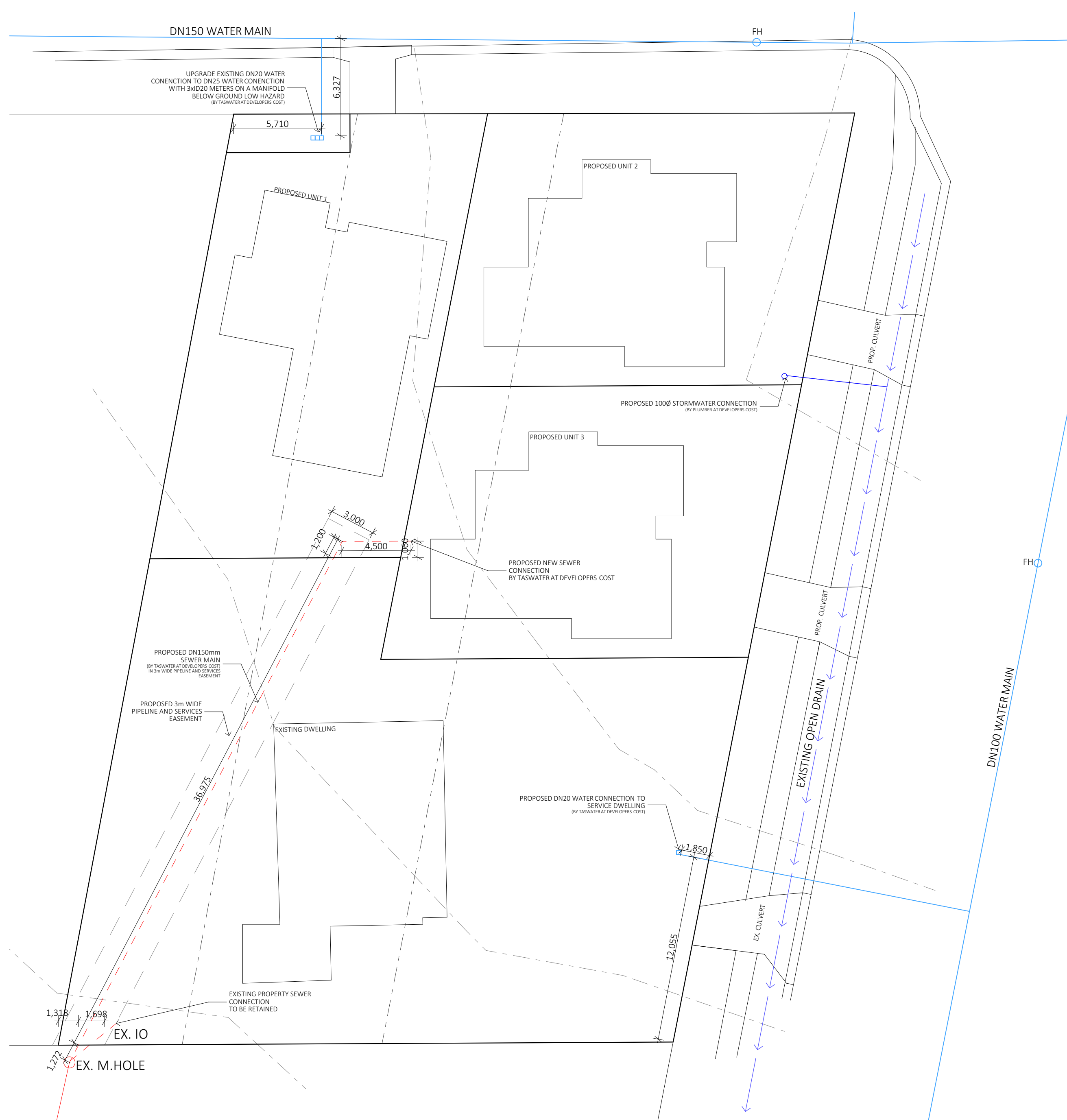
3. PIPING LOCATED OUTSIDE THE BUILDING OR IN AN UNENCLOSED BUILDING SUB FLOOR OR ROOF SPACE

a) ALL FLOW AND RETURN PIPING
 b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM
 MUST HAVE A MINIMUM R-VALUE OF 0.6

PIPING WITHIN AN INSULATED TIMBER FRAMED WALL, SUCH AS THAT PASSING THROUGH A WALL STUD, IS CONSIDERED TO COMPLY WITH THE ABOVE INSULATION REQUIREMENTS.

LEGEND

- B - BASIN
- Ba - BATH
- S - SINK (65Ø)
- T - LAUNDRY TUB (65Ø)
- SH - SHOWER
- WC - WATER CLOSET
- FW - FLOOR WASTE
- EV - VENT (THROUGH TO ROOF)
- IO - INSPECTION OPENING
- ORG - O/FLOW RELIEF GULLY
- RE - RODDING EYE
- HW - HOT WATER CYLINDER
- X - EXTERNAL TAP
- P - DRAINAGE PIT (450 x 450mm)
- DP - DOWNPIPE (90 Ø)
- WET AREAS
- - - STORMWATER LINE (100mm PVC)
- - - SEWER LINE (100mm PVC)



ALL DRAINAGE WORK SHOWN IS PROVISIONAL ONLY AND IS SUBJECT TO AMENDMENT TO COMPLY WITH LOCAL AUTHORITIES. ALL WORK IS TO COMPLY WITH AS-3500 AND LOCAL PLUMBING CODE AND SHOULD BE CARRIED OUT BY A LICENSED PLUMBER.

ALL WORKS ARE TO BE IN ACCORDANCE WITH THE WATER SUPPLY CODE OF AUSTRALIA WSA 03-2011-3.1 VERSION 3.1 MRWA EDITION V2.0 AND SEWERAGE CODE OF AUSTRALIA MELBOURNE RETAIL WATER AGENCIES INTERGRATED CODE WSA 02-2014-3.1 VERSION 3.1 MRWA EDITION 2 AND TASWATER'S SUPPLEMENTS TO THESE CODES.

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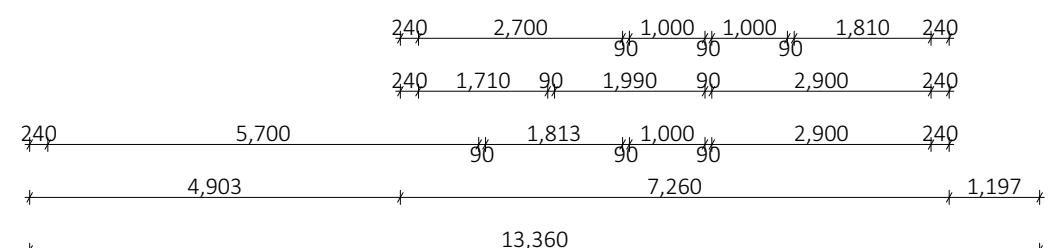
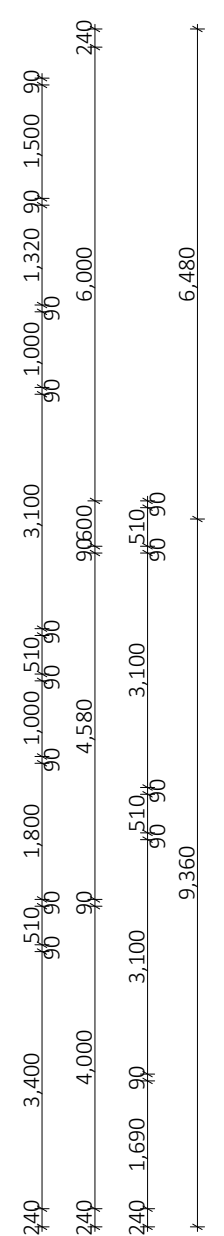
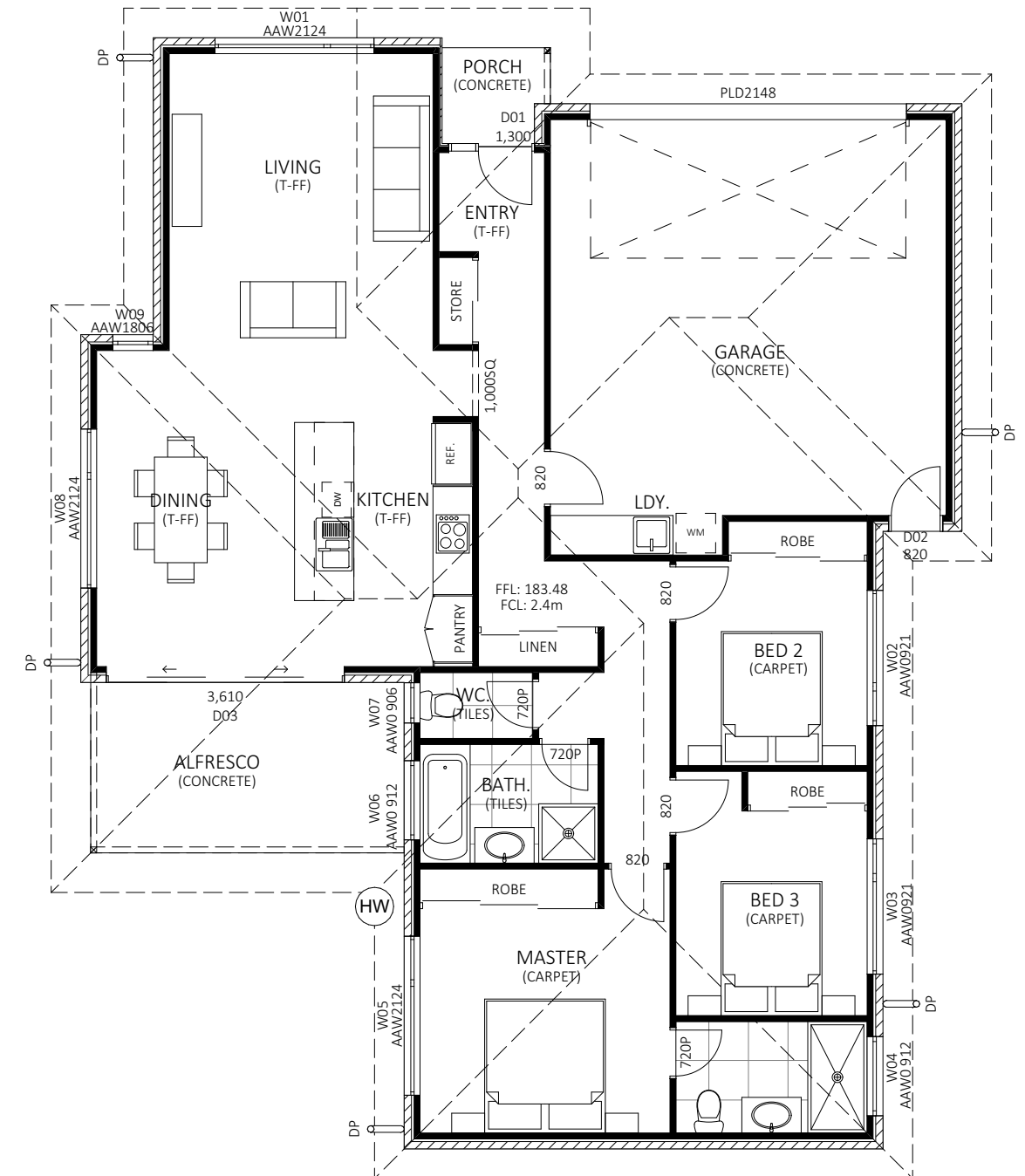
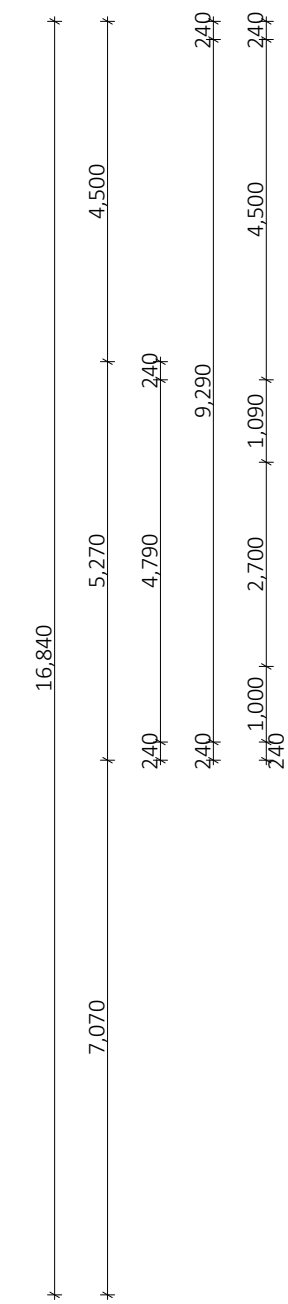
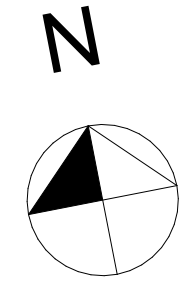
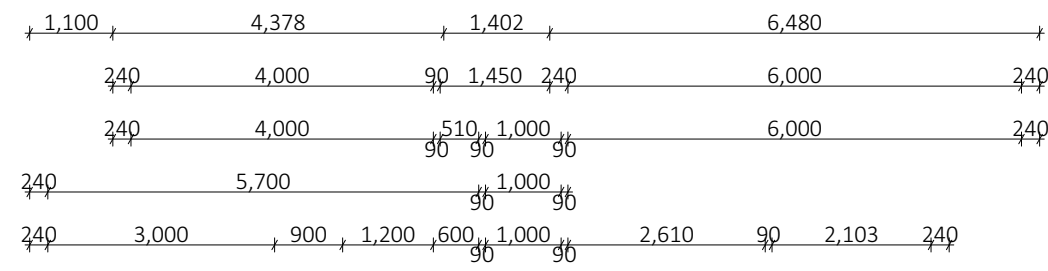
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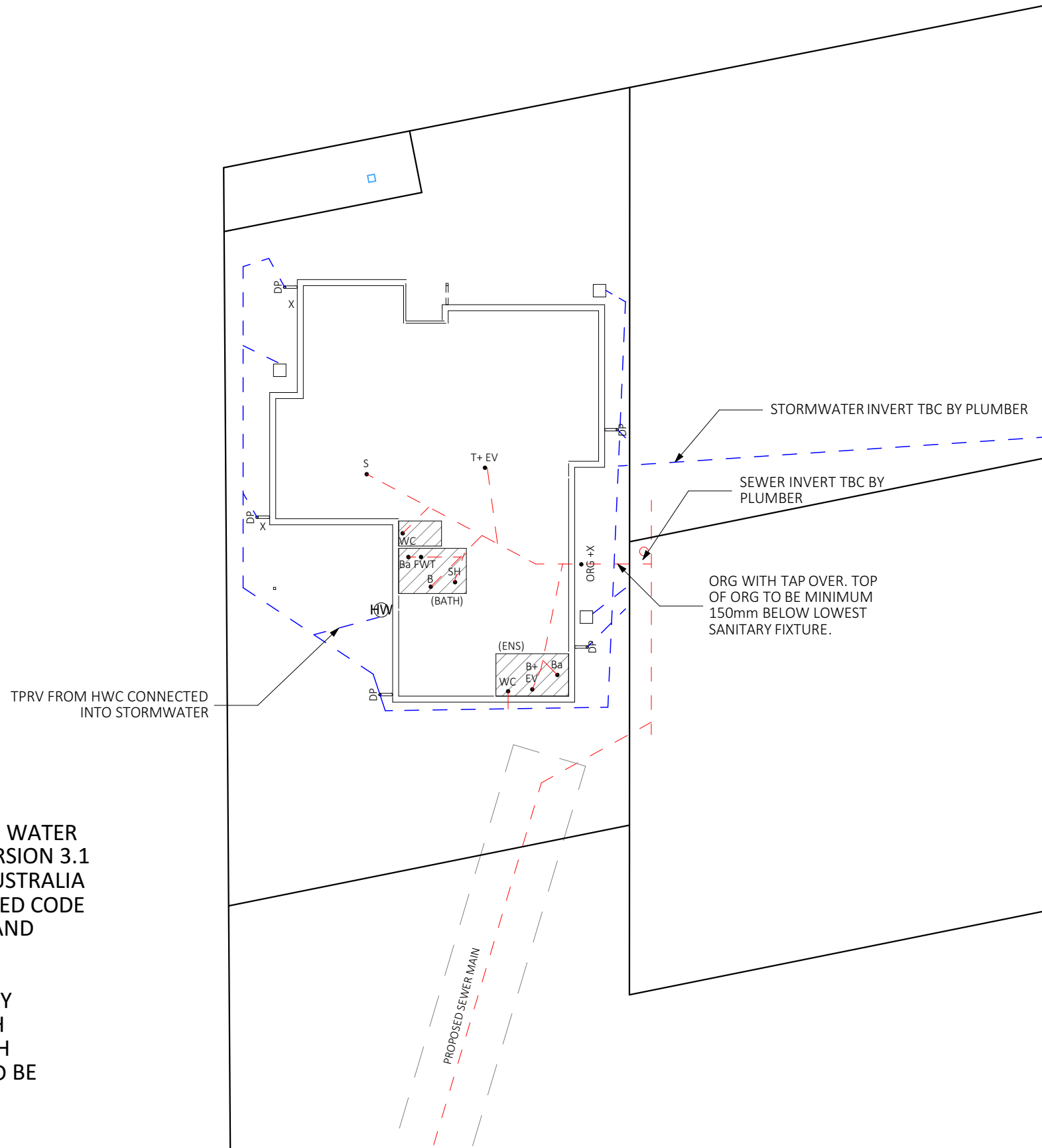
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LEGEND

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INSTALL INSPECTION OPENINGS AT MAJOR BENDS FOR STORMWATER AND ALL LOW POINTS OF DOWNPIPES.

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A) BE PROTECTED AGAINST THE EFFECTS OF WEATHER AND SUNLIGHT; AND
B) BE ABLE TO WITHSTAND THE TEMPERATURES WITHIN THE PIPING ; AND
C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

HEATED WATER PIPING THAT IS NOT WITHIN A CONDITIONED SPACE MUST BE THERMALLY INSULATED AS FOLLOWS:

1. INTERNAL PIPING
a) ALL FLOW AND RETURN INTERNAL PIPING THAT IS-
i) WITHIN AN UNVENTILATED WALL SPACE
ii) WITHIN AN INTERNAL FLOOR BETWEEN STOREYS: OR
iii) BETWEEN CEILING INSULATION AND A CEILING
MUST HAVE A MINIMUM R-VALUE OF 0.2

2. PIPING LOCATED WITHIN A VENTILATED WALL SPACE, AN ENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE
a) ALL FLOW AND RETURN PIPING
b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM,
MUST HAVE A MINIMUM R-VALUE OF 0.45

3. PIPING LOCATED OUTSIDE THE BUILDING OR IN AN UNENCLOSED BUILDING SUB FLOOR OR ROOF SPACE
a) ALL FLOW AND RETURN PIPING
b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM
MUST HAVE A MINIMUM R-VALUE OF 0.6

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E. mitch@designtolive.com.au

CLIENT/S:
R & L GRAY

SITE ADDRESS:
14 MARQUET STREET,
WESTBURY, 7303.

DRAWING EXTERNAL SERVICES

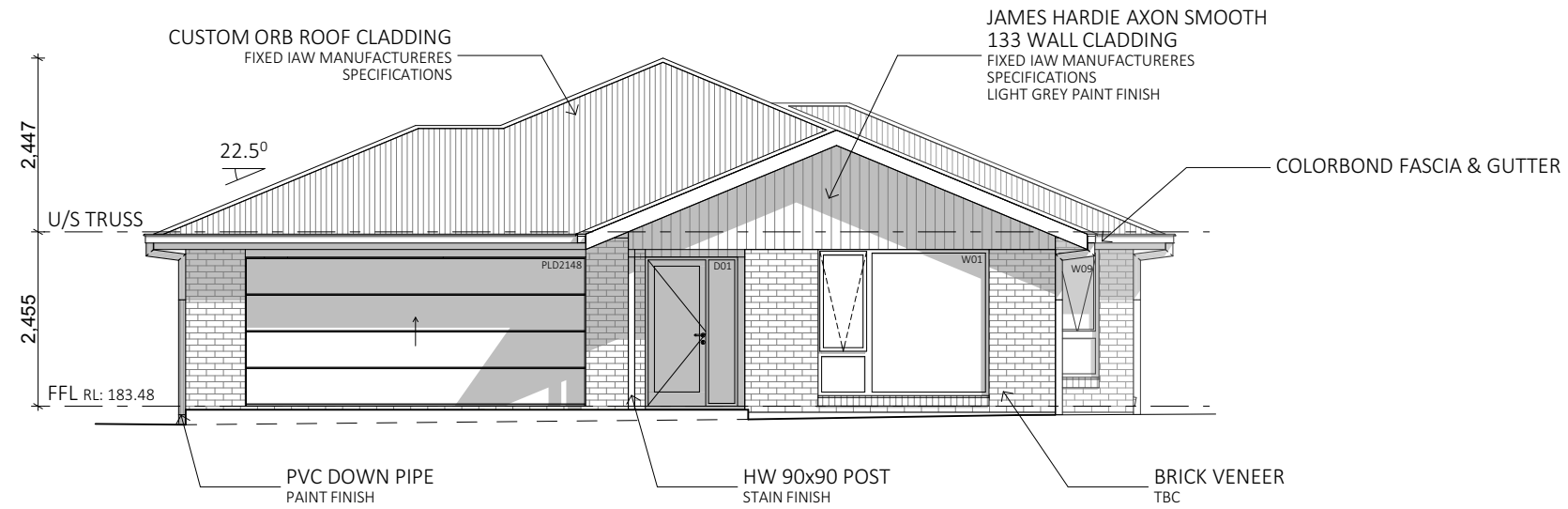
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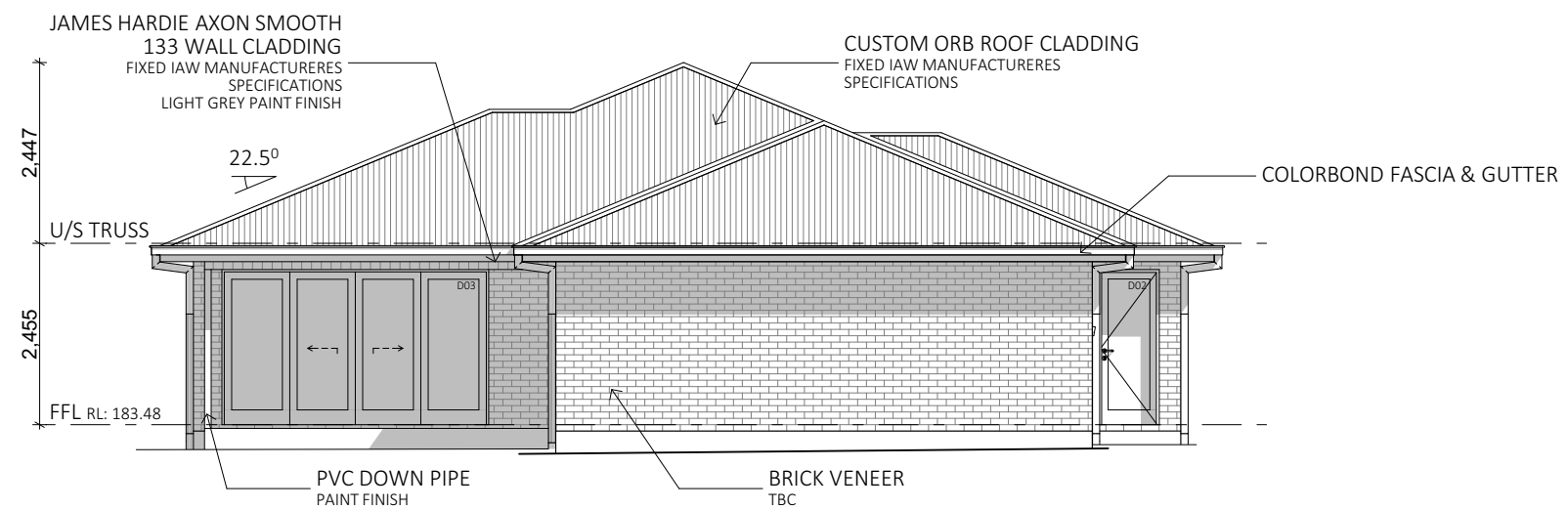
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REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	MRRT34
R1	25/03/2020	PRELIM				
R2	18/05/2020	PLANNING RFI	DRAWN	SdH	DRAWING	8/26
			CHECKED	M.L.	SCALE (@A3)	1:200



NORTHERN ELEVATION



SOUTHERN ELEVATION




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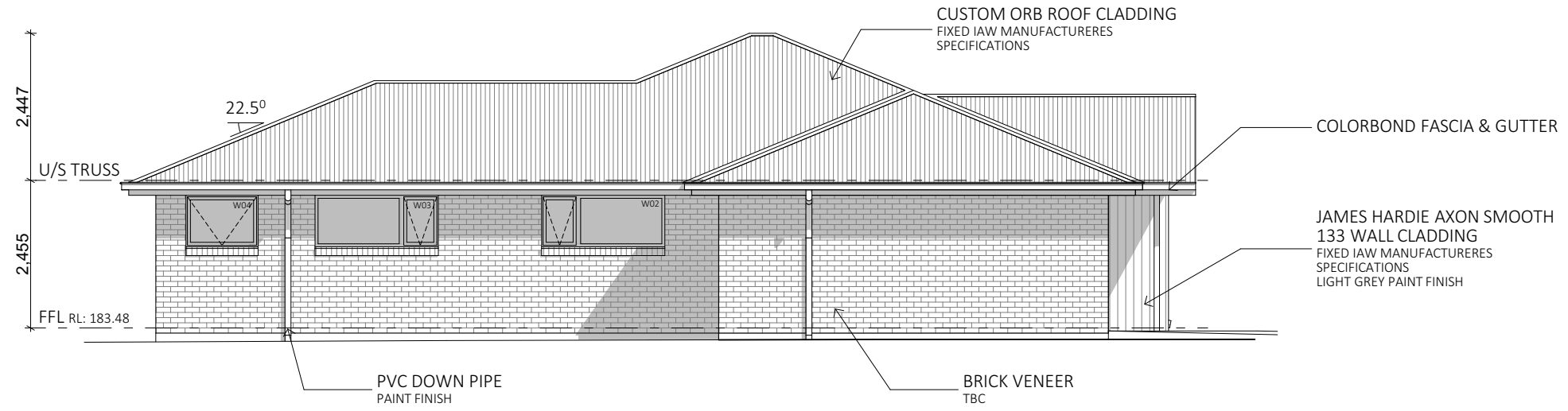
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DRAWING
ELEVATIONS
 NTH-STH

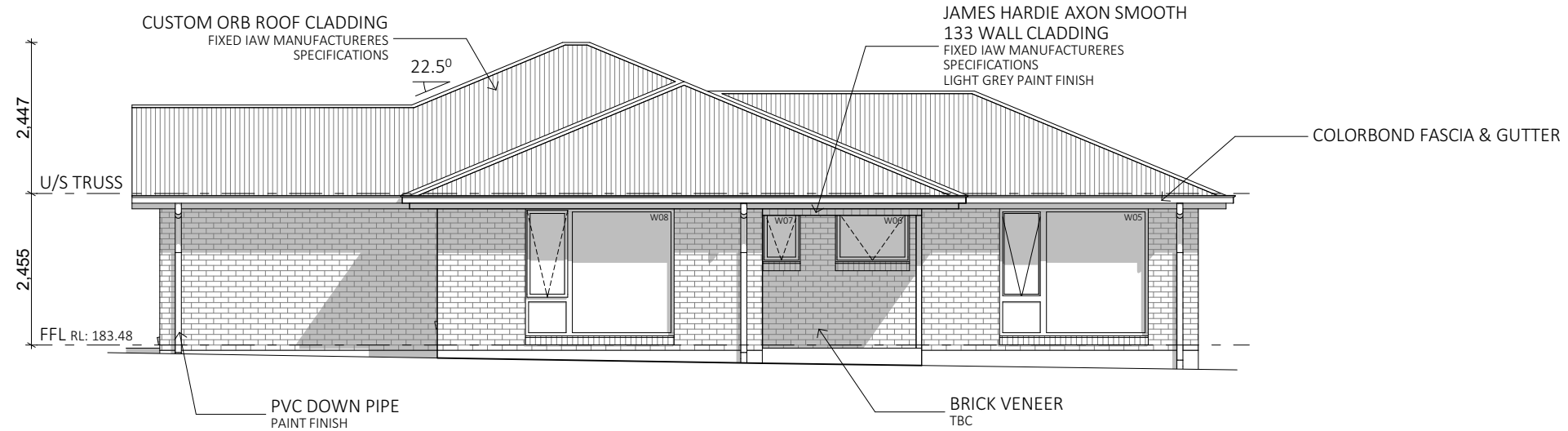
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EASTERN ELEVATION



WESTERN ELEVATION



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DRAWING ELEVATIONS EST-WST

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

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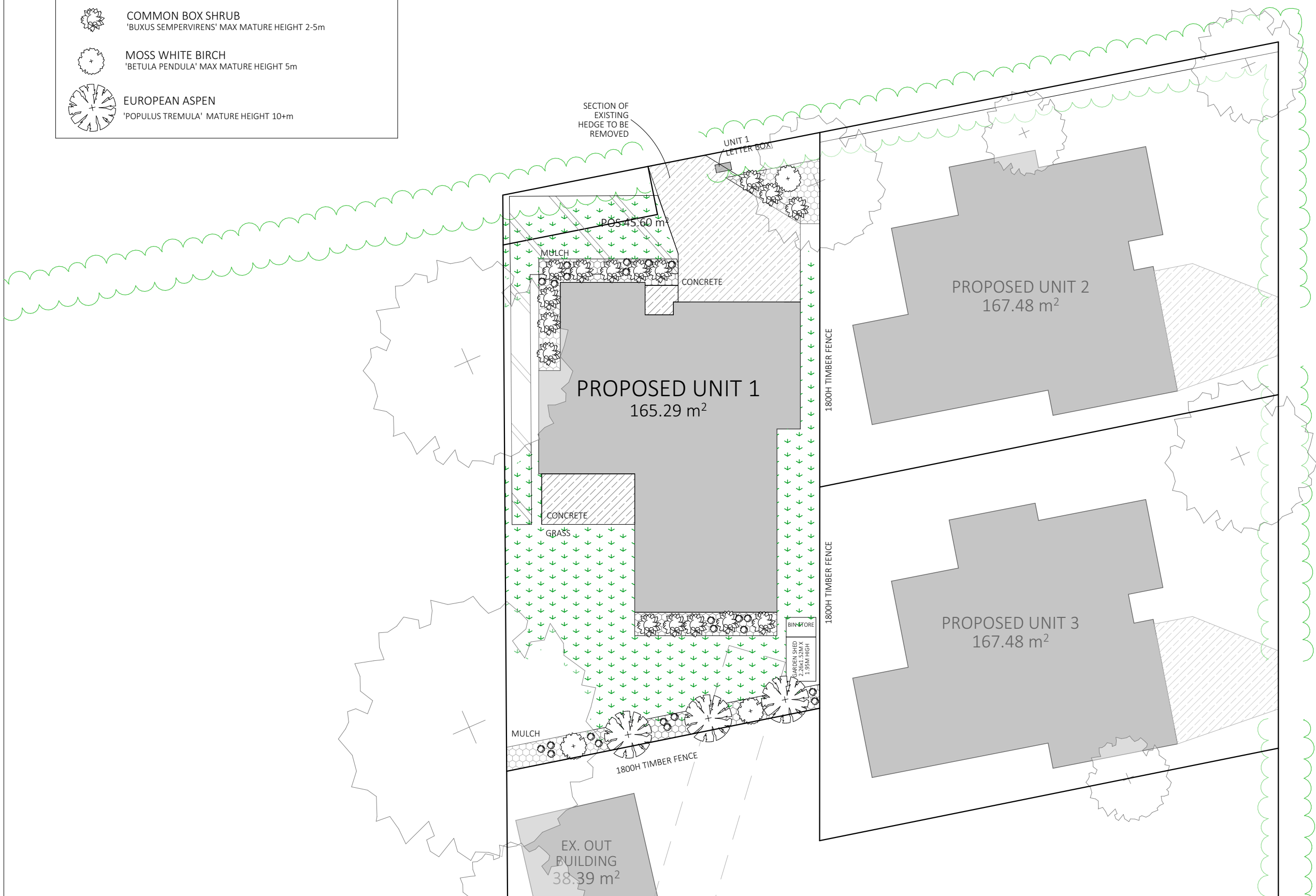
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PLANNING AUTHORITY 2

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	MOSS WHITE BIRCH 'BETULA PENDULA' MAX MATURE HEIGHT 5m
	EUROPEAN ASPEN 'POPULUS TREMULA' MATURE HEIGHT 10+m




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DRAWING
LANDSCAPE
PLAN

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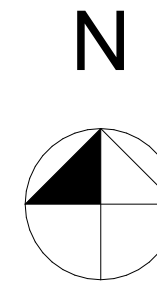
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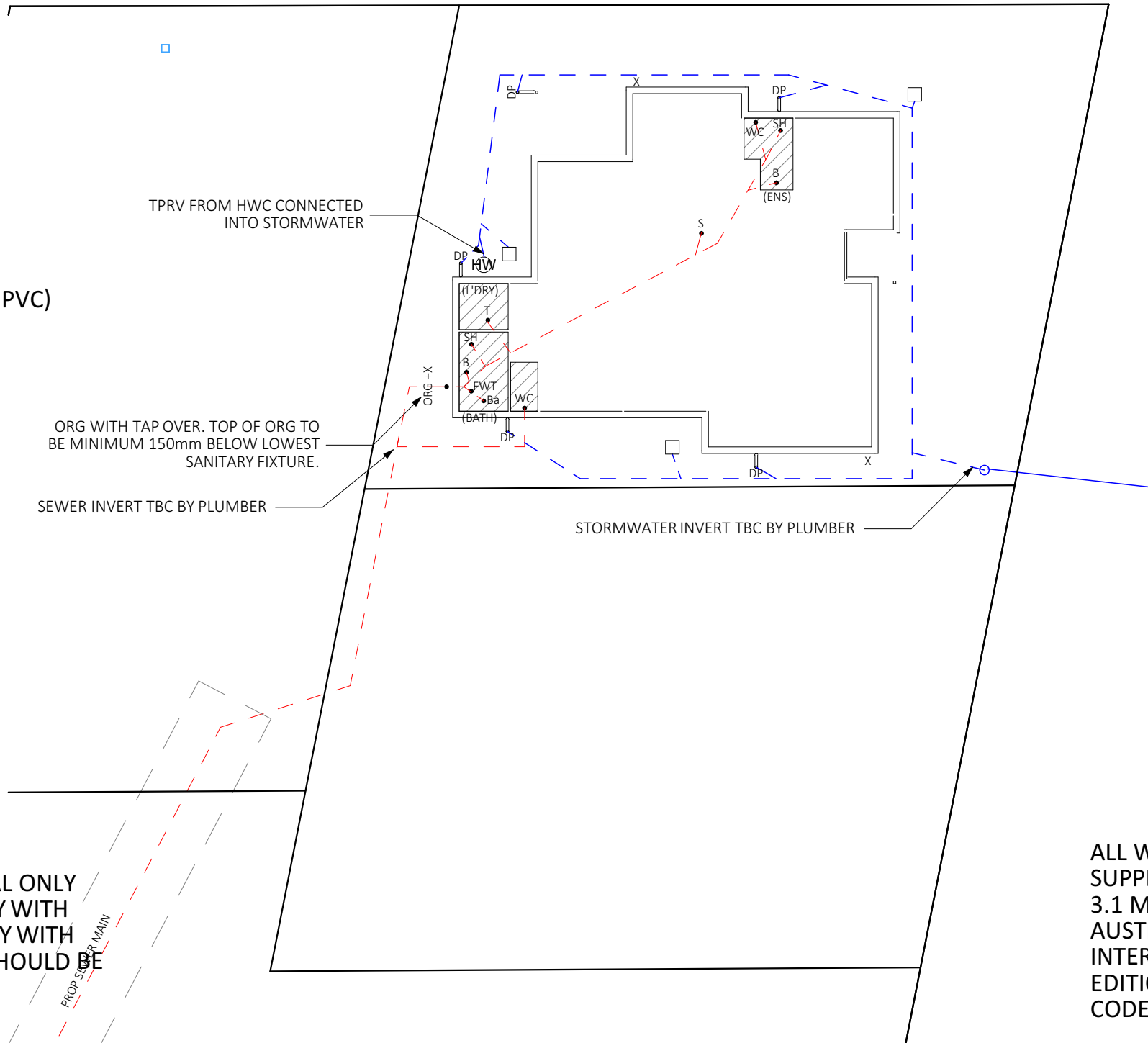
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DESIGNER	M.L.	JOB NUMBER	MRRT34
DRAWN	SdH	DRAWING	11/26
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LEGEND

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-  - WET AREAS
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 C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

HEATED WATER PIPING THAT IS NOT WITHIN A CONDITIONED SPACE MUST BE THERMALLY INSULATED AS FOLLOWS:

1. INTERNAL PIPING

- a) ALL FLOW AND RETURN INTERNAL PIPING THAT IS-
 - i) WITHIN AN UNVENTILATED WALL SPACE
 - ii) WITHIN AN INTERNAL FLOOR BETWEEN STOREYS: OR
 - iii) BETWEEN CEILING INSULATION AND A CEILING
 MUST HAVE A MINIMUM R-VALUE OF 0.2

2. PIPING LOCATED WITHIN A VENTILATED WALL SPACE, AN ENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE

- a) ALL FLOW AND RETURN PIPING
- b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM, MUST HAVE A MINIMUM R-VALUE OF 0.45

3. PIPING LOCATED OUTSIDE THE BUILDING OR IN AN UNENCLOSED BUILDING SUB FLOOR OR ROOF SPACE

- a) ALL FLOW AND RETURN PIPING
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DRAWING EXTERNAL SERVICES

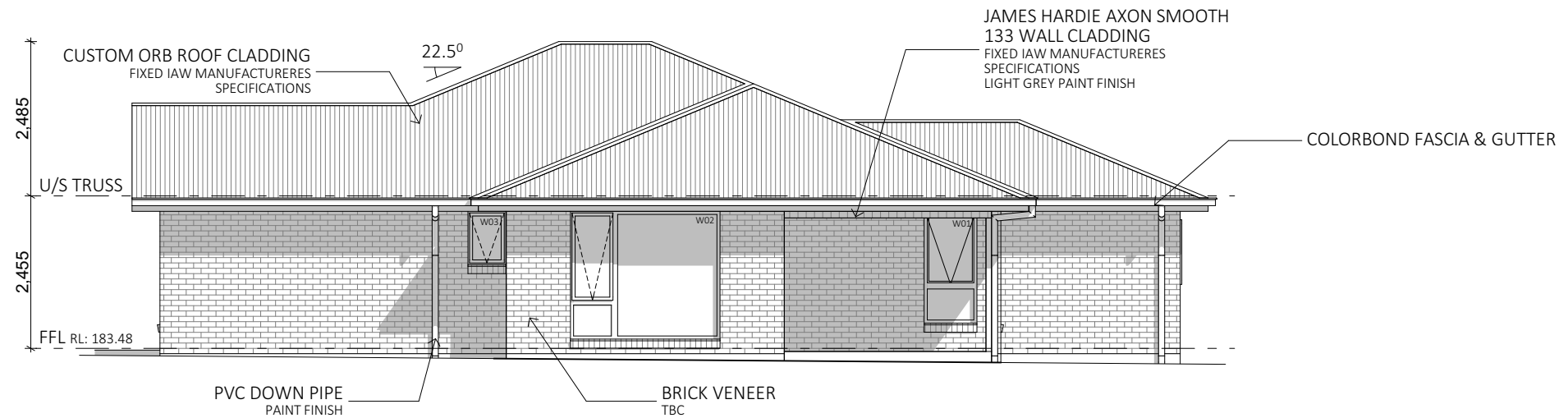
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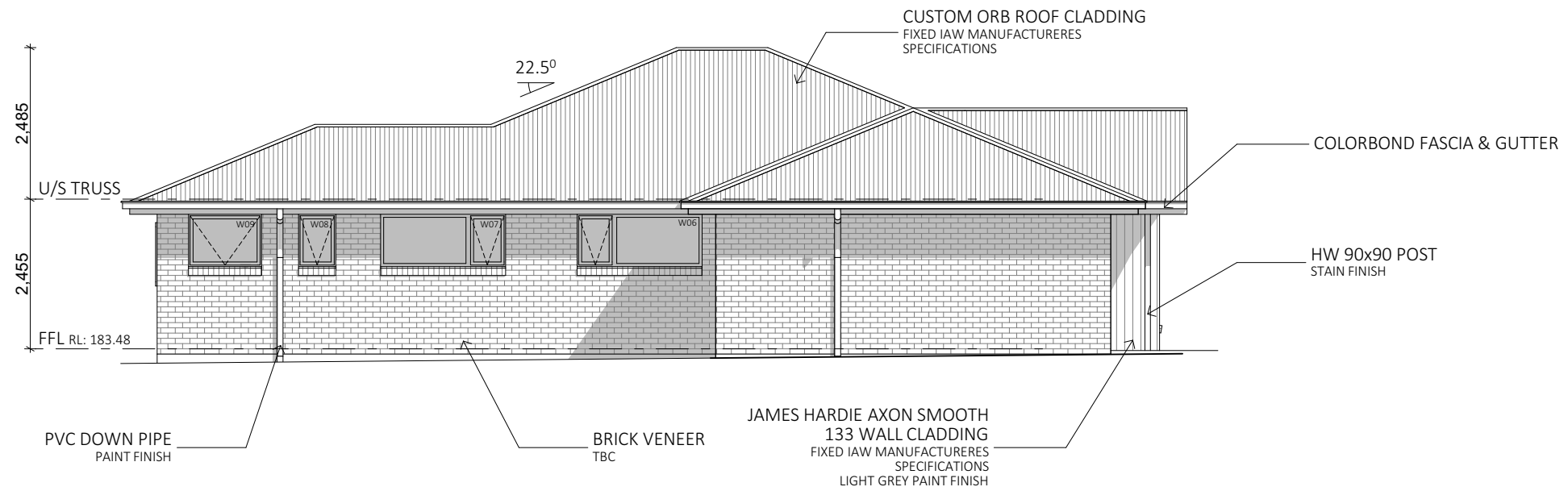
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REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	MRRT34
R1	25/03/2020	PRELIM				
R2	18/05/2020	PLANNING RFI	DRAWN	SdH	DRAWING	14/26
			CHECKED	M.L.	SCALE (A3)	1:200



NORTHERN ELEVATION



SOUTHERN ELEVATION



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NTH-STH**

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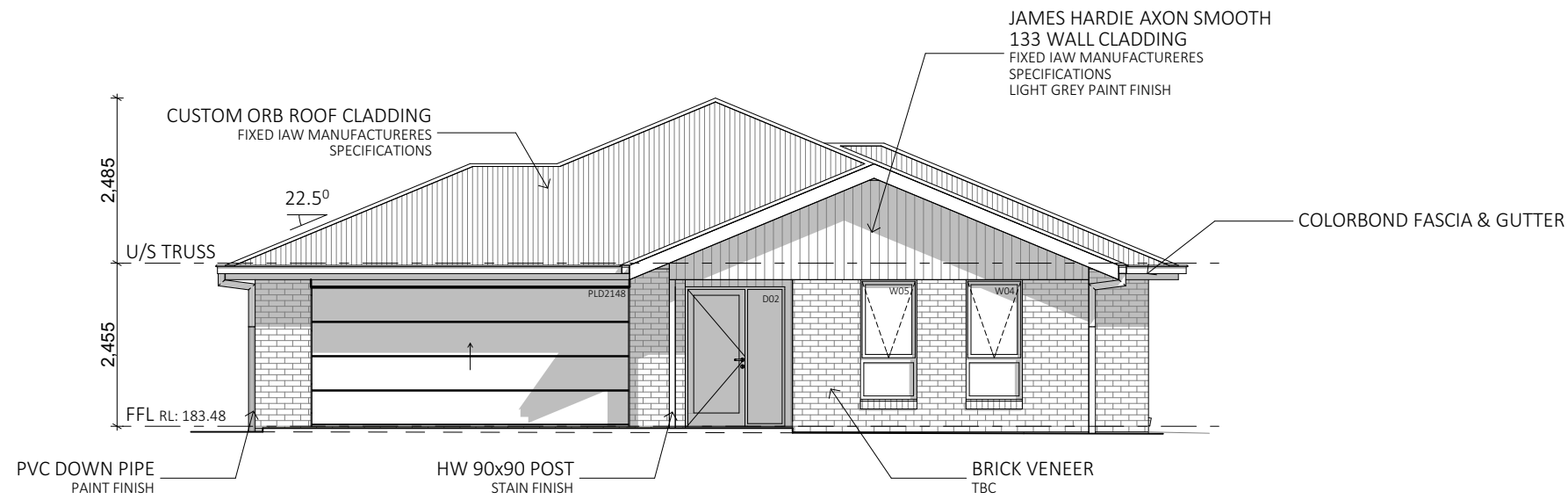
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SIGNATURE: PLANNING AUTHORITY 2

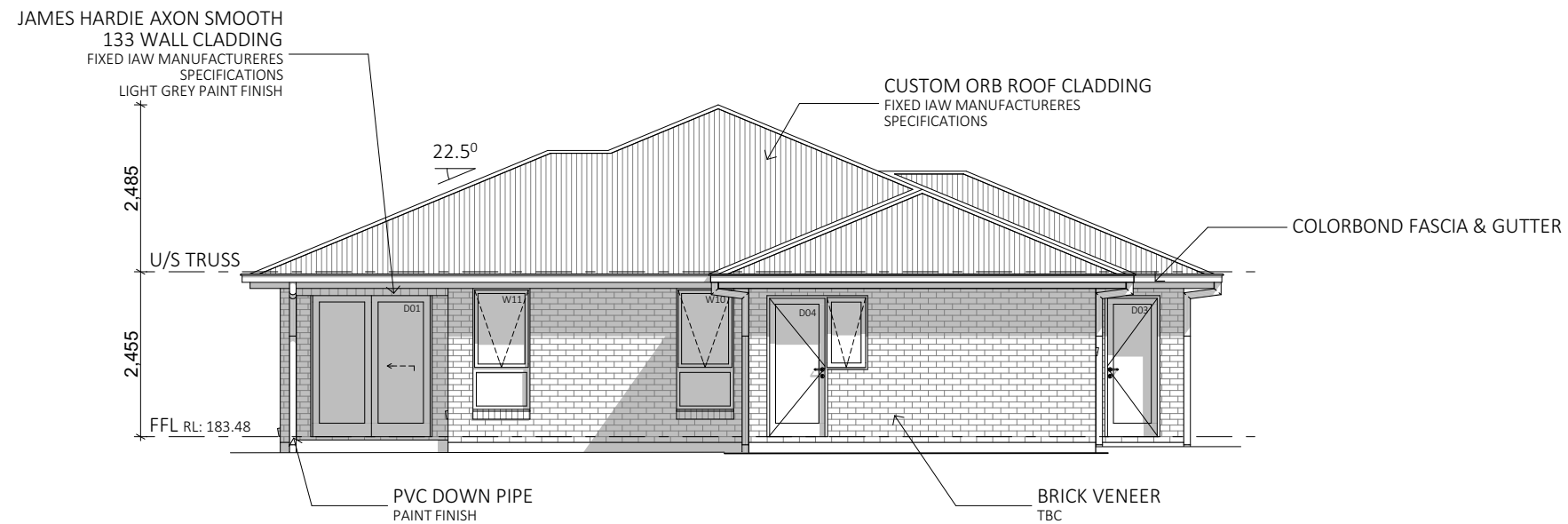
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			CHECKED	M.L.	SCALE (@A3)	1:100



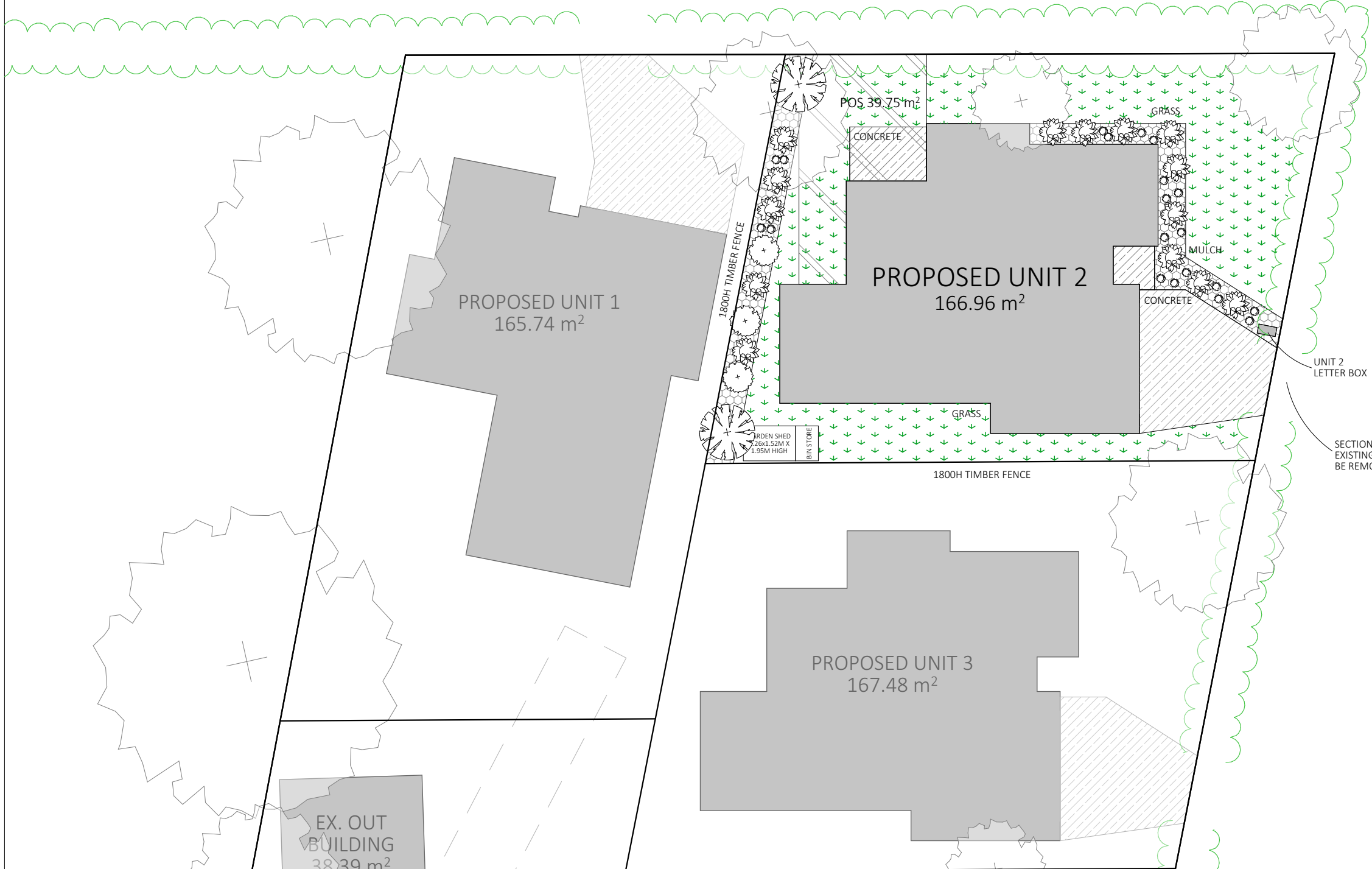
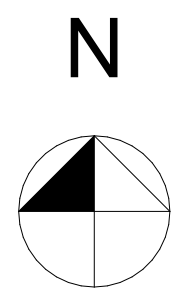
EASTERN ELEVATION



WESTERN ELEVATION



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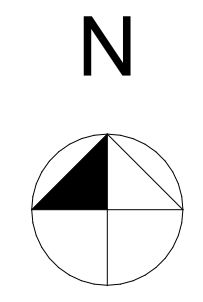
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DRAWING
 SITE PLAN

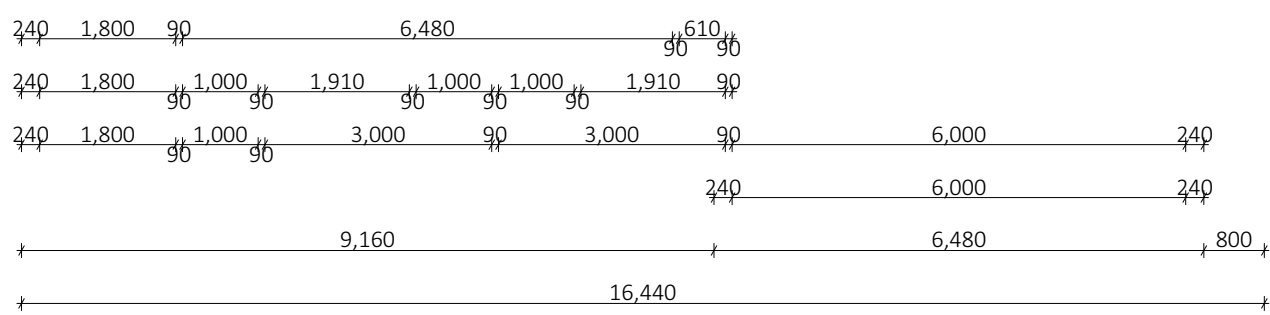
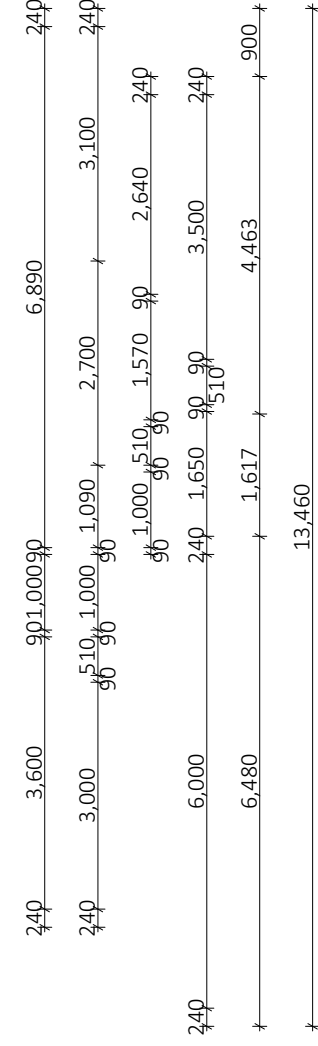
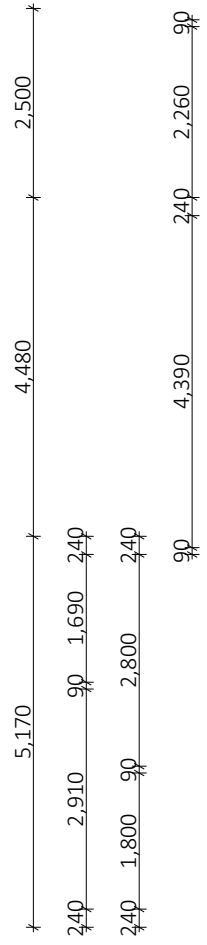
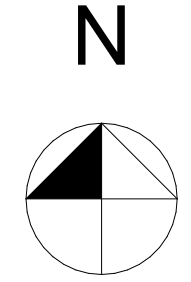
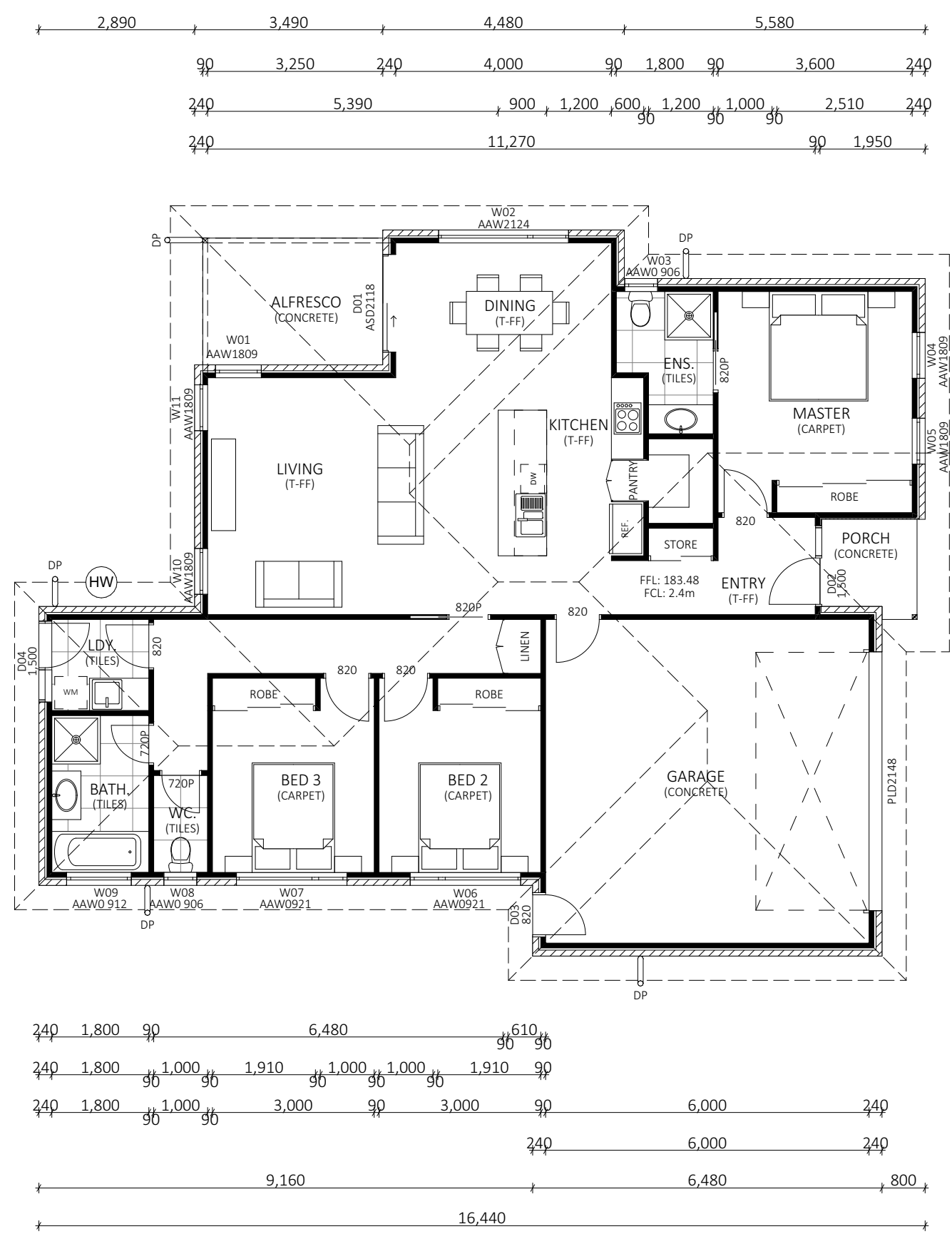
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PLANNING AUTHORITY 2



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Meander Valley Council Ordinary Agenda 14 MAR 2020
E. mitch@designtolive.com.au

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DRAWING
GROUND PLAN

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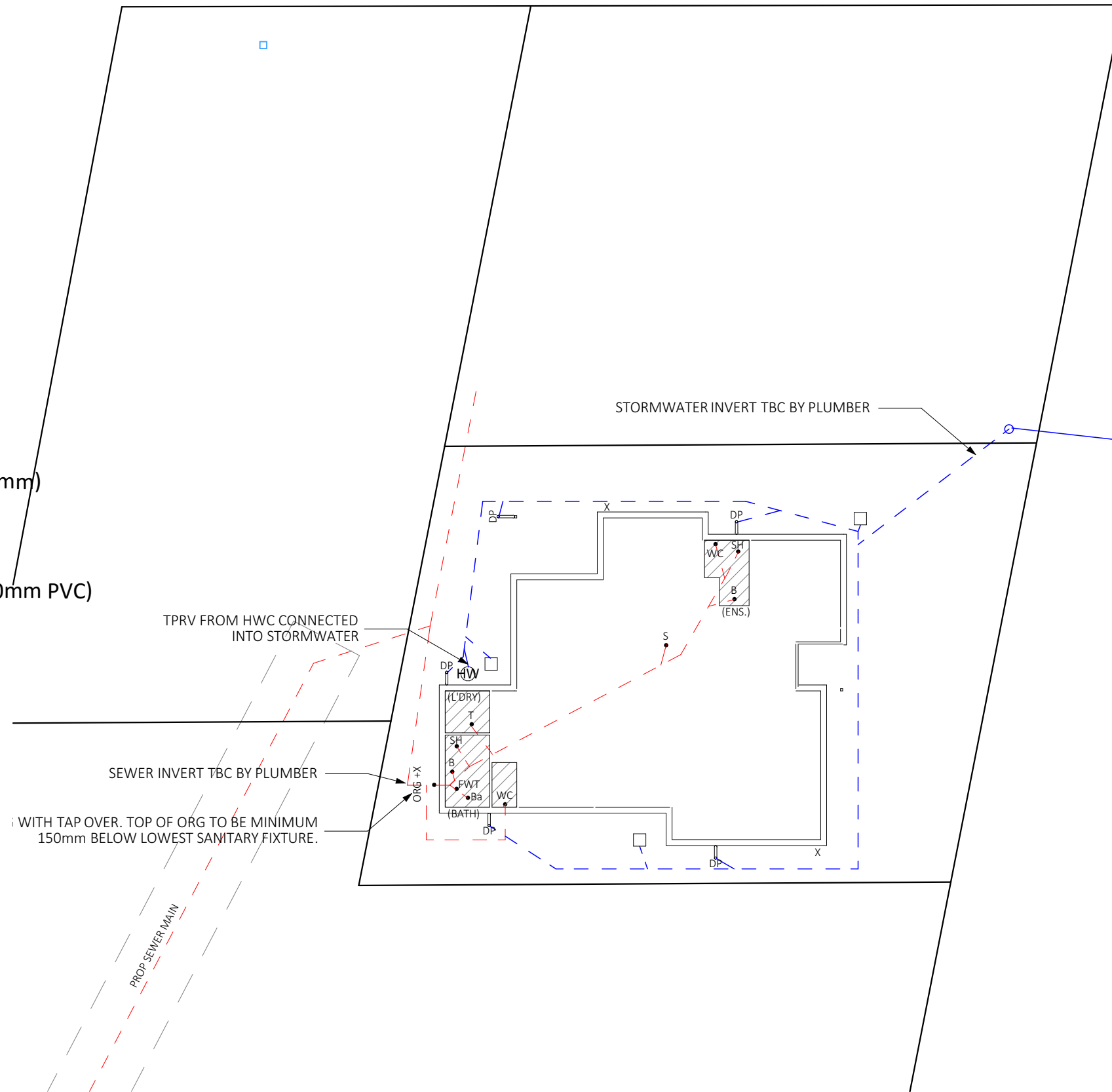
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DESIGNER	M.L.	JOB NUMBER	MRRT34
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DRAWING EXTERNAL SERVICES

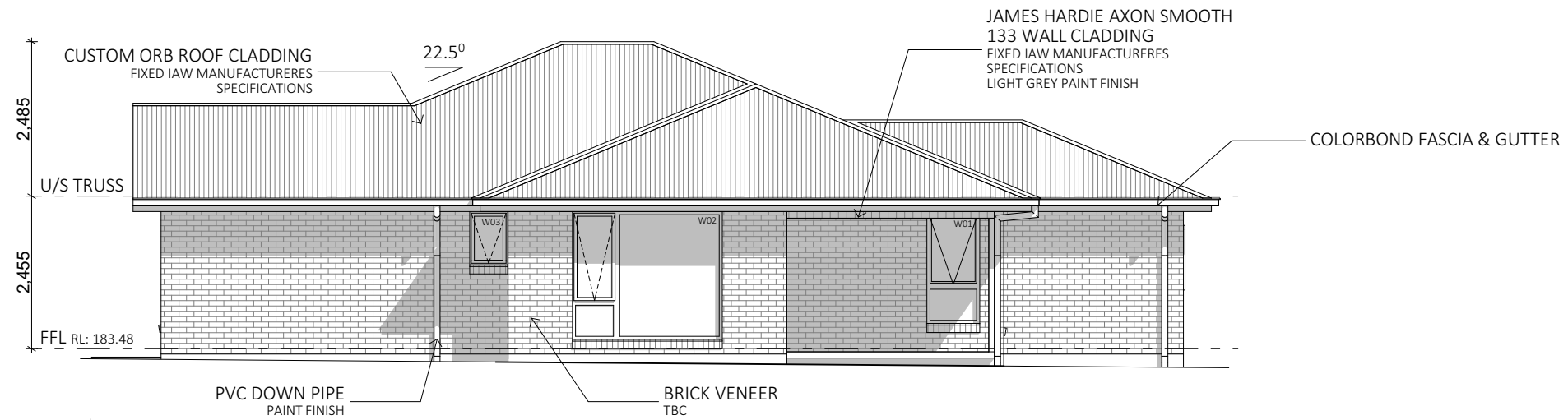
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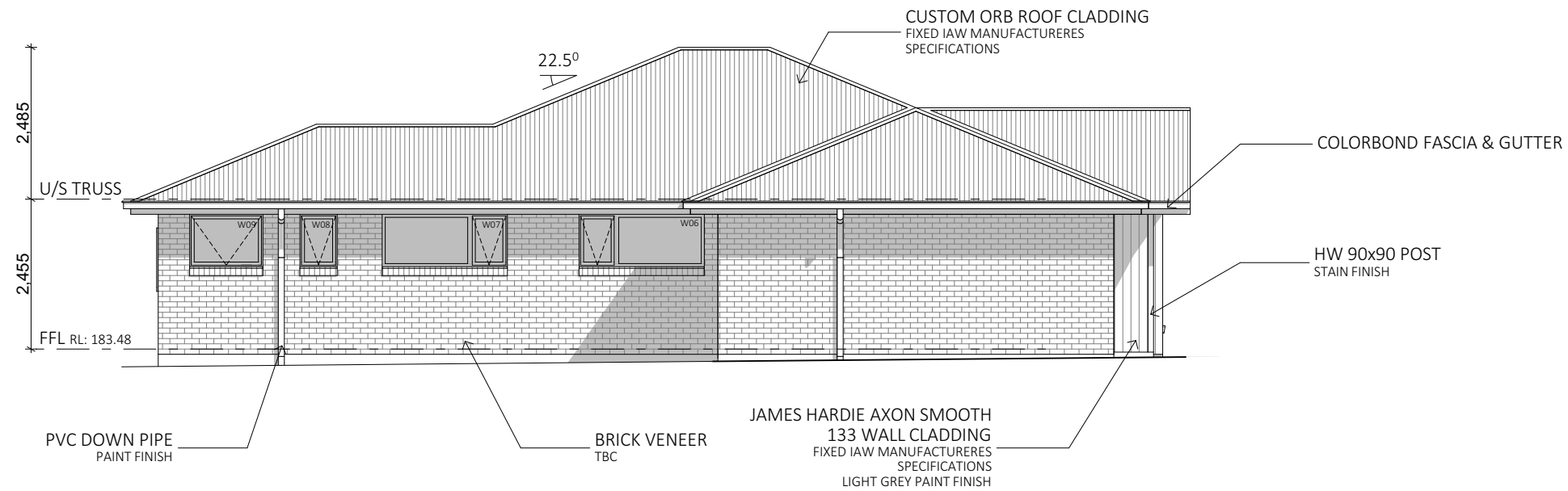
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NORTHERN ELEVATION



SOUTHERN ELEVATION



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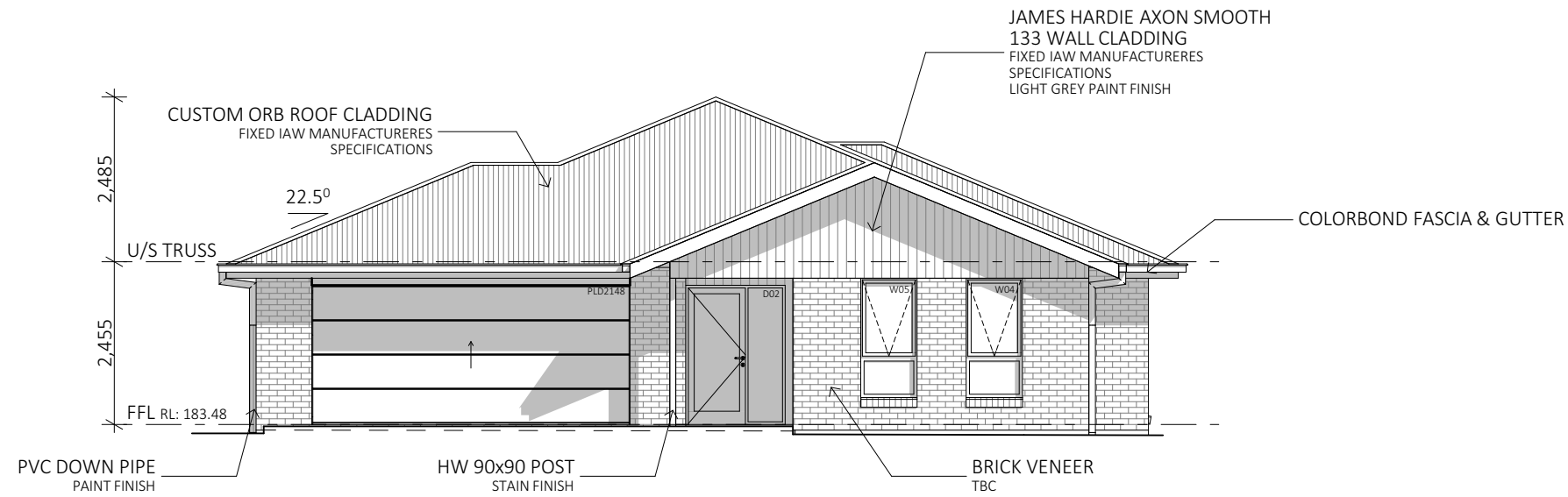
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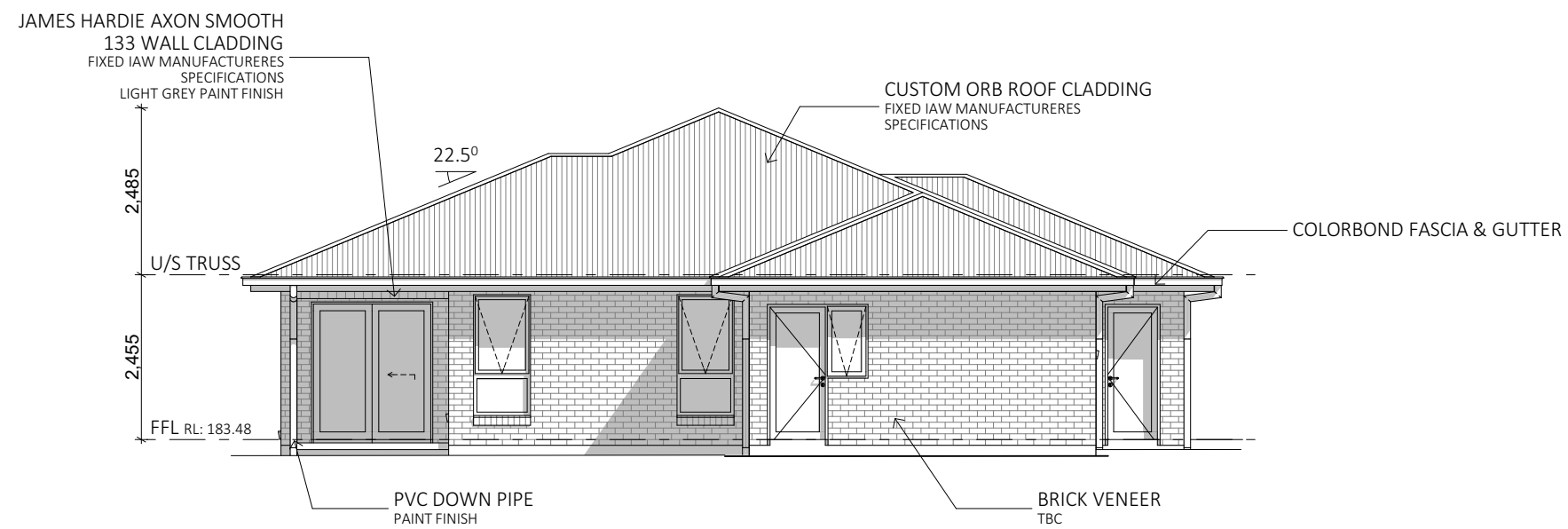
PLANNING AUTHORITY 2

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REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	MRRT34
R1	25/03/2020	PRELIM				
R2	18/05/2020	PLANNING RFI	DRAWN	SdH	DRAWING	21/26
			CHECKED	M.L.	SCALE	1:100



EASTERN ELEVATION



WESTERN ELEVATION



MITCHELL LLOYD
ACC # CC6320
ABN. 71 615 812 747
PH. 6344 7319
Meander Valley Council Ordinary Agenda 14 MAY 2020
E. mitch@designtolive.com.au

CLIENT/S:
R & L GRAY

SITE ADDRESS:
34 MARION STREET,
WESTBURY, 7303.

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			CHECKED	M.L.	SCALE (A3)	1:100



KEY	
	WHITE FLAG IRIS MAX MATURE HEIGHT 1m
	COMMON BOX SHRUB 'BUXUS SEMPERVIRENS' MAX MATURE HEIGHT 1-2m
	MOSS WHITE BIRCH 'BETULA PENDULA' MAX MATURE HEIGHT 5m
	EUROPEAN ASPEN 'POPULUS TREMULA' MATURE HEIGHT 10+m

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R2	18/05/2020	PLANNING RFI	DRAWN	SdH	DRAWING	23/26
			CHECKED	M.L.	SCALE (@A3)	1:200



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Meander Valley Council Ordinary Agenda 14 AUGUST 2020
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R1	25/03/2020	PRELIM				
R2	18/05/2020	PLANNING RFI				
			DRAWN	SdH	DRAWING	24/26
			CHECKED	M.L.	SCALE (@A3)	



21st JUNE 9am



21st JUNE 11am

 <p>MITCHELL LLOYD ACC # CC6320 ABN. 71 615 812 747 PH. 6344 7319 Meander Valley Council Ordinary Agenda 14 MARCH 2020 E. mitch@designtolive.com.au</p>	<p>CLIENT/S: R & L GRAY</p>	<p>DRAWING SUN DIAGRAMS</p>	<p>I/WE APPROVE THESE DRAWING TO BE CORRECT PER CONTRACT.</p>	<p>COPYRIGHT: This is the sole property of Design To Live, and may not be used in whole, or in part without written or formal consent from Design To Live. Legal action will be taken against any person/s infringing the copyright.</p>	<p>REV. DATE DESCRIPTION</p>	<p>DESIGNER M.L.</p>	<p>JOB NUMBER MRRT34</p>
	<p>SITE ADDRESS: 34 MARION STREET, WESTBURY, 7303.</p>				<p>SIGNATURE:</p>	<p>DATE:</p>	<p>R1 25/03/2020 PRELIM</p>
			<p>SIGNATURE: PLANNING AUTHORITY 2</p>		<p>R2 18/05/2020 PLANNING RFI</p>	<p>CHECKED M.L.</p>	<p>SCALE (A3) 1:250</p>



21st JUNE 1pm



21st JUNE 3pm



MITCHELL LLOYD
ACC # CC6320
ABN. 71 615 812 747
PH. 6344 7319
Meander Valley Council Ordinary Agenda 14 MAY 2020
E. mitch@designtolive.com.au

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SITE ADDRESS:
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WESTBURY, 7303.

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REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	MRRT34
R1	25/03/2020	PRELIM				
R2	18/05/2020	PLANNING RFI	DRAWN	SdH	DRAWING	26/26
			CHECKED	M.L.	SCALE (A3)	1:250



TRAFFIC IMPACT ASSESSMENT REPORT

Report prepared for:

34 Marriott Street
Westbury TAS 7303

Title Ref: 17285/5, 17285/4 & 200414/1

Property Id: 7783941

CONTACT

RJK CONSULTING ENGINEERS

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Risden Knightley

BE (Civil), Ass Dip Civil Eng, FIEAust, CC 2539X

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Document Information

Client:	Design To Live
Project Reference:	19/20 TAS 185
Date:	25 June 2020
Version Number:	V3
Effective Date	25 June 2020
Date Approved:	25 June 2020

Document History

Version	Effective Date	Description of Revision	Prepared by:	Reviewed by:
V2	25 June 2020	Speed limit change & SISD clarification	Risden Knightley	Risden Knightley
V3	25 June 2020	Addition of SISD for 60km/hr	Risden Knightley	Risden Knightley

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Appendix

Concept Layout Plan



1. Introduction

1.1 Overview

RJK Consulting Engineers has been commissioned by Design To Live to undertake a Traffic Impact Assessment (TIA) relating to proposed development at 34 Marriott Street, Westbury. Specifically, this TIA addresses the access provision of the proposed development in addressing Codes E4.5.1, E4.7.2 and E4.7.4. The proposed layout is provided in this report for reference.

The proposed development is located within the Meander Valley Council Local Government Area (LGA) and is subject to their relevant planning controls. This TIA will form part of the Development Application and be submitted for proposal to Meander Valley Council. It has been prepared in accordance with the Department of State Growth (DSG) guidelines.

1.2 Scope of Works

As advised by the client, advice from the planning department is a traffic assessment would be required to assess traffic impacts and any issues arising from the new access points, in particular:

- Impact on the surrounding road network
- The intersection with Meander Valley Road and
- Any recent crash statistics in the vicinity

It will also demonstrate:

- That the level of use, number, location, and design of access maintains an acceptable level of safety for all road users, including pedestrians and cyclists;
- Any changes required to accommodate the additional traffic.

1.3 Report Objectives

The objective of this report is to evaluate the impact of traffic generated by the project. It will also aid in the planning and design of sustainable development proposals by taking into consideration:

- Safety and capacity;
- Equity and social justice;
- Efficiency and the environment and;
- Traffic projections for 10 years.

RJK's objectives for this study include:

- Review and collate background documents in relation to the development;
- Assessing access performance in accordance with code E4;
- Identify any mitigating measures required as a result of the proposal.

1.4 Reference Documents & Data Sources

RJK Consulting Engineers have been provided by MVC and the client relevant information on the development. These detail an outline of the work and that the development generally proposes no significant change to the existing traffic arrangements.

The following documents have been referenced as part of this study:

- www.THELIST.tas.gov.au;
- DSG 'Traffic Impact Assessment (TIA) Guidelines';
- DSG Tasmanian State Road Hierarchy;
- Meander Valley Council Interim Planning Scheme (2013);
- Transport and Main Roads Road Planning and Design Manual – Edition 2; Vol 3;
- Various Austroads publications.



2. Site Description

This chapter reviews the existing road network and transport conditions surrounding the proposed development site.

2.1 Site Location & Description

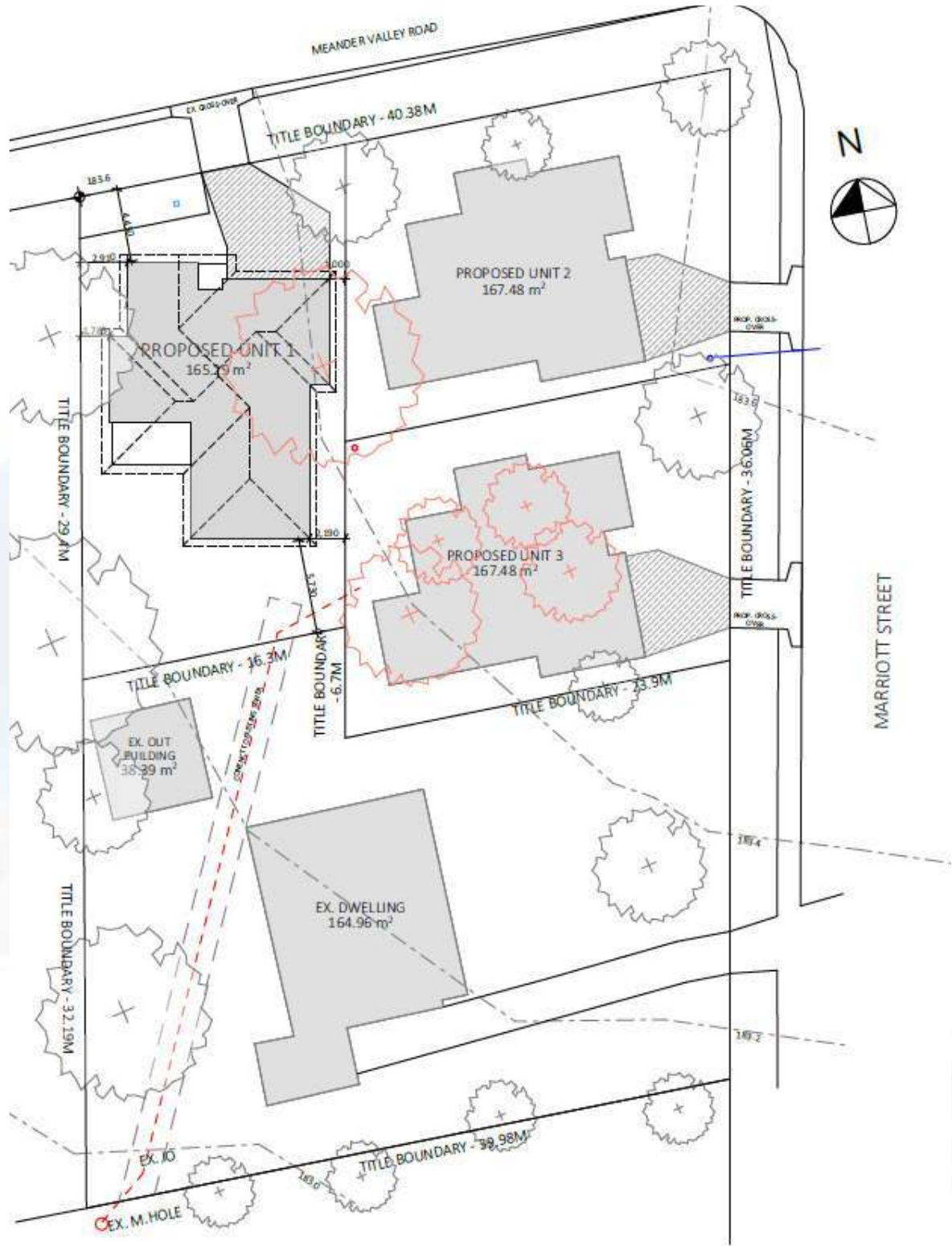
The site is located on Lots 17285/5, 17285/4 & 200414/1 is approx. 2,388m² in size and zoned as Urban Mixed Use. It is situated on the corner of Meander Valley Road and Marriott Street, Westbury. The subject site is identified in **Figure 1**.

There are currently 2 driveway access points, one on Meander Valley Road and one on Marriott Street which services the existing dwelling. The road width at the access point on Meander Valley Road is 13 metres, whilst the road width on Marriott Street is 3.8 metres.

Figure 1 - Site Location



Figure 3 - Proposed Site Plan



3.2 Council Planning Scheme

The proposed development involves land currently zoned Urban Mixed Use in accordance with the Meander Valley Council Interim Planning Scheme 2013.

4. Existing Conditions

4.1 General Transport Network

The local transport system consists of Meander Valley Road and Marriott Street.

Meander Valley Road

Is a Category 5 road connecting towns; Hadspen, Hagley, Westbury, and Deloraine. In the vicinity of the site the speed limit is 60km/hr. The road in the vicinity of the site is urban in nature, sealed, single lane each way and has concrete kerb and channel on either side of the road.

Marriott Street

Is a low priority link street that provides access to and from Meander Valley Road, servicing residential and rural properties. The road is rural in nature, is sealed with swale drains on either side. The road width at the proposed assess points is 6.1 metres. The road alignment is undulating and the road is in good condition.

The road is built to a rural standard in keeping with S2/3 TSD R02 V1 and the default speed in the vicinity is 50km/hr.

Figure 4 - Local Road Network

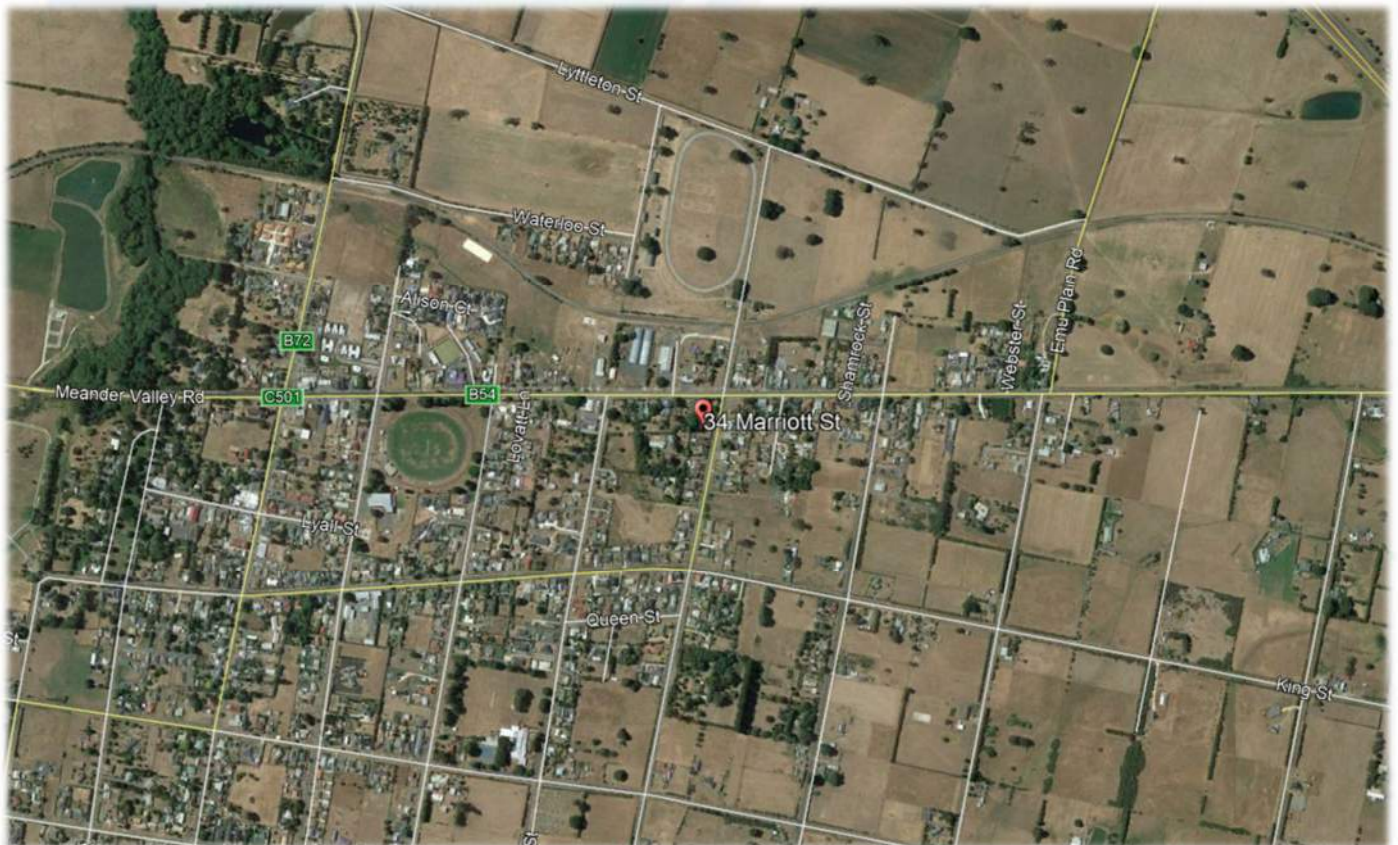


Figure 5 – Lot A: access location



Figure 6 – Lot A: looking left from access location



Figure 7 – Lot A: looking right from access location



Figure 8 – Lot B: proposed access location



Figure 9 – Lot B: looking left from proposed access location



Figure 10 – Lot B: looking right from proposed access location



Figure 11 – Lot C: proposed access location



Figure 12 – Lot C: looking left from proposed access location



Figure 13 – Lot C: looking right from proposed access location



Figure 14 – Existing dwelling: access location



Figure 15 – Existing dwelling: looking left from proposed access location



Figure 16 – Existing dwelling: looking right from proposed access location



4.2 Traffic Activity & Generation

Meander Valley Council have provided historic traffic count data for Marriott Street from 2014. This identified traffic volumes in excess of 475 vehicles per day.

State Growth have provided historic traffic count data for Meander Valley Road from 2018. This identified traffic volumes in excess of 3000 vehicles per day.

The development proposes to generate a relatively small amount of additional traffic beyond current levels. Based traffic count and speed data and the small volume of additional traffic generated by the new development, along with an inspection of the road and surrounding areas, it is identified that the general operations of the street, as currently operating, will not have any noticeable level of service loss.

Default speed limit of 50km/hr applies for Marriott Street and 60km/hr for Meander Valley Road in the vicinity of the site.

4.3 Crash History

DSG advised no crashes in the direct vicinity of 34 Marriott Street. The crash data documents the nearest crash at the intersection of Marriott Street and King Street. With another 2 crashes further along Marriott Street. These incidents imply that the current traffic volumes and general arrangements for the surrounding area and the site, are currently operating satisfactory. (See Figure 17 for Crash details & 18 for Crash locations)

Figure 17 - Crash history details

Crash No.	Crash Date	Severity	Description	Location	Light Cond.	Surface	Units	Unit Types
2024915	26/03/2017	Fatal	Fell from/in vehicle	Marriott St, Westbury	Darkness (no street light)	Sealed	1	Light vehicle
49220181	16/02/2018	Minor	Cross traffic	Intersection of King & Marriott Streets, Westbury	Daylight	Sealed	2	Light vehicle
50262963	21/09/2019	Property Damage Only	Cross traffic	Intersection of Dexter & Marriott Streets, Westbury	Daylight	Sealed	2	Light vehicle

Figure 18 - Crash Locations



4.4 Road Safety Review

Based on sight observations and the information regarding crash history, the road network in this area appears to function satisfactorily, and provides appropriate width and manoeuvrability based on road hierarchy and the limited traffic numbers.

Due to the development not being seen as a major contributor resulting in a dramatic increase in traffic volumes being generated, further off-site impacts are not considered.



5. Traffic Generation & Assignment

5.1 General

This section of the report describes how traffic generated by the proposal is distributed within the adjacent road network now (considered for time of application – 2020) and in ten years (2030).

5.2 Traffic Growth

The rate of background traffic growth on Meander Valley Road for projection purposes is taken to be 2%, as per ABS supplied trend analysis of population growth data.

5.3 Trip Generation & Distribution

In order to analyse the impact of the development on the existing transport infrastructure, it is necessary to assess the number of trips likely to be generated to and from the site and where they are likely to travel. To determine an appropriate rate to forecast trip generation information has been sought from;

- RTA Guide to Traffic Generating Developments;
- Austroads Guide to Traffic Management Part 12; and
- Department of Main Roads' Road Planning and Design Manual: Chapter 3.

5.4 Trip Generation

The development comprises of three new 3 bedroom dwellings. Traffic generated from the site is likely to provide a minor increase in vehicle movements along Meander Valley Road, Marriott Street and the wider network, adding around 22.2 Vehicles per day (refer RTA Urban Mixed Use dwellings which indicates 7.4 per dwelling).

<u>Lot / Unit</u>	<u>Beds</u>	<u>Access Location</u>	<u>Vehicles P/Day</u>
Lot A / Unit 1	3	Meander Valley Road	7.4
Lot B / Unit 2	3	Marriott Street	7.4
Lot C / Unit 3	3	Marriott Street	7.4

The existing Marriott Street and Meander Valley Road can easily accommodate this small increase in traffic, based on site inspections and authors understanding and local knowledge of the area and site.

Due to the development not being seen as a major contributor resulting in a dramatic increase in traffic volumes being generated, further off-site impacts are not considered.

5.5 Surrounding Road Impacts

The assessment of the impact of the proposed development on the street network has been undertaken.

Due to the limited additional traffic being generated from the development, volumes are not considered material and would have limited impact on the wider road network. As such an assessment of additional road network parameters beyond the site are outside the formal responsibility of this report.

6. Impact on Road Network

6.1 Impact on Liveability, Safety & Amenity of the Local Area

The traffic introduced by the proposal (22.2 vph) is minimal and can be easily absorbed by the road at peak times with gaps in the traffic flow. The proposal has negligible impact on the operation of Marriott Street and Meander Valley Road.

Impact on road users is minimal including public transport, pedestrians, cyclists and motorists. Traffic generated by the proposal will not impact above ground services nor will increase environmental impacts such as noise, visual and pedestrian amenity. Both Marriott Street and Meander Valley Road have street lighting and there is no requirement for additional roadside furniture such as directional signs and fencing.

6.2 Parking Assessment

Not required to be assessed.

6.3 Sight Distances

A sight specific assessment on the site was undertaken to review sight distance with consideration of the MVC Planning Scheme requirements and in accordance with Clause 3.4 of *Austrroads Guide to Road Design part 3: Geometric Design*. Sight distance is measured along the carriageway from the approaching vehicle to the conflict point.

The posted speed limit on this section of Meander Valley Road is 60km/hr and Marriott Street is 50km/hr. Sight distance requirements are summarised in *Austrroads Guide to Road Design – Part 4A (2010) Table 3.2* and indicate a required SISD of 105m for 60km/hr and 80m for 50km/hr.

As noted from photos and measured on site for the proposed site accesses, SISD is achieved in both directions. Refer to paragraph 6.6 for further discussion.

6.4 Pedestrian and Bicycle Movements

No changes are proposed for consideration to the external pedestrian and bicycle movements areas.

6.5 Road Safety & Traffic Service

Due to the sight distance deemed to be met in regards to the Planning Scheme, road safety appears not to be compromised by the establishment of the entrance and exit points.

Traffic service is believed to be adequate with the existing infrastructure based on the low traffic volumes.

6.6 Intersection Sight Distance

Sight measurements were taken to evaluate the proposed Safe Intersection Sight Distance. Under the planning scheme 80m for Marriott Street and 105m for Meander Valley Road is required each way, however, the north direction for Lot 2 and Lot 3 on Marriott Street is limited due to the intersection with Meander Valley Road and is deemed suitable.

Lot	Access	SISD
Lot 1 (Unit 1)	Left from proposed driveway	In excess of 105m along Meander Valley Road
	Right from proposed driveway	In excess of 105m along Meander Valley Road

7. Planning Scheme Response

The Meander Valley Council Interim Scheme 2013, Codes E4.7.2 & E4.7.4 requires addressing of safety issues for traffic for the development. Based on the above the following responses are offered:

E4.7 Development Standards

E 4.7.2 Management of Road Accesses and Junctions

Objective:

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

Acceptable Solutions	Performance Criteria	Response
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P2 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.	Meets A1 As outlined in the plan, the proposal is to create a single new vehicular entry / exit point for each Lot under separate title.

E 4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

Objective:

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solutions	Performance Criteria	Response
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.	Meets A1 Vehicles turning into Marriott street from Meander Valley Road will be undertaking this manoeuvre at considerably reduced speed (less than 10km/hr) and not seen as an impact on SISD

8. Summary

This Traffic Impact Assessment (TIA) has been prepared by Risdén Knightley of RJK Consulting Engineers on behalf of Design To Live for 34 Marriott Street, Westbury within Meander Valley Council, Tasmania. The intention of the Traffic Impact Assessment is to support a Development Application and provide improved facilities for users of the development.

The report is summarised as follows:

- The assessment has reviewed the adjacent accesses directly affected, the immediate road network serving the area, road conditions and crash history. No significant traffic safety issues were apparent;
- The relative increase in traffic associated with the proposal will be minimal and is acceptable noting adequate SISD is achieved and does not compromise safety;
- Vehicles turning into Marriott street from Meander Valley Road will be undertaking this manoeuvre at considerably reduced speed (less than 10km/hr) and not seen as an impact on SISD
- The proposed development network is generally in accordance with Meander Valley Council Interim Planning Scheme;
- The increased traffic experienced by Marriott Street and Meander Valley Road is assessed as within the acceptable range in terms of impact on local amenity. The local road network is assessed as being able to cope with the increased traffic activity;

It is therefore concluded that the proposed development is supportable on traffic planning grounds and the proposed development will operate satisfactorily. This report demonstrates that the proposed development can be satisfactorily accommodated within the existing road network and the future road hierarchy adopted for the area.

9. Regulatory Feedback

9.1 Council Feedback

Traffic count data was made available via email.

9.2 DSG Feedback

DSG provided crash statistics, with no crashes in the immediate vicinity on either Marriott Street or Meander Valley Road, with only 3 reported crashes further along Marriott Road in the last 5 years.



10. Conclusion

This TIA has investigated the potential impacts for the creation of the residential development.

Key conclusions are:

- The proposed new access points are to be located as per the attached plan. The accesses are to be constructed to council Urban Standards as per the Tasmanian Standard drawing series;
- Traffic services is deemed adequate for by the road and access arrangements as proposed and will be satisfactory in servicing the development;
- Sight distance for the new accesses is deemed to comply with the Austroads requirement, and sound SISD is available generally based on the site assessment;
- No other Planning Scheme requirements are outstanding.

I, Ridsen Knightley as a qualified chartered engineer and Fellow of Engineers Australia conclude based on the assessment of information available, that the traffic aspects associated with the development are adequate and meet the requirements for traffic, safety and service. I also note that there appears to be no other potential adverse effects on existing traffic situations, subject to the recommendations and conclusions noted.



Ridsen Knightley

BE (Civil), Ass Dip Civil Eng, FIEAust, CC 2539X



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CONSULTING
ENGINEERS

Appendix A



APPLICATION FORM

PLANNING

Land Use Planning and Approvals Act 1993

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

OFFICE USE ONLY

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

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

PROPERTY DETAILS:

Address:	<input type="text" value="34 Marriott Street"/>	Certificate of Title:	<input type="text" value="17285+200414"/>
Suburb:	<input type="text" value="Westbury"/>	<input type="text" value="7303"/>	Lot No: <input type="text" value="5+4+1"/>
Land area:	<input type="text" value="487+759+1142"/>	<i>m² / ha</i>	
Present use of land/building:	<input type="text" value="Residential + Vacant Land"/>	<i>(vacant, residential, rural, industrial, commercial or forestry)</i>	
Does the application involve Crown Land or Private access via a Crown Access Licence:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Heritage Listed Property:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

DETAILS OF USE OR DEVELOPMENT:

- Indicate by ✓ box
- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Building work | <input type="checkbox"/> Change of use | <input checked="" type="checkbox"/> Subdivision |
| <input type="checkbox"/> Forestry | <input type="checkbox"/> Demolition | |
| <input type="checkbox"/> Other | | |

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

Description of work:

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

New floor area: m² New building height: m

Materials: External walls: Colour:

Roof cladding: Colour:



Mail: P.O. Box 464, Kings Meadows 7249
A.B.N: 71 615 812 747
Phone: 6344 7319
Email: mitch@designtolive.com.au

7 April 2020

Planning Application Cover Letter

Applicant: Design To Live Pty Ltd.

Development: Proposed Title Amalgamation, Subdivision, Strata, and three Units.

Owner: G & L Grey

Address: 34 Marriott Street Westbury, 7303

Zone: Urban Mixed Use

Please find below further information for the proposed Development at 34 Marriott Street Westbury, 7303

15.4.1 Building Design and Siting

A1) Complies, proposed Lot 2 is 1,319.6m² and the proposed units have a combined total built area of 499.21m².

A2) Complies

A3) Complies, the infill lot has setbacks within the range of the frontage setbacks of adjoining lots. The neighbouring building to proposed unit 1 Fitzpatrick's Inn, as well as the dwellings at 42 and 49 Meander Valley Road are all set back from the frontage by distances consistent with the proposed development. Proposed units 2 and 3 have setbacks from the primary frontage of at least 6m.

A4) Complies, all rear and side setbacks of proposed developments are at least 1.5m from any existing or proposed side and rear boundaries.

15.4.2.1 Density Control

A1) Complies, as seen on drawing 4 'Strata Plan', each proposed strata lot has at least 420m² per lot.

A2) Complies.

A3) Complies, there are no other multiple dwelling developments on adjoining lots.

15.4.2.4 Overlooking

A) See Landscape plans for proposed locations of 1800 high timber fences between each proposed unit and the existing dwelling.

15.4.2.5 Private Open Space

A1) Relies on Performance Criteria. Unit 1 Complies.

P1) Proposed units 2 and 3 are provided with northerly aspect private open space, allowing for the reasonable use of outdoor recreation. The size of the space exceeds the minimum are required; however, it is only a minimum of 3m wide at its narrowest point.

A2) Relies on Performance Criteria, Unit 2 and 3 comply.

P2) Unit 1 exceeds the required area of private open space, however due to the aspect of the dwelling and orientation of the lot the private open space will receive afternoon to early evening direct sunlight. The adjoining site is currently vacant and forms part of the formal gardens of Fitzpatrick's Inn, therefore there will be little overshadowing from adjoining buildings. The site is gently sloping away from the street frontage, and the dwelling is situated as to leave minimal setback to the eastern strata boundary to maximise the westerly outlook.

15.4.3 Subdivision

P1) The proposed subdivision comes as a result of an amalgamation of three titles of which one is narrow and not practical for development with the other two having a single dwelling built across the boundary. The proposed subdivision sections the proposed dwelling and outbuilding onto its own lot and leaving a second lot for development on the corner.

The proposed site is gently sloping away from the street, northerly in aspect and is large in scale. This shape and orientation of lot is in following with both residential and commercial patterns of development with other lots in size along both Meander Valley Road and Marriott Street.

The proposed subdivision has two existing crossovers allowing access to both Meander Valley Road and Marriott Street.

The existing utilities will be used in conjunction with of the provision of new connections.

The adjoining lot, Fitzpatrick's Inn is of historic value, however the proposed development does not have those requirements. There are several large trees and an established hedge along the north and eastern boundaries which will be maintained to keep with the aesthetic and ecological values of the site.

There are no known natural hazards present on the site. The site is gently sloping and has existing vegetation present.

Regards,

Sarah den Hartog (B.EvnDes, M.Arch)

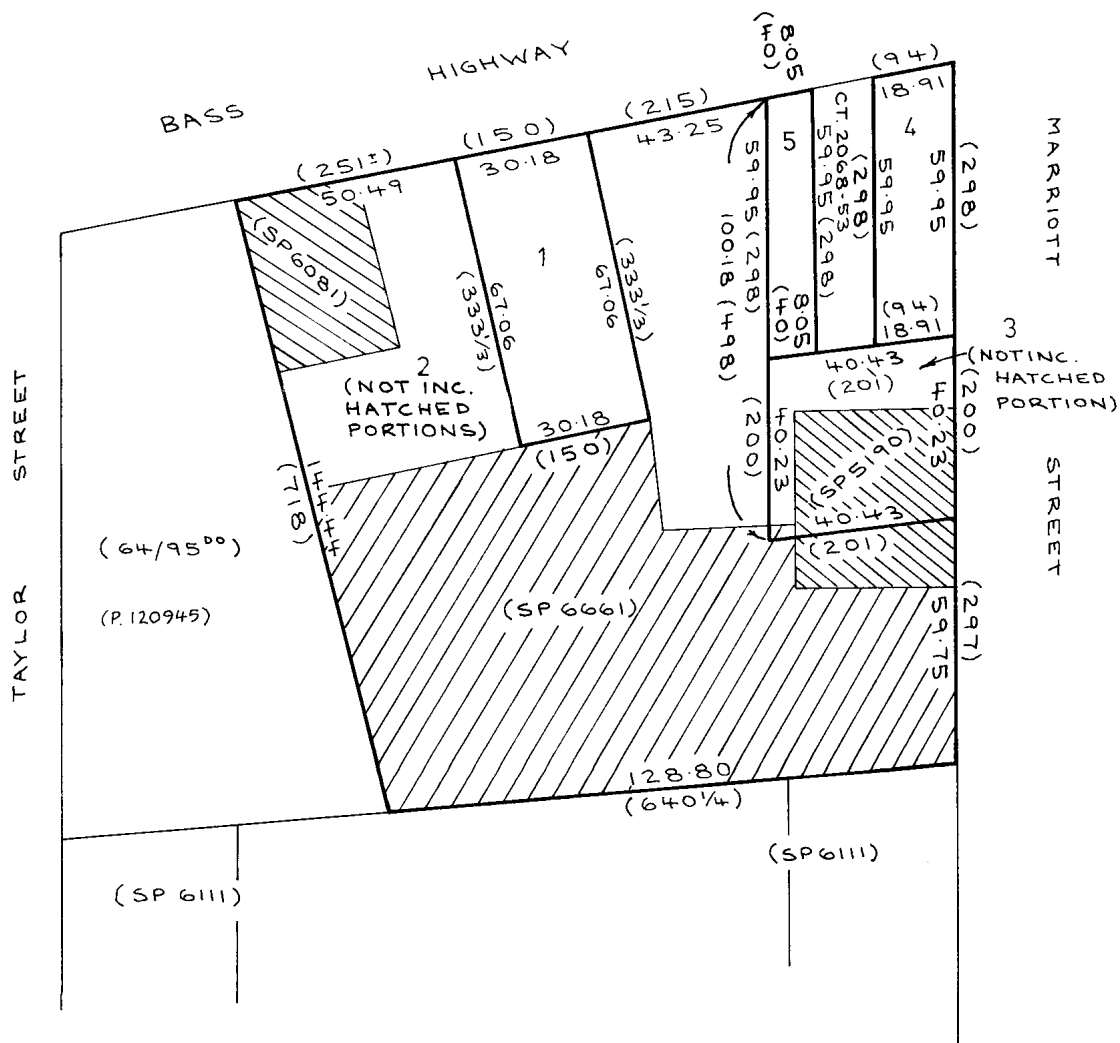
APPROVED FROM: 30 MAR 1982 <i>J. Brown</i> ACTING DEPUTY RECORDER OF TITLES	CONVERSION PLAN	REGISTERED NUMBER D.17285
FILE NUMBER Z.1533	GRANTEE: PART OF B.2.29 GTD. TO ADYE DOUGLAS <i>m.s. 14-12-81</i>	

SKETCH BY WAY OF ILLUSTRATION ONLY

CITY/TOWN OF WESTBURY, SEC. B3,
LAND-DISTRICT OF
PARISH OF

LENGTHS ARE IN METRES, NOT TO SCALE
LENGTHS IN BRACKETS IN LINKS/FEET & INCHES

"EXCEPTED LANDS"
LOT 1 (1466m²) SP 5190
LOT 1 (1079 m²) SP 6081
LOT 1 (8853m²) SP 6661



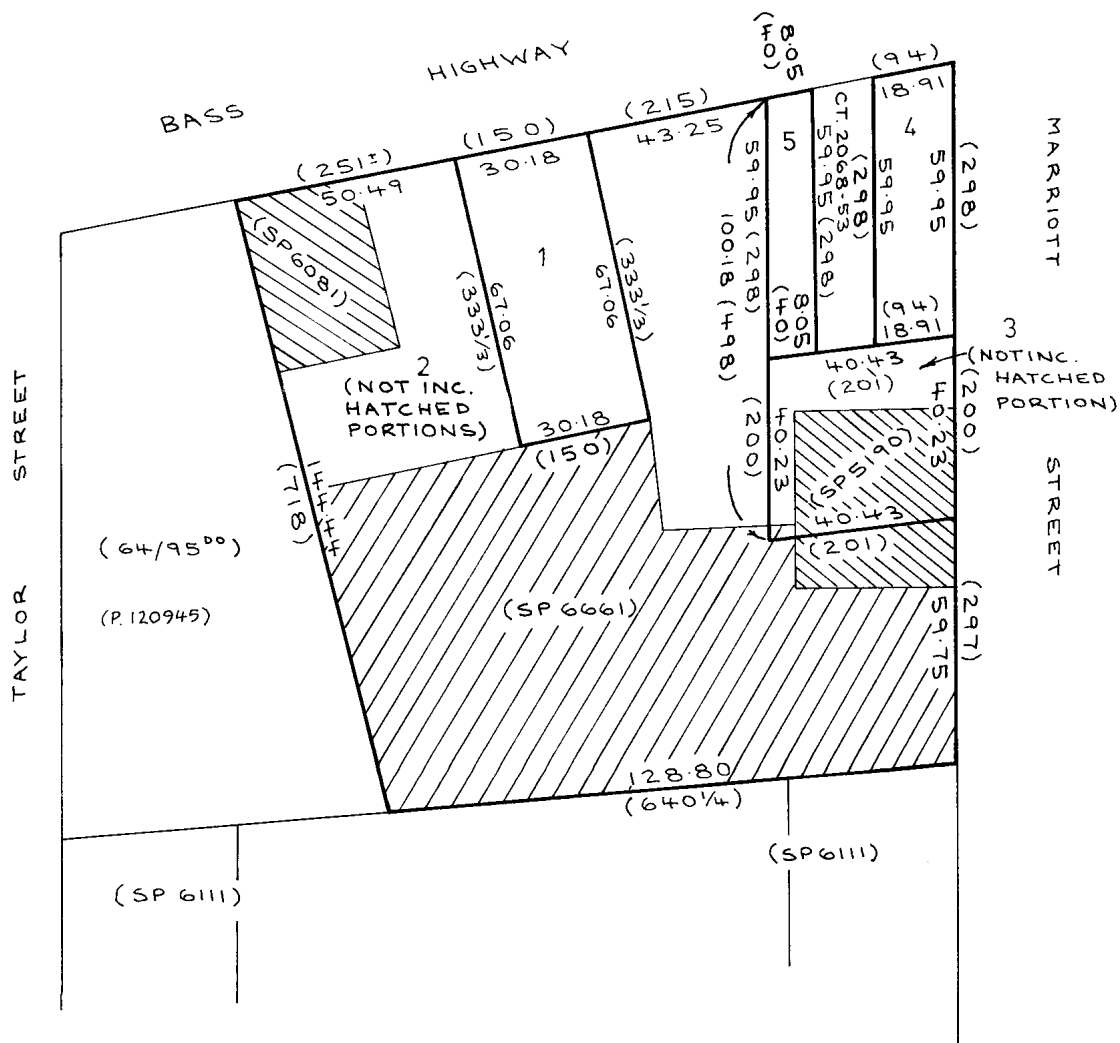
APPROVED FROM: 30 MAR 1982 <i>J. Brown</i> ACTING DEPUTY RECORDER OF TITLES	CONVERSION PLAN	REGISTERED NUMBER D.17285
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SKETCH BY WAY OF ILLUSTRATION ONLY

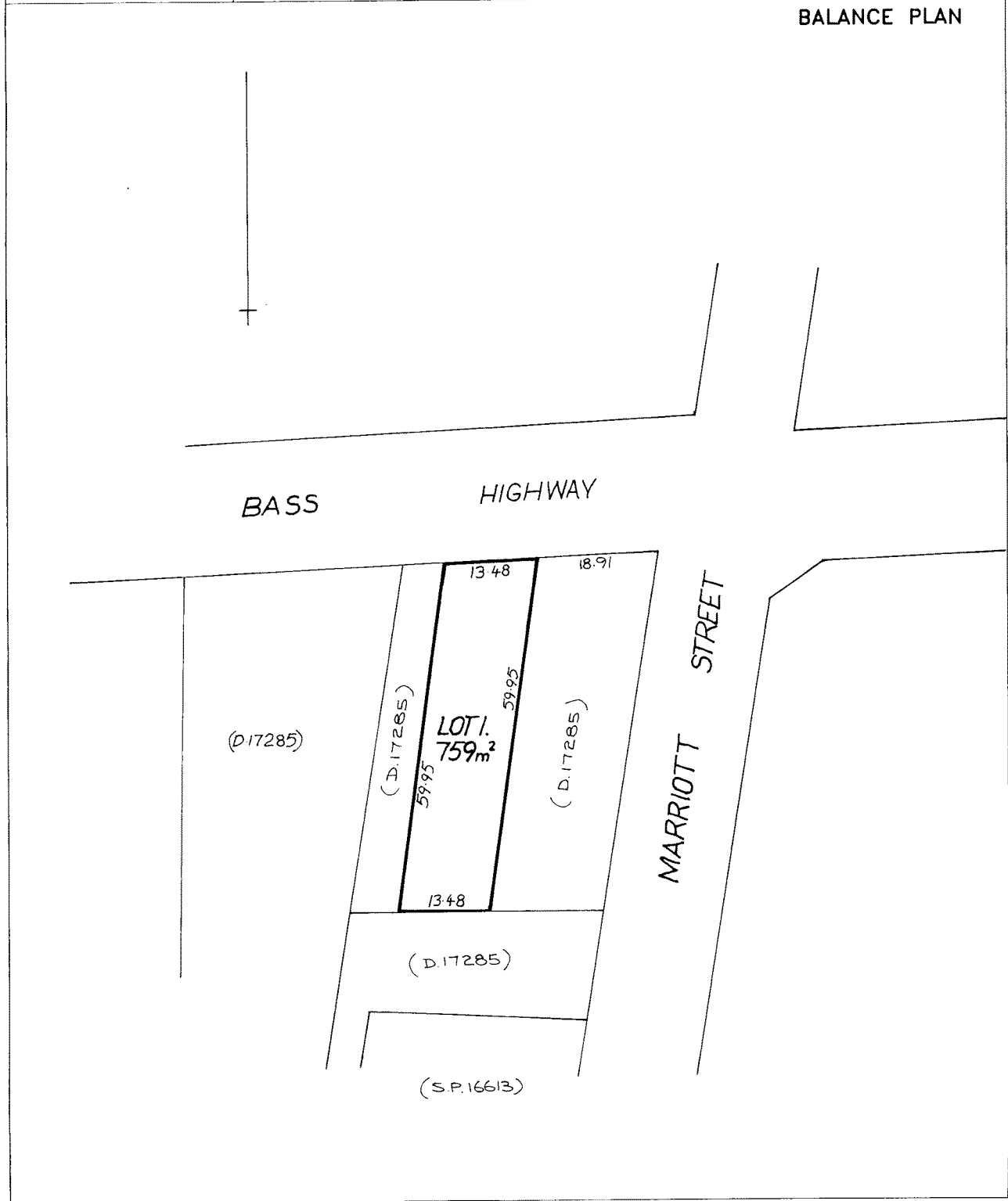
CITY/TOWN OF WESTBURY, SEC. B3,
LAND-DISTRICT OF
PARISH OF

LENGTHS ARE IN METRES, NOT TO SCALE
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"EXCEPTED LANDS"
LOT 1 (1466m²) SP 5190
LOT 1 (1079 m²) SP 6081
LOT 1 (8853m²) SP 6661



OWNER		PLAN OF TITLE		Registered Number	
FOLIO REFERENCE CT 2068/53				LOCATION TOWN OF WESTBURY (SECTION B3)	
GRANTEE		FIRST SURVEY PLAN No.		APPROVED 20 JUN 1996	
		COMPILED BY LTO		<i>Michael J. ...</i> Recorder of Titles	
		SCALE 1: 600			
MAPSHEET MUNICIPAL CODE No. 121	LAST UPI No 6503448	LAST PLAN No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		



A.143

SEARCH OF TORRENS TITLE

VOLUME 17285	FOLIO 4
EDITION 7	DATE OF ISSUE 31-Jul-2018

SEARCH DATE : 26-Mar-2020

SEARCH TIME : 10.58 AM

DESCRIPTION OF LAND

Town of WESTBURY
 Lot 4 on Diagram 17285
 Being the land described in Conveyance No. 41/723
 Derivation : Part of 8A-2R-29Ps Gtd to Adye Douglas (Sec B.3)
 Prior CT 4874/70

SCHEDULE 1

B565013 TRANSFER to ROBERT GRAY and LEEANNE MAREE GRAY
 Registered 30-Sep-1992 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 B392664 INSTRUMENT Creating Restrictive Covenants Registered
 10-Dec-1990 at 12.04 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 17285	FOLIO 5
EDITION 7	DATE OF ISSUE 31-Jul-2018

SEARCH DATE : 26-Mar-2020

SEARCH TIME : 11.00 AM

DESCRIPTION OF LAND

Town of WESTBURY
 Lot 5 on Diagram 17285
 Being the land described in Conveyance No. 41/723
 Derivation : Part of 8A-2R-29Ps Gtd to Adye Douglas (Sec B.3)
 Prior CT 4874/71

SCHEDULE 1

B565013 TRANSFER to ROBERT GRAY and LEEANNE MAREE GRAY
 Registered 30-Sep-1992 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 B392664 INSTRUMENT Creating Restrictive Covenants Registered
 10-Dec-1990 at 12.04 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 200414	FOLIO 1
EDITION 6	DATE OF ISSUE 31-Jul-2018

SEARCH DATE : 26-Mar-2020

SEARCH TIME : 11.02 AM

DESCRIPTION OF LAND

Town of WESTBURY

Lot 1 on Plan 200414

Derivation : Part of Lot Sec:B3 Grant to A.Douglas.

Prior CT 2068/53

SCHEDULE 1

B565013 TRANSFER to ROBERT GRAY and LEEANNE MAREE GRAY

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

TASMANIA

Land Titles Act 1980, as amended

FORM 35

INSTRUMENT CREATING RESTRICTIVE COVENANTS

(Section 102)

JAMES FRANCIS PFUNDT (Licensed Second Hand Dealer) and ROSEMARY CATHERINE PFUNDT (Licensed Second Hand Dealer) both of "Fitzpatrick's Inn" 56 Main Road, Westbury in Tasmania (hereinafter called "the owner") being the registered proprietor of all that part of the land comprised in Certificate of Title Volume 3949 Folio 56 shown in the plan attached hereto surrounded by red boundary lines (hereinafter called "the servient land") hereby covenants with NATIONAL TRUST OF AUSTRALIA (TASMANIA) of Franklin House, Hobart Road, Franklin Village in Tasmania (hereinafter called "the Trust") pursuant to Section 19 of the National Trust of Australia (Tasmania) Act 1975 to the intent that the burden of the covenant may run with and bind each and every part of the servient land to observe the following stipulations:-

1. The owner and his assigns and successors in title shall not do or permit to be done any act or thing which may structurally alter or in any way change the exterior of the house or other improvements now standing or being on the servient land without the prior consent in writing of the Trust but this will not prevent the demolition of any buildings south of the line CD on the said plan attached hereto.
2. The Owner and his assigns and successors in title shall not place in or on the house any sign which will be visible from the exterior of the building without the prior consent in writing of the Trust such consent not to be unreasonably withheld.
3. The Owner and his assigns and successors in title shall not use any building materials for any exterior alterations or renovations to the house or other improvements now standing or being on the servient land except such as are specifically approved in writing by the Trust.
4. That the Owner and his assigns or successors in title shall not demolish the said building or permit the said building to be demolished and if the said building is demolished or partly demolished by fire or other inevitable accident will not replace or restore the said building except as approved in writing by the Trust. In the case of such substantial demolition by fire or other inevitable accident that the house needs to be practically rebuilt then and in such case there shall be no such obligation.

- 5. That the Owner and his assigns or successors in title shall not destroy or prune back any of the trees which shall be on the National Trust register of significant trees now standing on the servient land and without the prior consent in writing of the Trust such consent to be unreasonably withheld.
- 6. That the Owner and his assigns and successors in title shall not erect any additional building or structure on the servient land without the prior consent in writing of the Trust.

DATED this 24th day of October 1990

SIGNED SEALED AND DELIVERED by)
JAMES FRANCIS PFUNDT in the)
 presence of:)

[Handwritten signature]

[Handwritten signature]

SIGNED SEALED AND DELIVERED by)
ROSEMARY CATHERINE PFUNDT in)
 the presence of:)

[Handwritten signature]
[Handwritten signature]
 Launceston

[Handwritten signature]

THE COMMON SEAL of)
NATIONAL TRUST OF)
AUSTRALIA (TASMANIA))
 was hereunto affixed)
 in the presence of:)



[Handwritten signature]
 Members of Council
[Handwritten signature]
 Secretary

NO MATTER TO BE

3rd 2nd 29th Gtd to

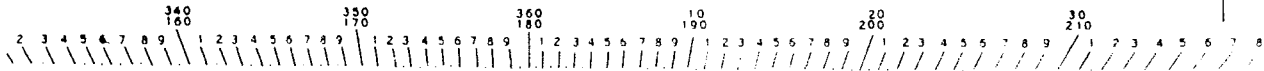
SECTION B3

Effective from

SCALE 1:1000

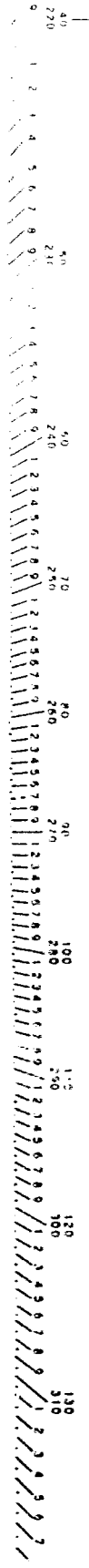
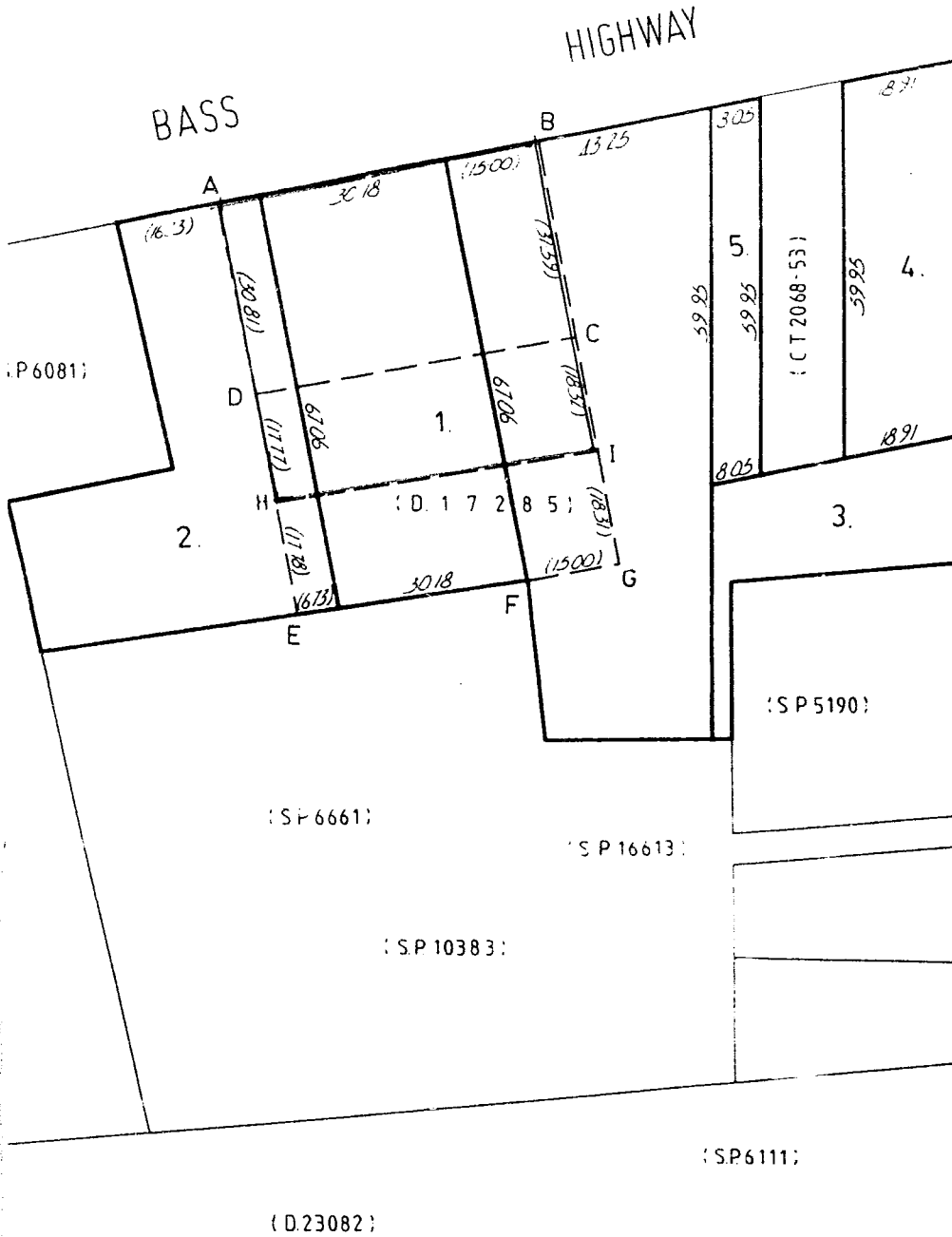
MEASUREMENTS IN METRES

Recorder of Titles



COMPILED PLAN

FROM D.17285



NO MATTER TO BE

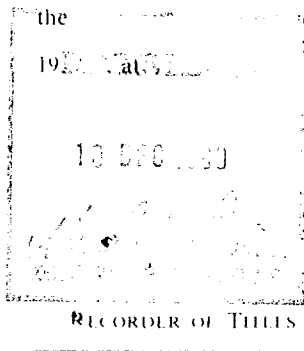
The duty payable hereon was this day assessed by me at *£ 00*
 Date *29/10* Assessor: *Commissioner of Stamp Duties*

This is to certify that this instrument was produced to me pursuant to section 11 of the Stamp Duties Act 1931 on the _____ day of _____ 19____, and that upon being so produced the full amount of duty (namely _____) was duly denoted thereon.

Certified that the within dealing was registered on the _____ day of _____ 19____

Assessor: *Commissioner of Stamp Duties*

Date: _____



Caveats etc:

Marked up on Folio:

Passed for Regn.:

New C. T. Drafted:

Directions re Memorial;

Handwritten notes and signatures

✓	Direct as shown below	Re:
	Solicitor	Power of Attorney
	Solicitor	
	Senior Reg. Clerk	
	Part dealings	
	Reg. Clerk	Draft C. T. required
	Reg. Clerk	Check C.T. Refs. D.M. or P/Sale

From: Duncan Mayne
Sent: 25 Jun 2020 16:10:54 +1000
To: Natasha Whiteley
Subject: RE: PA\20\0206 - Request for additional Information - 34 Marriott Street, Westbury - Subdivision (3 lots to 2 Lots), Multiple Dwellings (3 Units)

Hi Tash,

I am happy to accept version 3 of Traffic Impact Assessment. As per the recommendations of the report, the accesses can be installed in the locations provided on the drawings provided an Application for Work in the Road Reservation is completed by the applicant.

Regards,



Duncan Mayne, Graduate Engineer

P: 03 63935309 E: Duncan.Mayne@mvc.tas.gov.au

26 Lyall Street Westbury, TAS 7303 | PO Box 102, Westbury Tasmania 7303

www.meander.tas.gov.au

Please consider the environment before printing this email.

8. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
9. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan "Design to Live MRRT34 Dwg 5", are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
10. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

15. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
16. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.

56W CONSENT

17. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans must also include a cross sectional view through the footings which clearly shows;

- a. New proposed pipe depth and proposed finished surface levels over the pipe;
- b. The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- c. A note on the plan indicating how the pipe location and depth were ascertained.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:

- a. \$351.28 for development assessment; and
- b. \$149.20 for Consent to Register a Legal Document

The payment is required by the due date as noted on the statement when issued by TasWater.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Declaration

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

Authorised by



Jason Taylor

Development Assessment Manager

TasWater Contact Details

Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		



Meander Valley Council
Working Together

Public Open Space Contribution

In accordance with Clause E10.0 of the Meander Valley Interim Planning Scheme 2013 the General Manager gives consent that no land is required for public open space but instead there is to be a cash payment in lieu for PA\20\0206 - Subdivision (3 lots to 2 lots) & Multiple dwellings (3 units) at 34 Marriott Street WESTBURY.

Signed:



John Jordan
GENERAL MANAGER

15 May 2020

From: Fitzpatrick Sinn
Sent: 20 Jul 2020 22:08:09 +1000
To: Planning @ Meander Valley Council
Subject: Re: Your email has been received

Hi,

I have received late information from the Tasmanian Heritage Council and I would like the note below added to my submission on the proposed development at 34 Marriott Street, Westbury.

"I have been advised by Chris Bonner of Tasmanian Heritage Council that there is an Australian Standard AS 4979-2009 for the Protection of trees on development sites which includes a recommendation that Tree Protection Zones and Structural Root Zones should be factored into development plans early in the process. This is usually done through an arborist report where these zone sizes are calculated."

Thank you,
Pam Swain

Sent from my iPad

> On 20 Jul 2020, at 12:46 pm, "Planning @ Meander Valley Council"

<Planning.AtMeander@mvc.tas.gov.au> wrote:

>

> Thank you for your representation in response to the notification of a development application. Your representation will be forwarded to the town planner assessing the application and will be considered in that assessment. You will be contacted in due course and be provided with a copy of the assessment and notified of the date of the Council meeting that will determine the application.

> Please note that if your email is a request for information in response to a notified application, we will respond to your enquiry as soon as possible.

>

> Meander Valley Council

> working together

>

> T: 03 6393 5300 | F: 03 6393 1474 | W: www.meander.tas.gov.au<<http://www.meander.tas.gov.au/>>

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

> Please consider the environment before printing this email.



FITZPATRICK'S INN

56 Meander Valley Rd, Westbury Tasmania 7303

Phone: (03) 63931153

8/7/2020

Planning,

Meander Valley Council,

Index No.		14329	
Doc No.			
RCV'D	20 JUL 2020	MVC	
Action Officer	NW	Dept.	CDS
EO		OD	✓

PLANNING APPLICANT REFERENCE : PA/20/0206 – 34 Marriot St Westbury

As an adjoining neighbour of this property I wish to make the following points of concern.

1. Firstly may I say that I am generally in favour of subdivisions to maximise land use in the Westbury village and I am certainly not against this one specifically but I do have some concerns which I wish to be considered.
2. **Proposed title amalgamation** – obviously this needs to be done to allow for the development to go ahead, however there is confusion with old title numbers and new title numbers both being used in the documents presented. I would also like to point out that there is currently no marked boundary between the property and Fitzpatricks Inn, as the proponents have not been willing to agree to this during my 13 years here. Instead, as the current residence has been rented, there is a temporary steel dropper and wire mesh fence erected by the current tenant to keep his dogs on his property. This temporary fence is roughly where the boundary is but cannot be taken to be exactly the boundary as the boundary markers have been removed by someone since it was last surveyed a few years ago. There are several large heritage trees on Fitzpatricks Inn side of the boundary and they are very close

to the boundary. A couple of years ago I found an arborist up one of these heritage listed trees removing limbs with a chainsaw. Luckily I was home at the time and stopped this work, with only one limb being removed. The Greys had engaged the arborist and told him that the trees belong to them and they wanted them pruned. When I contacted them on the day they denied that the trees were on Fitzpatrick's Inn side of the boundary, and as the boundary markers that had been present when I purchased Fitzpatrick's Inn had been removed, we agreed to have the boundary surveyed again. This happened and the markers again went up and showed the trees were on Fitzpatrick's side. I only mention this to ensure that the boundary is correctly identified again before any works are undertaken, as most of my concerns relate to the proximity of some of the work to the boundary of Fitzpatrick's Inn and the heritage trees. Also what appears theoretically fine on paper, as presented in this application, is really problematic in practice.

All available options need to be investigated to ensure the long term health and safety of these trees, as well as any proposed building and subsequent residents occupying these buildings. These options may include, (but should not be restricted to) moving Unit 1 further away from the boundary (if there is sufficient room to do so), or changing the size of Unit 1, or even excluding Lot 5 (the small narrow section) from the title amalgamation so that the trees are protected as their branches and roots would be on Lot 5 (which would probably restrict the development to 2 new units instead of 3).

3. **Building Design and Siting – 15.4.1 (A4) – 1.5m setback.** I would question whether this is sufficient for Unit 1 which is the unit closest to Fitzpatrick's Inn and the boundary and some of the trees mentioned in the previous point. These heritage listed trees overhang the boundary by some meters (hard to know by how much when the boundary markers have been removed). I believe that although branches should not generally hang off boundary fences, it appears as if this land was sold to the Greys **after** the trees were of mature size and heritage listed, therefore they would have been aware of any potential problems when they purchased the land in 1992. It would not be possible to prune all the branches from these trees on the Grey's side, as this would considerably weaken the trees making them more likely to fall over in strong winds. I have arborists (Adams Tree Surgery) check these trees every year or two, and maintain them as necessary to keep them healthy. Also the roots of these trees need to be considered if any excavation work is to be undertaken close to them, as damage to them could result in the trees either dying or falling. Research shows me that generally Cedar trees have roots at least as wide as their branches whilst mature Cedars can have roots up to 10m from their trunk. **I would consider the need for a report from an arborist as well as National Trust and Heritage Council to be essential in being able to assess this development application.**

4. **15.4.2.4 Overlooking (A) – “1800 high timber fences between each proposed unit and the existing dwelling”** – there is no mention here of fencing the boundary between Grey’s and Fitzpatrick’s Inn. This would mean there would be no true boundary fence between Unit 1 and Fitzpatrick’s Inn, only the existing temporary fence that has been erected by the current tenant of the existing dwelling. If he was to leave he would, I assume, be entitled to take his temporary fencing with him. Putting a permanent 1800 high timber fence here would be problematic in construction (but not impossible) due to the above mentioned trees and their roots, however I would consider it necessary to be part of this development application, i.e the entire boundary fence between the Grey’s property and Fitzpatrick’s Inn to be fenced with 1800 high timber fence (subject to National Trust or Heritage Council approval – or other design as approved by them and suitable for proximity to heritage trees. Design approval is necessary for the heritage covenant on Fitzpatrick’s Inn and therefore the boundary fence).

5. **15.4.2.5 Private Open Space (P2) “Unit 1 open space..... will receive afternoon to early evening direct sunlight”.....** “the adjoining site is currently vacant and forms part of the formal gardens of Fitzpatrick’s Inn, therefore there will be little overshadowing from adjoining buildings”. I very much doubt that any part of Unit 1 or its open space will receive any afternoon or early evening sunlight – and definitely not “direct” sunlight as whilst there will be no overshadowing from adjoining buildings, there will be from the heritage trees which will be overhanging this unit.

6. **15.4.3 Subdivision** – Whilst it makes sense to amalgamate these 3 titles into 2 titles, and for the existing building and out building to be put on one of these new titles, I am not sure that the remaining proposed title is really suitable for 3 units, but perhaps more suited to 2 which would alleviate the issues addressed above.

7. **Subdivision - Heritage values** – Ms den Hartog states “the adjoining lot, Fitzpatrick’s Inn is of historic value, however the proposed development does not have those requirements.” Refer to point 9 below.

8. **Subdivision** – “There are several large trees and an established hedge along the north and eastern boundaries which will be maintained to keep with the aesthetic and ecological values of the site”. I would consider the established hedge to be problematic in that it is 1.5 -3m in depth and firstly this greatly reduces the setbacks of actual space and is not shown on the drawings, and visually it appears to currently encroach on the footpaths, reducing them in width and making it difficult for pedestrians to pass without brushing against the hedge, and being scratched. Secondly it is a hedge of weed species and thus is becoming thicker each year even with trimming. The birds are spreading the berries from the hedge creating more shrubby weeds in other areas. It is however valuable for the local

birdlife. Also see above point on Heritage values in relation to whether the trees along the north and eastern boundaries may be considered in the covenant.

9. **I note that according to Schedule 1 the land was purchased by the Grey's on 30/9/1992 and according to Schedule 2 the instrument creating restrictive covenants was registered on 10/12/1990, two years prior to the Grey's purchasing the property.** The instrument mentioned land surrounded by red boundary lines, however there are no red boundary lines showing on the attached map hence it is not possible to tell how much (if any) of the Grey's land was included. I do not see any schedule that removes the covenant from the property that the Grey's purchased – does that mean that it still applies or was the covenant only on the land currently known as Fitzpatrick's Inn? I also note that the significant trees are addressed under point 5 of this covenant. Therefore I have notified the National Trust and Heritage Council on Friday 17 July in the hope that they can shed light on how the restrictive covenant applies to the old titles as well as the current new titles and these trees and whether the proposed development may or may not affect them.
10. **Map on Page 16** - This map shows the proposed sewage line and the closeness of this to an existing heritage tree, although I do not think that these trees are correctly marked as I think their trunks are on Fitzpatrick's. There have been issues in the past with blocked drains on the western side of the existing building and this was attributed by the Gray's to the tree roots.

Also the existing outbuilding has in the past had a branch fall on it requiring major rebuilding of the structure. As unit 1 is only 1.78m from the boundary and a heritage tree I would fear the outcome of a similar event on a house, particularly if it was occupied at the time. Limbs will fall from time to time from healthy trees; that is no reason to remove these trees, this is similar to what happens from time to time on the Village Green, only difference is that no one is proposing to build a unit within 1.78m of those trees!

Overall, as I said at the beginning, I am not opposed to this development. However I wonder if most of my concerns would be alleviated if there were only two units built instead of 3. Even then consideration needs to be given to the heritage trees with excavation work.

P. K. Swain

Pam Swain
Owner
Fitzpatrick's Inn

From: Linda Poulton
Sent: 20 Jul 2020 06:54:30 +0000
To: Meander Valley Council Email
Subject: Attn: General Manager Subdivision - Fitzpatricks Inn

Dear John,

We understand that a subdivision application has been submitted to the Council in respect of 34 Marriott Street which incorporates 3 acres of Fitzpatricks Inn.

It is a subdivision to build 3 units on the land which will essentially modernise the corner of Marriott and Meander Valley Road.

WRAP opposes this subdivision on the basis that it will diminish the heritage value of what is an essential townscape element of Westbury. Too little is being done to protect the heritage values of the town, of which Fitzpatricks and its garden are critical elements.

Regards,

Linda Poulton
President
WRAP Inc

PO Box 348 Deloraine Tasmania 7304

Email: Tea@antmail.com.au

20th July 2020

Mr John Jordan
General Manager
Meander Valley Council
PO Box 102,

Westbury Tasmania 7303

By email to: mail@mvc.tas.gov.au

Index No.		14329	
Doc No.			
RCVD	20 JUL 2020		MVC
Action Officer	NW	Dept.	COS
EO		OD	✓

Objection to and Representation on Planning Application PA\20\0206

Dear Mr Jordan,

We write to lodge our strenuous objection and representation against this Planning Application, PA\20\0206, being for a subdivision and construction of multiple (3) dwellings. Our reasons are set out briefly in this letter below.

We consider the matter should go to a Council meeting rather than being decided under delegated authority. Indeed we consider the faults of the application should simply result in it being withdrawn.

We call upon Meander Valley Council to reject this Planning Application PA\20\0206 in its entirety.

This Planning Application PA\20\0206 states the subject land is comprised of three titles: CT 17285/5, CT 17285/4 and CT 200414/1 and that together they make up a separate PID at 34 Marriott Street, Westbury.

These three titles CT 17285/5, CT 17285/4 and CT 200414/1 however, together with CT 17285/1 and CT 17285/2, form an integral part of the heritage property known as Fitzpatrick's Inn, formerly the Commercial Hotel.

The address of Fitzpatrick's Inn is 56 Meander Valley Road, Westbury. The site is a local landmark, an essential heritage townscape element and contains fine mature gardens surrounding the Inn.

For some strange reason, which needs to be further investigated, the site is divided into two PID numbers. Often such sites are comprised of multiple certificates of title, that circumstance is quite normal.

Council must understand that this proposed development is for the State Heritage Listed property of Fitzpatrick's Inn in Westbury. Fitzpatrick's Inn is of course listed on the State Heritage Register at 4,847 (or 4847).

Fitzpatrick's Inn, dating from 1833, is also listed on the Register of the National Estate. Its reference: 7/151. The whole of the Fitzpatrick's Inn property is included on the Register which states.

"Commercial Hotel, Now Fitzpatrick's Inn, at 56 Bass Hwy, Westbury, TAS, Australia (Registered) Register of the National Estate, (Non-statutory archive)"¹.

The whole of the property of Fitzpatrick's Inn is of National Significance for Australia.

The property also has a Restrictive Heritage Covenant with The National Trust of Tasmania dating from 10th December 1990. The National Trust of Tasmania being the dominant tenement. Its gardens are highly significant and mentioned in The National Trust of Tasmania's covenant. Regardless of who owns this land and regardless of any boundary adjustment of subdivision the Restrictive Heritage Covenant over the subject land applies.

Regarding title: VOLUME 17285 FOLIO 4

"SCHEDULE 2

B392664 INSTRUMENT Creating Restrictive Covenants Registered 10-Dec-1990 at 12.04 PM"

Regarding title: VOLUME 17285 FOLIO 5

"SCHEDULE 2

"B392664 INSTRUMENT Creating Restrictive Covenants Registered 10-Dec-1990 at 12.04 PM"

Of course Fitzpatrick's Inn is also listed in the Tasmanian Heritage Register. (Ref 4847).

The PA\20\0206 was lodged by a consultant, Design to Live Pty Ltd, of Kings Meadows, on behalf of the owners, Robert Gray and Leeanne Maree Gray.

The application PA\20\0206 includes a copy of The National Trust of Tasmania Heritage Restrictive Covenant. The current owners cannot be unaware and neither can their agents of the presence of the restrictive covenant and what it means.

The application PA\20\0206 however claims that the land is Vacant Land and that no heritage values or listing was evident. These two aspects represent a misdirection of Meander Valley Council and its employees.

We have concluded this planning application is a deliberate attempt to subvert Heritage conservation and protection of our highly significant Heritage site.

It is immensely obvious that this land is constrained by both heritage listings and heritage values and by the Restrictive Covenant of The National Trust of Tasmania.

¹ Australian Heritage Database, found at:

The Restrictive Covenant of The National Trust of Tasmania is an in-perpetuity arrangement which cannot be negated by artifices, such as the 34 Marriott Street address, or the revised or separated PID.

The PA\20\0206 Planning Application, which is obviously a Discretionary one, should be refused by Council in its entirety.

TEA claims the application has been drafted deliberately to try and hide the fact this land was always an integral part of the iconic heritage property of Fitzpatrick's Inn.

Fitzpatrick's Inn is currently on the market.

We describe the current proposal PA\20\0206 as a greed driven exercise, which would, if approved, have several adverse consequences, detracting from the amenity of the Westbury streetscape, for the heritage values of the Listed heritage property and which will simply degrade what is a highly special heritage garden site, forming a highly significant heritage enclave.

The fact the Restrictive Covenant of The National Trust of Tasmania which relates to the various titles of Fitzpatrick's Inn, including its gardens, constrains the subject lands and indicates strongly that this land must be considered to be a part of the heritage listed, Fitzpatrick's Inn property. It has certainly not been vacant land since at least 1833 it would seem. Developers should represent the truth and only the truth in their planning applications.

When inspecting the site it should have been immensely obvious to MVC planners, that the subject lands are indisputably the heritage gardens which are an integral part of Fitzpatrick's Inn.

The application PA\20\0206 is not consistent with and seemingly does not include a permission from The National Trust of Tasmania. Indeed there is no indication whether it has been approached and whether it has given its permission as Restrictive Heritage Covenant owner for the proposed inevitable destruction of the surrounding garden of Fitzpatrick's Inn which would be caused by this unsustainable planning application, subdivision and housing construction.

Let us all be clear here, the Restrictive Covenant of The National Trust of Tasmania is designed to protect both the Inn itself and the associated Heritage gardens and significant trees and hedges.

The Planning Application, PA\20\0206 however, would precipitate the entire removal of a substantial portion, if not all of the heritage garden over the three titles the subject of the application and in any case, any remaining garden remnants would no longer have heritage value.

The Planning Application, PA\20\0206 is directly in contravention of the Restrictive Covenant of The National Trust of Tasmania, which is an in perpetuity arrangement on title. We argue that legal precedent in Australia, would indicate this Restrictive Covenant needs to be honoured and respected. This aspect alone should see the refusal of the Planning Application by Council. Indeed the application should never have been progressed by Council.

The Planning Application, PA\20\0206 would remove a number of mature trees and build two new houses contrary to the Restrictive Covenant which applies to two of the titles.

The Planning Application, PA\20\0206 Proposal: "Subdivision (3 lots to 2 lots) & Multiple dwellings (3 units)" has caused Council to question whether the application meets the following aspects: - "*amenity*", "*setbacks*", "*location of parking*", "*private open space*", "*general suitability*", adjoining general residential zone, "*two new accesses and sight distance, width of crossover.*"

Council seemingly has not considered the multiple Heritage Listings and Restrictive Heritage Covenant. This a disgrace.

Amazingly and unacceptably there is no report by a heritage expert or a heritage landscape consultant or even a heritage garden expert to ensure that the highly important heritage aspects are adequately considered by Council, to ensure that the objectives of the RMPS are met and that intergenerational equity is not being challenged and diminished by what probably amounts to unrepentant unbridled greed.

The Planning Application, PA\20\0206 is clearly disrespectful of heritage values.

We wish to note that in our view the current owners have not been good custodians of the gardens and significant trees within the Fitzpatrick's Inn site.

Currently Fitzpatrick's Inn is advertised for sale and has been for some considerable time.

Interestingly the current real estate advertisement for Fitzpatrick's Inn states: "*The unique gardens also carry a heritage listing.*"² It is not surprising that the gardens are described as unique, nor that it is disclosed that they carry a heritage listing. The fact they also carry a heritage covenant, perhaps should also be drawn to any purchaser's attention.

Fitzpatrick's Inn with its gardens, is a significant heritage place with important associations to the Tasmanian community and hence the listing on the Tasmanian Heritage Register.

The heritage listed gardens, covered in addition with a secure heritage Restrictive Covenant including over the subject titles of the planning application is obviously intrinsic to this heritage precinct of Fitzpatrick's Inn.

TEA considers it indisputable that the heritage values of the Fitzpatrick's Inn gardens would be entirely removed on the three subject titles, under application PA\20\0206, where in addition to the subdivision and clearance of the gardens, that the proposal to build three closely spaced dwellings under application PA\20\0206 would not in any way whatsoever be in keeping with the overall heritage amenity of the whole Fitzpatrick's Inn heritage site.

The application PA\20\0206 proposal, were it developed would be ugly, aesthetically displeasing and inappropriate in terms of the heritage curtilage and in terms of the

² <https://www.realestate.com.au/property-house-tas-westbury-132845862>

streetscape itself. It would not only diminish the site but the sites heritage significance as well. Bear in mind that this property is of national significance.

To put that into context, Meander Valley Municipality has over 600 heritage properties, only the ones which are managed on the state register have any useful protection.

Despite the fact there remains no Local Heritage List for the Meander Valley planning scheme and notwithstanding that shameful fact, this is a property on the State Heritage Register and is one which is of national significance. Only a small percentage of the 600 or so heritage properties in Meander Valley, have this degree of Heritage significance. This is obviously highly significant heritage property.

This development proposal is blatantly disrespectful of important heritage conservation, clearly deliberately designed to avoid a heritage assessment for a site of national significance. It is an absolute outrage. If Council were to allow it to go ahead, it would be extremely damaging to the image and reputation of the Meander Valley Municipality.

TEA wishes to make it abundantly clear we are opposing both the subdivision and the building of three dwellings on the Heritage Listed and Covenanted land.

TEA claims the Planning Application has been progressed whilst the application form had not been properly completed. Not all the questions have been answered and thus, we argue, the application simply cannot be relied upon, as a proper application. We claim the form may have misled or not properly advised members of the public about the impacts of the development and for this reason alone it should be discarded by Council.

Indeed for a number of reasons, including the avoidance of the adequate disclosure of Heritage matters, the rate paying public, including the Westbury public, have been misled and that is procedurally unfair and unjust.

The fact that this planning application has avoided Heritage as a relevant consideration should ensure that the application is denied.

This is not a suitable site for three closely spaced dwellings. As the applicant states:

“and forms part of the formal gardens of Fitzpatrick’s Inn, therefore there will be little overshadowing from adjoining buildings.”

What about the overshadowing from the heritage trees? Surely the trees would become a significant problem for this subdivision proposal, should proceed.

TEA can foresee a demand to remove yet more of the heritage listed gardens of Fitzpatrick’s Inn and that such an outcome can be foreshadowed, simply by a rudimentary appraisal of the plans accompanying the PA\20\0206.

The applicant states:

“The adjoining lot, Fitzpatrick’s Inn is of historic value, however the proposed development does not have those requirements.”

But the information provided in PA\20\0206 shows that it is of Heritage significance and that the subject land is constrained by Restrictive Covenant to the National Trust of

Tasmania. This above statement made by the applicant, Design to Live Pty Ltd, is therefore clearly incorrect. It is entirely unacceptable that the application is both incomplete and erroneous.

P Frazer Simons states in Historic Tasmanian Gardens:

“Fitzpatrick’s inn

1833 (formerly commercial hotel) Bass Highway Westbury.

This property has always been an inn. A small triangular piece of land on the approach side contains many beautiful old trees and once marked the way to the stable the traveller. Plants include pines, cedars, spruce, Ash, weeping cypress and the privet hedge.”

The site distances for the two driveways proposed onto Marriott Street do not meet standards.

TEA considers that the destruction of the heritage amenity through this subdivision and the building of three houses, termed units, would have a profound irretrievable impact on the heritage values and detract from the amenity of the streetscape of this part of Westbury.

The application PA\20\0206 is not in keeping with the Local Area Objectives at 15.1.2 of the MVIPS 2013:

“Westbury

- a) To maintain the current level of mixed use activities.*
- b) To maximize economic opportunities for reuse of heritage character buildings or other underutilised buildings.*
- a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.”*

Clearly the development under the planning application PA\20\0206 would detract from the heritage character of Fitzpatrick’s Inn. Note this is not a proposal seeking to reuse heritage character buildings or other underutilised buildings.

15.1.3 Desired Future Character Statements

Westbury

- a) The current strip of mixed uses along Meander Valley Road reflects an historic pattern of development which has resulted in a high degree of interspersed residential, community and business/commercial/tourism uses.*
- b) This pattern continues through to the historic ‘town centre’, though occurs at a slightly higher density within the heritage building fabric.*
- c) The mixed visual character of the urban mixed use area is to be maintained in a scale and density respectful to any heritage characteristics.*

The Planning Application PA\20\0206 is not a “respectful” development in any way whatsoever especially in regards to heritage. It is disrespectful because it feigns ignorance of the heritage values, when it is clear that the heritage Restrictive Covenant

would have been brought to the attention of the current owner at the time of purchase by the new owner's solicitor.

Many people have an expectation that such national heritage treasures, as Fitzpatrick's Inn, complete with its special mature garden curtilage, will be protected by The Meander Valley Council, by the State of Tasmania and as well by the National Trust.

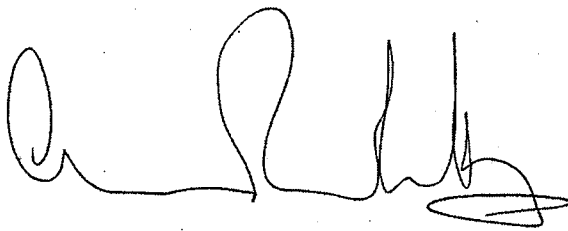
We call upon The Meander Valley Council, specifically to do so. We forecast that should this outrageously inappropriate development go ahead it will cause substantial dismay, a loss of confidence and likely cause a substantial community backlash.

It is a prophetic signal that the owners are selling. It would seem the owners do not plan to live with this greed driven development. Perhaps the developer sees themselves as the final arbiter of what is acceptable, whilst they themselves intend to flee the site, casting it aside after trashing it, leaving Westbury with the consequences.

The reality for Meander Valley Council is there is ample land for residential development in Westbury which is not contentious and where the heritage values are far less demanding and far less at risk. It has public interest obligations. We call upon Meander Valley Council to not shirk those public interest obligations.

We reiterate our position that this Planning Application PA\20\0206 is against the public interest, against the concept of sustainable development and the Objects of the RMPS and should be refused by Council.

Sincerely

A handwritten signature in black ink, appearing to read 'Andrew Ricketts', with a large, stylized initial 'A' and a horizontal line extending to the right.

Andrew Ricketts
Convenor

Phone: (03) 6368 1343

From: Christine Parker
Sent: 20 Jul 2020 15:55:31 +1000
To: Wayne Johnston; Planning @ Meander Valley Council; Meander Valley Council
Email
Cc: Matthew Smithies
Subject: Application No: PA/20/0206 – 34 Marriott Street, Westbury
Attachments: 2020-07-20 - MVC - Fitzpatricks Inn.pdf
Importance: High

Dear Mayor Johnston

Please find attached correspondence from the National Trust Tasmania in relation to **Application No: PA/20/0206 – 34 Marriott Street, Westbury**, for your attention.

Kind regards
Christine

Christine Parker | Executive Administrative Officer



Runnymede | Clarendon | Hobart Convict Penitentiary | Franklin House | Home Hill | Oak Lodge | The Old Umbrella Shop | Penghana | Mt Lyell Mine Managers Office | Latrobe Court House Museum | The Australian Fly Fishing Museum | The Tasmanian Heritage Festival | Heritage Advocacy | Heritage Tourism | Heritage Conservation Appeals Program | Education Programs | Venue Hire | Member Programs | Heritage Volunteering



National Trust Tasmania is an active member of the International National Trusts Organisation (INTO)

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NATIONAL TRUST Tasmania

20th July 2020

Mayor Wayne Johnston and Councillors
Meander Valley Council
26 Lyall Street
Westbury TAS 7303

Via email: wayne.johnston@mvc.tas.gov.au; planning@mvc.tas.gov.au; mail@mvc.tas.gov.au;

Re: 56 Meander Valley Road (and Associated, 34 Marriott Street) Fitzpatrick's Inn and 3 proposed houses

Application: PA\20\0206 Applicant: Design to Live

Address: 34 Marriott Street WESTBURY (CT's: 17285/5, 17285/4 & 200414/1)

Proposal: Subdivision (3 lots to 2 lots) and Multiple Dwellings (3 units) - amenity, setbacks, location of parking, private open space, general suitability, adjoining general residential zone, two new accesses, sight distance, width of crossover

Dear Mayor Johnston and Councillors

The National Trust Tasmania writes to you to voice its concern regarding the above Planning Development Application.

Our initial research indicates that the address given as '34 Marriott Street' could be an error. The application relates directly to Fitzpatrick's Inn and associated land.

The development proposes the construction of three houses on the land, which would directly impact on the heritage values of Fitzpatrick's Inn. It is our understanding that the land and proposed blocks are all owned by the owners of Fitzpatrick's Inn and are on a range of separate titles. It is noted that there appears to be some ambiguity around which titles the development is referring to. The National Trust's view is that Council has an obligation to the community to provide absolute clarity and full transparency regarding exactly where the development is proposed.

The National Trust is also concerned regarding a range of exotic and old trees on the site, which currently provide a contribution to the heritage streetscape of Westbury. The gardens associated with the Inn also provide an important contribution to the heritage value of the precinct and this needs to be fully investigated before any decision is made on this application.

It is noted that Fitzpatrick's Inn is listed on the Tasmanian Heritage Register. Given this, the Heritage Principle Framework provided by Kerr and the Burra Charter (ICOMOS) are the established standards to be taken into consideration. The National Trust Tasmania does have a covenant in place on this property and we are surprised that neither your Planning Department nor the developer has engaged with the National Trust regarding this matter.

ABN 98 258 180 740

STATE HEADQUARTERS

Public Buildings Cnr St John & Cameron Streets, Launceston TAS 7250 | PO Box 711, Launceston TAS 7250
T 03 6344 6233 | E admin@nationaltrusttas.org.au

RUNNYMEDE | CLARENDON | HOBART CONVICT PENITENTIARY | FRANKLIN HOUSE | HOME HILL | OAK LODGE | THE OLD UMBRELLA SHOP | PENGHANA | MT LYELL MINE MANAGERS OFFICE | LATROBE COURT HOUSE MUSEUM | THE AUSTRALIAN FLY FISHING MUSEUM | THE TASMANIAN HERITAGE FESTIVAL | HERITAGE ADVOCACY | HERITAGE TOURISM | HERITAGE CONSERVATION APPEALS PROGRAM | EDUCATION PROGRAMS | VENUE HIRE | MEMBER PROGRAMS | HERITAGE VOLUNTEERING

WWW.
NATIONAL
TRUST.
ORG.AU



NATIONAL TRUST Tasmania



We encourage you to recommend to your fellow Councillors to make no decisions regarding this significant property and surrounds until a high level of community and stakeholder engagement has been conducted in a fully transparent manner. The National Trust, on request, can provide assistance to facilitate this. Please do not hesitate to contact us.

Yours sincerely

Nicholas Heyward
Chair

Catherine Walker
Deputy Chair

Matthew Smithies
Managing Director

ABN 98 258 180 740

STATE HEADQUARTERS

Public Buildings Cnr St John & Cameron Streets, Launceston TAS 7250 | PO Box 711, Launceston TAS 7250
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**WWW.
NATIONAL
TRUST.
ORG.AU**

From: li82303 li82303
Sent: 20 Jul 2020 14:12:53 +1000
To: Planning @ Meander Valley Council
Subject: Representation PA/20/0206 Fitzpatrick's Inn Westbury
Attachments: HPST Rep PA 20 0206 Fitzpatrick's Inn Westbury 20 July 2020.pdf

Mr John Jordan
General Manager, MVC

Please see attached representation

HERITAGE PROTECTION SOCIETY (TASMANIA) INC.
P.O. Box 513 Launceston Tasmania 7250
email li82303@bigpond.net.au

20 July 2020

Mr John Jordan
General Manager
Meander Valley Council
26 Lyall Street
(P.O. Box 102)
WESTBURY TASMANIA 7303

By email to planning@mvc.tas.gov.au

Dear Sir,

Re: PA/20/0206. 34 Marriott Street WESTBURY (CT's: 17285/5, 17285/4 & 200414/1).

Subdivision (3 lots to 2 lots) & Multiple dwellings (3 units) – amenity, setbacks, location of parking, private open space, general suitability, adjoining general residential zone, two new accesses, sight distance, width of crossover.

This application is on land comprising gardens of Fitzpatrick's Inn, subject to entry on Register National Estate (RNE), subject to the Permanent Entry (4847) Tasmanian Heritage Register (THR), and subject to Restrictive Covenants in favour of National Trust of Australia (Tasmania) (NTAT).

There is nothing advertised to indicate that National Trust of Australia (Tasmania) has provided consent to the proposal.

Fitzpatrick's Inn and gardens is an important place of cultural heritage significance, and furthermore the citation on the RNE includes ***"The building with its fine mature garden, is a local landmark, and an essential townscape element"***.

Fitzpatrick's Inn, identified as 56 Bass Highway Westbury, thought to be the first inn in Westbury, it was opened in 1833 as the Commercial Hotel, later called Fitzpatrick's Hotel, then Fitzpatrick's Inn.

The Public Notice advertised in relation to this Planning Application identifies the address as 34 Marriott Street Westbury, and does not fairly identify the place as being Fitzpatrick's Inn and having an address on Meander Valley Road (Bass Highway). This deception has not enabled the public to realise that the Planning Application will have serious impacts on the cultural heritage environs of Fitzpatrick's Inn and/or its gardens and landscape elements.

There is nothing advertised that addresses the impacts on the cultural heritage values of Fitzpatrick's Inn and its gardens.

The subject land has always formed part of the gardens of Fitzpatrick's Inn since at least 1833, there having never been buildings or structures of that kind proposed by this Planning Application, erected thereon.

The Burra Charter (The Australia International Charter for the Conservation and of Monuments and Sites) is one of the International Conventions that the Australian Government is a signatory, and forms a fundamental agreement with States and Territories pursuant to COAG.

The **setting** of Fitzpatrick's Inn and Gardens is defined as meaning the area around the **place**, and may include the visual catchment, and **place** for the purposes of the Burra Charter means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

The conservation of Fitzpatrick's Inn and Gardens (Ref. Article 8 of Burra Charter, Setting) states "*Conservation* requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate. For any given place, the significance will be greater where the settings are substantially intact, as it is with Fitzpatrick's Inn and its gardens, than where it has been changed. Change is undesirable where the cultural significance is reduced, and where this occurs, must be reversible. The removal of gardens, significant trees, plantings and hedges, to be replaced by 3 cramped buildings, cannot be reversed. By any standards, the construction of 3 dwellings on this small parcel of land, is an over-intensification of development, and completely inappropriate for this part of Westbury township.

To many people, the understanding of Westbury as a place of cultural heritage significance, may be difficult to express in words and whilst remain important and essential to their sense of well-being, can remain somewhat elusive and difficult to readily define. Quite recently, on 7th. April 2017, Historic England published a highly regarded and commendable research document **UNDERSTANDING PLACE** content.historicengland.org.uk that, we submit, may readily be applied to undertaking an historic area assessment here in Westbury. We call upon Westbury's planners to investigate this document and follow the advice therein to establish the qualities and contributions to urban planning that gives Westbury its cultural heritage significance.

The pressure for increased density for development in our current day towns does not fit with the settlement pattern of places such as Westbury. In enlightened communities, where the level of living and working amenity is not so highly respected or regulated, higher-density development spores a 'Geography of Nowhere'.

Westbury does not need to build up densities like is proposed by this Planning Application. Please don't gamble with the near 200-year old legacy that exhibits the cultural heritage of Westbury. The present low density may be the single most powerful thing that has made the Westbury township so amazingly fulfilling. Once you make a change, in any place or regard, it is essentially irrevocable, and you have stepped on a slippery slope that makes other undesirable changes more likely.

The irreverent prize for Britain's worst building development the **Carbuncle Cup** is awarded each year, with such building developments as proposed at Fitzpatrick's Inn gardens being the type for notable recipients.

Environmental and cultural constraints have not been properly identified nor addressed by the proponent. The proposed development site is situated within a very sensitive area, enclosed by hedging and featuring mature trees and plantings.

Summation.

This Planning Application does not contain a cultural heritage impact statement nor does it adequately address all necessary impacts, and accordingly is not suitable for adequate assessment for approval.

A subdivision and building development of this density and type is not suitable for this place at Westbury, and accordingly we request this discretionary application, be refused.

Yours faithfully

Lionel J. Morrell

Lionel J. Morrell, Architect and Heritage Adviser,
President
For and on behalf of
Heritage Protection Society (Tasmania) Inc.

From: Gwenda Sheridan
Sent: 20 Jul 2020 07:35:41 +1000
To: Meander Valley Council Email
Subject: 56 Meander Valley Road, 20 July 2020
Attachments: 20 July MVC representation,.pdf
Importance: Normal

Dear Mayor, General Manager, and Councillors,

The attached represents the strongest of objections to the Development Application for 34 Marriott Street Westbury PA\20\2006.

This an erroneous way of presenting what is 56 Meander Valley Road. That is Fitzpatrick's Inn, a composite piece of land and building over 188 years old.

Heritage matters. I hope the Council will duly attend to this matter in the way that it ought to.

Yours sincerely,
Gwenda Sheridan.

Meander Valley Council
 Mayor Wayne Johnston, Councillors,
 26 Lyall Street,
 Westbury TAS 7303.
 mail@mvc.tas.gov.au.

Gwenda Sheridan
 Unit 32/319 Macquarie Street,
 South Hobart 7004.
 gwendams@bigpond.com

20 July 2020

Re 56 Meander Valley Road (and Associated, 34 Marriott Street)
 Fitzpatrick's Inn and 3 proposed houses

Application: PA\20\0206
 Applicant: Design to Live
 Address: 34 Marriott Street WESTBURY (CT's: 17285/5, 17285/4 &
 200414/1)
 Proposal: Subdivision (3 lots to 2 lots) & Multiple dwellings (3 units) -
 amenity, setbacks, location of parking, private open space, general
 suitability, adjoining general residential zone, two new accesses, sight
 distance, width of crossover

Dear Mayor Johnston and Councillors,

I received word on Friday re the planned development application
 PA/20/2006 which is before your Council. The address given is 34 Marriott
 Street which is totally misleading.

This application and its intent relates to Fitzpatrick's Inn, 56 Meander
 Valley Road and other associated and owned blocks of land. That intent
 relates to the potential to build three modern 2020 houses on the corner of
 the land.

The titles which are currently owned by the owners of Fitzpatrick's Inn need
 to be made

- explicitly clear in which land was acquired in 2018, and so
- which titles (and land) are a part of the original 3 acres;
- the substance of which can be seen on p. 6 of the planning
 application.
- The compiled plan (p. 13) is no help at all.
- The plan of where the proposed units will go (p. 16) is equally
 confusing.

What is abundantly clear is that this corner section of the Meander Valley Road/Marriott Street, stands to become a very modern 2020 one if the Council approve the application. The viewed approach (with its old trees) along the Meander Valley Road, from Launceston, or the alternate direction from Westbury, would (if development application is approved) be totally lost.

The present trees are a signifier, (exotic, old, tall, add to aesthetics) that one is approaching what Westbury represents; an historic small town/village. There are similarly old exotic trees found on the border of the oval. All of this helps form and contribute to the micro evolved landscape that is Westbury.

The long held ambience of the Inn and its garden, its rear lands stand to be removed. This is totally unacceptable.

Nothing appears to have been said in respect of the heritage of a considerable portion of the once 3 acres of land which contains the Inn and its garden, there in historical records from 1831; the garden certainly as recorded in the *Cornwall Chronicle* in 1836 (See Part 3) .

The garden and its old trees matter. The ambience and character of what has been Fitzpatrick's Inn, (that is house/ inn and garden) across demonstrated centuries indicates it cannot just be "passed over" and eradicated. Then too, a more recent highly significant national Australian historical publication saw the importance of Fitzpatrick's Inn. The Inn and its surrounds in 1981 was registered as an 'essential townscape element' of Westbury (Part 2).

Part 1. A recognition of what place could/might mean.

Westbury is not just sites, block by block of land for planning to appraise. There are historical patterns and these must be recognised at the Council level, at the Government level. The decision to not put any local places, precincts, landscapes etc into MVC Planning Scheme is viewed as a shockingly short sighted decision, (See my letter to the Council of December 2019, previous letters etc).

The current situation at the Government level has divorced planning from heritage. We are seeing what is happening, (which could have been forecast some years back) as site by site, area by area, developments proceed.

Fitzpatrick's Inn, its lands and gardens is a clear example of that.

If we don't understand historic place, (as per the Burra Charter 2013,); if we fail to recognise the character of historically evolved place (s), and patterns that accrue to historic wider areal places, then the death by a thousand cuts scenario occurs. Site by site, street by street, large blocks by large blocks,

the buying up of land at the historic village/place interface then converting that land to higher densities.

This has to stop. As "development" proceeds across this town, and Tasmania more widely, what tourists come to visit here, is quite quickly being changed. Currently there is no Government "management" that accords to LUPAA, one which rigorously takes into account, the changing landscape(s) whether these are urban, historic village/town or rural lands. There are no adequate state policies, no Government direction other than "fairer, faster, cheaper, simpler." That will not do.

Below a modern view of Westbury from Aussietowns:

<https://www.aussietowns.com.au/town/westbury-tas> **Westbury, TAS**

Historic, quintessentially English village in northern Tasmania.

One of the elements that makes small English villages so captivating is the sense of surprise. You never know what you will see around a corner - a thatched cottage, a view across a river, a town square. Westbury, a little piece of England in Australia, is like that. Around a corner you will find a village green, tree-lined streets, old courtyards and stables, elegant inns and charming houses. It is a feast of Victorian and Georgian buildings. Not surprisingly it is a classified historic town where the visitor simply has to get out of their vehicle and start walking.

Westbury is not classified as a "town", as a precinct, as an area well protected. It needs precinct protection, clearly spelled out. Your Council could do that.

Part 2. The Heritage of Place Matters.

Part 2A: That Heritage of this "place" that must be considered in this planning application.

1. This development is totally opposed in the strongest of any language.
2. Fitzpatrick's Inn is a property registered on the Tasmanian Heritage Register.
3. That means that issues such as the entire titles and associated owned titles have to be considered by Heritage Tasmania.
4. The Burra Charter 2013 and updates must be adhered to (see below)
5. Added is that there is a Covenant on this property placed on this land back in time. This to prevent just what could happen with the current planning application. The garden is included in that Covenant.
6. What the Covenant states must stand.

7. The garden appears to have been present since 1836 (184 years).
8. Planning cannot continue to simply ignore the "space" that relates to this place, its owned titles and its garden(s).
9. In the State Planning Provisions there is reference to J.S. Kerr.
10. James Semple Kerr is mentioned at 7.4.3, (d) of the Tasmanian State Planning Provisions.

(d) any conservation plan prepared by a suitably qualified person in accordance with *The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7th edition, 2013*;¹
11. A Conservation plan has to be forthcoming prior to any consideration of future planning development of Fitzpatrick's Inn (and associated titles). A rigorous one, that is just not architectural in its scope.; there must be a Landscape Conservation Plan attached.
12. Just because the Commonwealth decided in 2006 that it did not want the responsibility for the nation's heritage, that does not take from the fact that Fitzpatrick's Inn was considered to be worthy of national significance. That significance included the garden.
13. In the absence of precincts, locally listed places, cultural landscapes, and all of that, it is clearly time to consider a Heritage Precinct for Westbury.
14. Where else do we have modern publications seeing,
 - its wonder,
 - beauty-in-ageing,
 - the old, old inn,
 - a village green,
 - its old trees and green spaces, gardens,
 - still laid out hedges,
 - nineteenth century buildings
 - factual plans that demonstrate patterns of planning history across centuries,
 - 186 years of demonstrated evidence of historical place for all and every tourist to visit.
15. It would be more than unacceptable of Heritage Tasmania, and/or the Meander Valley Council if a Conservation Plan is not started, not rigorously researched for the significance of this Inn to the Town. As well, to Tasmanian heritage, and to national heritage, given its fascinating potted history quickly put forward in this document.

¹ James Semple Kerr: *The Seventh Edition Conservation Plan: A Guide to the Preparation of Conservation Plans for places of European Cultural Significance*. Australia ICOMOS. 2013.

16. All while the present Government wishes to place a prison close by.

17. Where is the rationale to such thinking?

2B: The Register of the National Estate 1981²;

Fitzpatrick's Inn was included with quite a large picture; it had national significance.

Commercial Hotel) 56 Bass Hwy Westbury. A two storey Georgian inn, of painted brick with stuccoed surrounds to openings, an iron hipped roof, 12 pane windows with shutters, and a four-panel front door with half sidelights and transom light. There is a single-story brick top room to the east side, with splayed corner entry. Thought to be the first inn in Westbury it was opened in 1833 as the Commercial Hotel. The classical portico with Tuscan columns was added early in the 190ss. **The building with its fine mature garden, is a local landmark and an essential townscape element.**

2C: The Burra Charter definition of place³.

The Burra Charter was updated in 2013. The Burra Charter Flow Chart was released as a separate document in 2017. Further definitions of place and cultural significance are given below.

<p>Article 1. Definitions</p> <p>For the purposes of this Charter:</p> <p>1.1 <i>Place</i> means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.</p>	<p>Place has a broad scope and includes natural and cultural features. Place can be large or small: for example, a memorial, a tree, an individual building or group of buildings, the location of an historical event, an urban area or town, a cultural landscape, a garden, an industrial plant, a shipwreck, a site with in situ remains, a stone arrangement, a road or travel route, a community meeting place, a site with spiritual or religious connections.</p>
<p>1.2 <i>Cultural significance</i> means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the</p>	<p>The term cultural significance is synonymous with cultural heritage significance and cultural heritage value. Cultural significance may change over time</p>

² *The Heritage of Australia: The Illustrated Register of the National Estate*. Commonwealth of Australia. 1981. Macmillan with Australian Heritage Commission, H.C. Sleight, and CRA Limited.

³ *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* 2013.

<p><i>place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.</i></p> <p>Places may have a range of values for different individuals or groups.</p>	<p>and with use. Understanding of cultural significance may change as a result of new information.</p>
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See also Articles 1, 2, 3, 5, 6, 7, 8, 13, 14, 15, 24, and more.

2D: Curtilage of Fitzpatrick's Inn.

And Curtilage.

The area of land known as the 'heritage curtilage' is the extent of land encompassing its heritage significance.⁴ **The most common type of curtilage comprises the boundary of the property containing the heritage items.**⁵

The NSW Heritage Office identified four different types of curtilage.

However there,

May be circumstances where the heritage curtilage may need to be greater than the property boundary.... Depending on the topography an expanded curtilage may be required to protect the landscape setting or visual catchment of a heritage item.⁶

2E: Australia ICOMOS. Practice Note Understanding and Assessing Cultural Significance. 2013:

Heritage Property Significance.

What is heritage significance?

The concept of cultural significance is used in Australian heritage practice and legislation to encompass all of the cultural values and meanings that might be recognised in a place. Cultural significance is the sum of the qualities or values that a place has, including the five values—*aesthetic, historic, scientific, social and spiritual*—that are listed in Article 1.2 of the *Burra Charter*.⁷

2F: Land Use Planning and Approvals Act 1993. Tasmania.

In using the Burra Charter, which is regarded nationally and internationally as a best practice heritage tool, attention has to be paid to the Land Use Planning and Approvals Act 1993, Tasmania, and the Schedule 1, Part 2, (g)

⁴ *Heritage Curtilages*. Heritage Office NSW. Department of Urban Affairs and Planning 1996. P. 1.

⁵ *Ibid.* p. 5.

⁶ *Ibid.* p. 7.

⁷ Australia ICOMOS. *Practice Note Understanding and Assessing Cultural Significance*. November 2013.

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

2G: James Semple Kerr:

James Semple Kerr is mentioned at 7.4.3, (d) of the Tasmanian State Planning Provisions.

(d) any conservation plan prepared by a suitably qualified person in accordance with *The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7th edition, 2013*;⁸

Just so we're all on the same page of understanding, the following pages provide some extracted information on what Kerr actually stated in 2013.

Both J.S. Kerr and the Burra Charter (ICOMOS) write about the necessity to collect the evidence as a first step in assessing heritage significance for an historical property or place. Kerr's work has two major stages, that is understanding the place and stage two, what the conservation policy and its implementation is about.

Stage 1 defines cultural significance.

4.1. What is cultural significance? Cultural significance is a simple concept. Its purpose is to help identify and assess the attributes which make a place of value to us and to our society. *An understanding of it is therefore basic to any planning process.* (Sheridan italics)

... A clear understanding of the nature and level of the significance of a place will not only suggest constraints on future action, it will also introduce flexibility by identifying areas which can be adapted or developed with greater freedom. p. 4

4.2 Gathering evidence⁹

The first stage is to gather and examine documentary and physical evidence. Neither can be neglected as each corroborates and complements the other.

4.6 Criteria for assessing cultural significance.¹⁰

Criteria may be refined and applied to that analysis to assess significance.

It addresses three questions:

⁸ James Semple Kerr: *The Seventh Edition Conservation Plan: A Guide to the Preparation of Conservation Plans for places of European Cultural Significance.* Australia ICOMOS. 2013.

⁹ James Semple Kerr. *The Seventh Edition of the Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance.* was re-written in by James Semple Kerr 2013. Published by Australia ICOMOS. 4. (10 of 84)

¹⁰ James Semple Kerr. *The Seventh Edition of the Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance.* was re-written in by James Semple Kerr 2013. Published by Australia ICOMOS. 11 (17 of 84).

- What criteria are appropriate in determining why a place is significant?
- How to assess the degree of significance?
- Who should do the assessing and under what conditions?

At p. 12 (18 of 84 Kerr) refers to the ability to demonstrate and views it as an inclusive criterion, capable of "useful subdivision". Included here too he makes comments about aesthetics.

Planting 'live fences' or hedges (fig.11) and building dry stone walls or 'dykes' round field or road systems was one that had a strong and felicitous impact on some landscapes.¹¹

The third criterion relates to formal or aesthetic qualities. These can be assessed under the conventions of scale, form, materials, textures, colour, space and the relationship of components. Simple description is not enough, significance is the point at issue and assessments should be made in a context that advances an understanding of significance.¹²

He notes, too, that,

" when considering 'ability to demonstrate', the assessor is concerned with establishing how early, seminal, intact, representative, rare or climactic, an example is."¹³

Where a place is significant because it is true to type, or 'representative', it is necessary to consider its intactness and, to some extent, rarity, in assessing the degree of significance.

The integrity of a place is generally accepted as being 'a measure of the wholeness and intactness' of a cultural heritage place and its attributes (key heritage values (World Heritage Centre 2016 Item 82 and 88)).¹⁴

2H: Phyl Fraser Simons: 1987

Historic Tasmanian Gardens. Canberra. Mulini Press.

p. 253: Fitzpatrick's Inn, (formerly Commercial Hotel), 1833, Bass Highway, Westbury

This property has always been an inn. A small rectangular place of land on the approach side contains many beautiful old trees and once marked the way to the stables for the traveller., Plants include pines, cears, spruce, ash, weeping cypress and a privet hedge.

The Trees: An inspection is required. Certainly there are *Cedrus atlantica* (Atlas Cedar) on a boundary line that stand to be changed if the development proceeds. Most likely there are *Cedrus deodara*, (Himalayan cedar) there as well. However

¹¹ Ibid. 13 (and 19 of 84)

¹² Ibid. 15 (and 21 of 84)

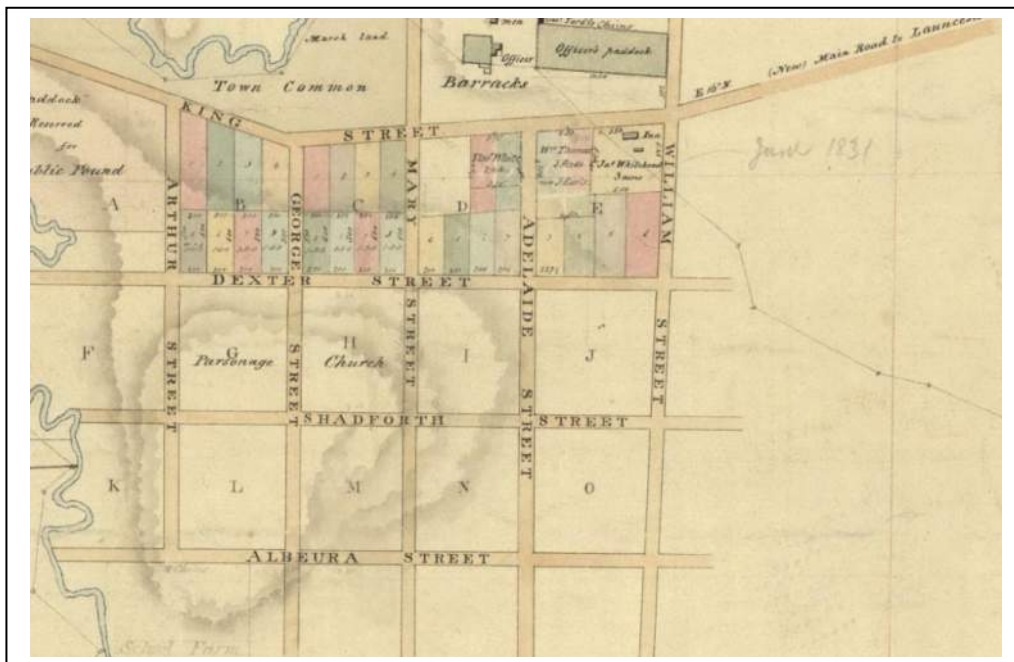
¹³ Ibid. 16 (and 22 of 84)

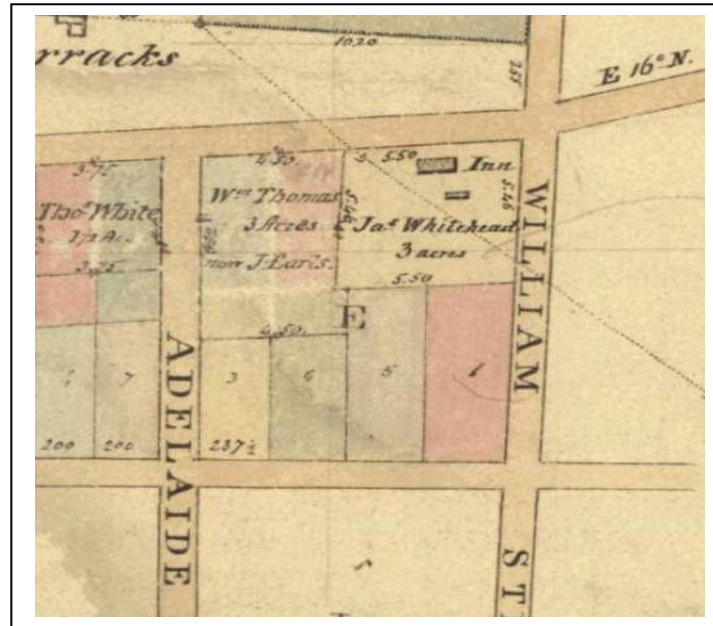
¹⁴ Ibid. 99.

not known is whether trees have already been cut down compared to what appears on Google Earth images.

Part 3: A potted history of around 36 hours:

In the historical research that I complete, maps, plans, are what frame the landscape of place. These offer the intent at the time to change the largely natural environment of the First Nations Peoples and then what followed. It is from such maps and plans across Tasmania that patterns of landscape change can be built up. This has occurred in previous research now across 25 + years.





Above large map/plan is courtesy of the Tasmanian Archives and Heritage Office, Westbury in 1832. It is a James Scott plan; he was an excellent surveyor.

That rectangular block can still be seen on the modern plan of the town.

If one looks at the plans; the map above see is that Jas Whitehead had an almost rectangular block of 3 acres and an inn on the corner of King Street and William Street.

A pencilled few words tells us that Whitehead's block was June 1831.

So we are looking at a place, on a map plan surrounded by other places including the Police Barracks and the Town Common, plots set aside for the church, the parsonage, the reserved "paddock" and more. This at a time when Tasmania was still very much a penal colony, hence the Barracks.

There would be considerable history about this place. However discovered what is shown below, and most interesting, comes courtesy again of the National Archives of Australia and Trove.

The Cornwall Chronicle in 5 March, 1836.

To be Let on Lease; The Well known
Westbury Inn

In Full Trade, Together with the
License of the same

For the term of seven Years or as
maybe agreed upon.

**There are Three Acres of Land
attached with a Garden and every
convenience.**

It is the only inn situated in the
Township.

Any person wishing to enter at once
into the Business, will find this an
eligible opportunity and one which
seldom presents itself.

Terms are moderate and may be know
by applying to James Whitehead, Ship
Inn, Launceston.

All letters to be post paid.

There may well be a wealth of history that can be sourced via the Archives for Fitzpatrick's Inn; following it through the nineteenth century, into the twentieth etc. I do not know whether that has ever been done.

It is most useful that we know as a fact that there was, (has been) a garden there since 1831. That is a extraordinarily early garden in the Archival record for an Inn. Of the inn itself, note that it was the only one in the town. As well, it may have been a very early Inn across the rural area of northern Tasmania; that has to be established.

James Whitehead is a part of the social history of northern Tasmania.

Noted Tasmanian historian Alison Alexander offers the following:

The Cornwall Hotel was built in 1824 by John Pascoe **Fawkner**, one of his many businesses. With two storeys and thirteen rooms, it was Launceston's leading hotel. JE Cox took over in the 1830s and ran a coaching service to Hobart from the hotel, and James Whitehead added assembly rooms which were used for banquets, balls, bazaars, recitals and public meetings, the Anti-Transportation Society's formation in 1849, and the Launceston Municipal Council's first meetings from 1853. Guests included Governor Sir Henry Fox-Young, Sir Richard **Dry**, several **Irish exiles**, and in 1852 Lord Robert Cecil, later Lord Salisbury, Britain's Prime Minister.

In the later nineteenth century the Cornwall was eclipsed by the **Brisbane Hotel** as Launceston's leading hostelry. In 1905 the owner, Mrs Fahey, extensively remodelled it, increasing its accommodation to 35 rooms. Renamed the Batman Fawkner Inn in 1981, it is Launceston's oldest hotel still trading on the original site.

Further reading: *Examiner*, 4 February 1988; D Radford, *A-Z of Launceston's colonial public house licensees 1824-1900*, Launceston, 2003.

p. 86. *The Companion to Tasmanian History*, (ed) Alison Alexander) Centre for Tasmanian Historical Studies, and University of Tasmania. Hobart 2005.



It is possible to go further with James Whitehead. Information comes from the Whitehead Letters.¹⁵

In 1819, James Whitehead, (having listed in the army in 1810) and then aged 18, was given the following orders;

The regiment was stationed at Clonmel under order to proceed in detachments to New South Wales, as guards on convict transports. The detachment which left Ireland in 1825 under the command of Lt Col. Shadforth included Sergeant James B. Whitehead accompanied by his wife and his sons John and James.¹⁶

¹⁵ Francesca A Vernon compiler: Michael N. Sprod (Editor). **The Whitehead Letters. Tasmanian Society and Politics. 1871-1882.** Seen through the letterbooks of John Whitehead MHA of 'Wimburn' Lymington. THRA 1991.

¹⁶ *Ibid.* p. 2.

The family came to the banks of Quamby Brook where the army were then stationed. They thus lived as a part of the Garrison. By 1831, Whitehead had applied for a 'new' grant, to erect a house 'for the purposes of establishing an inn for the accommodation of Travellers.' The Letters note that 'at the corner of King and William Streets, he erected a two-story brick dwelling in which the Westbury Inn was located. p. 3.

Whitehead later owned licences at a number of Launceston Inns. For example, Wagon and Horses Wellington Street, (1833-34), Star and Garter St John St near the wharf ((1835), Ship Inn St John Street (1835-37), Cornwall Hotel Cameron St, (1843-49). p. 3.

As the compiler of the Whitehead letters noted, James' son John, is most important as a part of Tasmanian colonial history.

"Whitehead's correspondence reveals a view of colonial Tasmania from the perspective of a man who has not hitherto figured largely on the historical stage; a man who, as the son of a free settler of modest means occupied a position in society below that of the oligarchs of the landed gentry yet who, by his success as a farmer and his membership of Parliament gained entree into the world of those who dominated the colonial economy and government."

Part 4 Conclusion and closing comments:

Fitzpatrick's Inn, already in an historical overview of 'place' as turned up some really critical information.

I would willingly come to have a Powerpoint and discussion with the Councillors, and with the planning department at some future time.

The history of the evolved land area designated for responsibility to your Council is immense.

At the same time the heritage land evolved history of those places is similarly immense, interconnected, authentic, needing protection and rigorous heritage management. It is part of the fabric of what makes Tasmanian place(s) so visited by national and international tourists. This is precisely because they are "different"; they still echo the past (as per the Tassy towns input) and are viewed and explored for what they are.

Tourists do not come to "see" and "view" what can be seen everywhere else in the nation.

Peter James and Graeme Corney and the Government realised this back in 2000, (*Heritage Review 2000*).¹⁷ Referred to (p. 23) was Cultural Landscape

¹⁷ *Heritage Review 2000*.¹⁷ Prepared for the Premier and the Minister of the Dept of Primary Industries, Water and Environment.

but as well, this document was most interested in Heritage related to the tourism input of this island. We had the Mackay Report of 2005; again two recommendations in that document re Cultural Landscape. Three workshops were held with Oliver Rackam, a booklet prepared on CL.

We could "do" planning very, very differently, but apparently the choice has been not to. We could "do" heritage very differently but somehow that's not happening either.

That all seems to have vanished in the intervening 20 years. Why exactly?

I have lately written letter to Minister Jaesch, to the Chair of the Heritage Council, to Pete Smith, Manager of Heritage Tasmania and the Legislative Council. As well there has been a substantial document sent to the Federal Government re the EPBC Act. That was Heritage heavy; it takes a long considered view of how land use is "done" in Tasmania. These letters did not mince matters in respect of what is happening in Tasmania, especially since 2014, where heritage and planning now are literally eons apart.

Part 5.

As an insight into "how" the cultural landscape of place may be put together see the published ICOMOS work: (Tasmanian work of Sheridan is included).

Australia ICOMOS website at -

<https://australia.icomos.org/publications/proceedings/>

My two degrees were research degrees, a long way back.

I gave evidence before the Senate Scientific Committee: *Land Use in Australia*. 1984, one of only five women to do so.

Early work life:

Taught for ten years in two different universities as a junior academic. Over fifty years of 'work experience' in different areas. An enormous part of the work life however has been research. This has been focussed on planning, its integration with heritage, landscape, place and meaning of place. I have given many lectures in Tasmania.

Major research, planning, historical landscape and garden studies have been under contract to government departments or local councils. This has included a number of local councils, Hobart (multiple times), Brighton, (multiple times), Kingborough, Launceston (multiple times), the Inland Fisheries Service, the Royal Tasmanian Botanical Gardens, (multiple times), Southern Midlands Council, the Tasmanian Heritage Council, the Wellington Park Trust but as well work for private individuals. Significant study¹⁸ on the historical landscape values of Mount Wellington (for the Wellington Park Trust,) 2009-2010, northern estate gardens, plant dissemination for the Launceston Horticultural Society, (2011-2013), the Cambria Estate property (ongoing, 2018-2019).

¹⁸ Five volumes, and an Executive Summary, over 700 pages of work.

Library Holdings:

Some original research and some published work is held by the Mitchell Library, State Library of New South Wales, and by the National Library of Australia. The Tasmanian Archive and Heritage Office is progressively taking unpublished works and documents of my work.

Awards:

2000: Planning Institute of Australia. Tasmania Division. Award of Excellence to Brighton Council. For Gwenda Sheridan: *A Changed Pattern Landscape. Brighton in the Nineteenth Century.* (4 vols).

2005 I was awarded the President's Inaugural Award from the Australian Institute of Landscape Architects. Part of the citation on the Award was to honour my;

outstanding contribution to research on cultural landscapes. Gwenda's work adds significant weight to the body of knowledge available to many landscape professionals including architects, managers and planners. [And]...her commitment to high quality professional practice is an inspiration.

Affiliations:

Corporate member. Planning Institute of Australia (33 years).

Full International member M- ICOMOS.

Committee Member A-ICOMOS, ISC-CL (International Scientific Committee, Cultural Landscapes and Cultural Routes, (A-ICOMOS, ISC-CL).

Australian Garden History Society.

Published work that relates to the area and/or surrounds,

The Launceston Historical Society: A History, 2013, (Sheridan) 256 pp;, *Studies in Australian Garden History. Managing Change in Historical Landscapes*, Dr John Dwyer, Jam Schapper, Vol. 3. 2012,(includes, Sheridan, Tasmanian Historic Gardens and their 'Prospects', Now and Then); Keynote Speaker, 2010 "The Vision Splendid, 31st National Annual Conference of the Australian Garden History Society November 2010; Abridged article, AGHS Journal, 22 (4) 2011; Royal Tasmanian Botanical Gardens, 2 large volumes, Heritage Trees Across Tasmania, 2004, (unpublished). The work for Brickendon, and separately for Woolmers which assessed the history of the landscape, the gardens, trees, planning etc is unpublished.

CORPORATE SERVICES 1

Reference No. 152/2020

COUNCIL AUDIT PANEL: RECEIPT OF MEETING MINUTES, 2019-20 ANNUAL REPORT, 2019-20 PERFORMANCE EVALUATION AND 2020-21 WORK PLAN

AUTHOR: Jonathan Harmey
Director Corporate Services

1) Recommendation

It is recommended that Council:

- 1. Receive the minutes of the Audit Panel meeting held on 23 June 2020.***
- 2. Receive the Audit Panel annual report for 2019-20.***
- 3. Approve the Audit Panel annual work plan for 2020-21.***
- 4. Receive the Audit Panel annual performance evaluation for 2019-20.***

2) Officers Report

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meeting held on 23 June 2020, including the annual report for 2019-20, annual performance evaluation for 2019-20 and to approve the annual work plan for 2020-21. Copies of the minutes, reports and work plan are attached for Council's information.

The minutes of the meeting held on 23 June 2020 have been reviewed and endorsed by the Council Audit Panel Chairperson and are provided for Council's information as required under its Audit Panel Charter. The annual report and performance evaluation were received from the Audit Panel chairman; they identify how the Audit Panel discharged its responsibilities during 2019-20. The annual work plan outlines the focus of the Audit Panel for 2020-21.

3) Council Strategy and Policy

The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the October 2018 Council Meeting.

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

- Future direction (5) - Innovative leadership and community governance

4) Legislation

Sections 85, 85A and 85B of the Local Government Act 1993 and the Local Government (Audit Panels) Orders.

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

The cost to undertake actions of the annual work plan for 2020-21 are provided for in the Budget Estimates approved by Council in July 2020.

9) Alternative Recommendations

Council can approve the recommendation with amendment.

10) Voting Requirements

Simple majority

DECISION:

Meeting Time & Date: 1:30pm 23 June 2020	Venue: Westbury Recreation Ground Function Room and Zoom Meeting
Present:	
Chairman Steve Heryk	Councillor Susie Bower
In Attendance:	
John Jordan, General Manager	Sam Bailey, Risk & Safety Officer (Zoom)
Jon Harmey, Director Corporate Services	Susan Ellston, Finance Officer
Lynette While, Director Community & Development Services	Lee Franklin – Tasmanian Audit Office (Zoom)
Dino De Paoli, Director Infrastructure Services	
Apologies:	
Justin Marshall, Senior Accountant	Councillor Frank Nott
Matthew Millwood, Director Works	

ORDER OF BUSINESS

The Chair expressed his disappointment in Chris Lyall not being reappointed for another term. The Panel thanked Chris Lyall for his contribution over the past 2 years.

18. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council

Lee Franklin from the Tasmanian Audit Office (TAO) joined the Zoom meeting. Lee gave an overview of the progress of the financial audit. The Audit has not yet commenced as the TAO acknowledges they are facing internal challenges. The audit will be a combination of onsite and via remote with a 45 day deadline still in place. There is also an Audit scheduled for late October 2020. Lee also advised the Auditor General's Report on the Financial Statements of State entities to parliament was not tabled due to non-compliance from two Councils.

ITEM
<p>1. Declaration of Pecuniary Interests/conflict of interest Nil.</p>
<p>2. Adoption of Previous Minutes Councillor Knott to read the previous minutes of the meeting held on 21 April 2020 to be received and confirmed next meeting.</p>
<p>3. Outstanding from previous meeting - Action Sheet The Panel reviewed the Action Sheet and discussed the following items -</p> <p>3.1. Review the Corrective Actions Register for outstanding implementations with a view to close out o/s items before EOFY <i>Risk & Safety Officer distributed</i></p> <p>3.1.1. Distribute a copy of the JLT Waste Audit report when it becomes available. <i>Risk & Safety Officer distributed</i></p>

3.2. Distribute report to Parliament from Tasmanian Audit Office on Local Government when it becomes available.

See Item 14.

3.3. Risk Management Policy & Framework to be reviewed for presentation at June 2020

Risk & Safety Officer distributed

3.4 Update of 10-Year Financial Plan to be supplied.

Supplied in Item 6

3.5 Financial Plan Summary update to be supplied.

To be updated after approval of Budget

3.6 Budget Update to be supplied.

Draft Budget supplied in Item 6

3.7 Consider any available internal audit reports.

Removed on Chairs recommendation.

3.8 Review management's implementation of internal audit recommendations

Removed on Chairs recommendation.

3.9 Review the adequacy of internal audit resources for consideration in Council's annual budget and review performance of internal auditors.

Removed on Chairs recommendation.

3.10 Monitor ethical standards and any related party transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council.

Removed on Chairs recommendation.

3.11 Review the procedures for Council's compliance with relevant laws, legislation and Council policies.

Removed on Chairs recommendation.

3.12 Review tendering arrangements and advise Council

Removed on Chairs recommendation.

4. Review Annual Meeting Schedule and Work Plan

Refer item 24 of minutes below for submission of this coming years work plan to Council.

Governance and Strategy

5. Review of Council Strategic Plan

The report was received and noted.

6. Review of Annual Budget and report to Council

A draft report was received and noted. More in depth conversations to be held at the upcoming Council Workshop

7. Review Annual Plan

Annual Plan to be presented to Audit Panel after being presented at July 2020 Council meeting

8. Review policies and procedures

- Policy No. 4 – Subsidised Waste Disposal for Community Groups - *(Deferred to next Panel meeting)*
- Policy No. 49 – Media Communications Policy - *(Deferred to next Panel meeting)*
- Policy No. 73 – Managing Public Appeals – *(Further Review Needed, (Deferred to next Panel meeting))*
- Policy No. 77 - Rates and Charges - *(Deferred to next Panel meeting)*

Policies for Audit Panel reference purposes only

- Policy No. 2 – Stock Underpasses on Council Roads - *(Deferred to next Panel meeting)*
- Policy No. 21 – Vandalism Reduction Incentive - *(Deferred to next Panel meeting)*
- Policy No. 62 – Adhesion Orders - *(Deferred to next Panel meeting)*
- Policy No. 72 – Street Dining and Vending - *(Deferred to next Panel meeting)*
- Policy No. 76 – Industrial Land Development - *(Deferred to next Panel meeting)*

Financial and Management Reporting

9. Review most current results and report any relevant findings to Council

The financial report papers were received and noted.

10. Review any business unit or special financial reports

None to Report.

11. Review the impact of changes to Australian Account Standards

Currently under review with end of year processes.

Received and Noted.

Internal Audit

12. Consider any available audit reports

None to Report.

13. Review management’s implementation of audit recommendations

Internal Audits are minimal due to resourcing levels. General Managed agreed Council needs to outsource more Internal Audits in areas that are lacking expertise within Council. Chairs recommendation was endorsed.

Received and noted.

14. Review and approve annual internal audit program and alignment with risk register

Risk and Safety Officer to prepare a revised and refocused Internal Audit schedule for presentation at the next Panel Meeting.

Received and noted.

External Audit

15. Consider any available audit reports

The 2018-19 comparative analysis tables from the Tasmanian Audit Office were presented, noting that Latrobe and Kentish Councils have an outstanding matter with the State Government and are not included in the data.

Received and noted

16. Review management's implementation of audit recommendations

A process for reviewing changes to accounts payable and payroll master files is now in place.

Received and noted.

17. Review and approve external audit plan including meeting with Tas Audit Office representative

None to Report.

18. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council

None to Report.

Risk Management and Compliance

19. Receive material risk management reports (risk profile, risk management and treatment and periodical/rotational risk review)

Risk Register was provided.

Received and noted.

20. Monitor any major claims or lawsuits by or against the Council and complaints against the Council

- Planning appeal - Appealed to Supreme Court and hearing date set for 24 April 2020. Judgement issued 26 June 2020 in favour of appellant. Respondent ordered to pay costs.
- Failure to comply with an Emergency Order - General Order issued by Magistrates Court. Occupant is still non-compliant with the order.

Received and Noted.

21. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour

No matters to report

Audit Panel Performance	
22. Report to Council regarding execution of duties and responsibilities by the Audit Panel	<p>The Chairman tabled his Annual Report.</p> <p>The report was accepted and with the minutes of this meeting plus the Annual Work Plan at item 24 be submitted for the August Council Meeting agenda.</p>
23. Initiate bi annual Audit Committee performance self-assessment (every 2nd year)	<p>The Chairman tabled the Audit Panel Performance Evaluation Report and discussion ensued in relation to the Panel's performance.</p> <p>Received and noted.</p>
Other Business	
24. Audit Panel - Annual Work Plan 2020-21	<p>The Annual Work Plan for the Panel for 2020-21 was tabled and adopted to be submitted for the August Council Meeting agenda for Council approval.</p> <p>Received and noted.</p>
25. Prospect Vale Roundabout	<p>Received and noted update on capital works project.</p>
Meeting close	<p>This meeting closed at 3:00 pm</p>
Next Meeting	<p>The next meeting to be held on Tuesday 22 September 2020 at 10.00am</p>

Meander Valley Council

Annual report of the Audit Panel to the Council for 2019-20

This report explains how the Audit Panel discharged their responsibilities during 2019-20. The report also outlines the Panel's plan for 2020-21.

The key purpose of this report is to: -

- achieve greater awareness of the purpose, role and objectives of the Audit Panel;
- outline the outcomes achieved by the Panel; and
- provide council with information on the future objectives of the Panel.

The Audit Panel currently comprises three members, the independent Chairman in Steven Hernyk plus two Councillors and two Councillors. The Councillors were Clr Suzie Bower and Clr Frank Nott. Mr Chris Lyall was also an independent member up to the end of his appointment in April.

The objective of the Audit Panel is to review Council's performance under section 85A of the Act. In particular, the Panel must review:

- the Council's financial system, financial governance arrangements and financial management
- all plans of the Council (including strategic, financial management, and asset management)
- the accounting, internal control, anti-fraud and anti-corruption, risk managed policies, systems and controls that the Council has in place to safeguard its long-term financial position; and
- any other matters specified in an order under section 85B of the Act.

These functions are set out in detail in the Audit Panel Charter that was adopted by the Council in December 2014, amended in August 2016 and again in October 2018 consequent to reviews.

Council's external auditor, the Tasmanian Audit Office (TAO), attended meetings with the Panel and separately with the Chairman during the year. The Audit Panel considered all reports from the TAO on their activities undertaken in reviewing and auditing the internal control environment. The independent audit of the annual financial statements of the Council for 2019 was reviewed by the Audit Panel.

Key Activities in 2019-20

Audit Panel:

- Developed and approved the panel's annual work plan for 2019-20
- Reviewed the external audit strategy for financial year 2019-20
- Reviewed the accounting policies and draft financial report for the year ended 30 June 2019
- Monitored the effectiveness of Council's risk management processes and controls, including a review of the insurance portfolio
- Received regulatory updates to maintain current knowledge of contemporary governance practice and legislative requirements
- The Chairman convened a meeting of other Audit Panel Chairmen in Northern Tasmania to discuss issues that existed and best practice matters.

Program for 2020-21

Attached to this report is the proposed work plan of the Audit Panel for the next twelve months. The Audit Panel's meeting in June 2019 recommended this work plan to Council for approval.

The program is based on the functions listed in the charter and on priorities drawn from Council's Annual Plan. Key functions for the year ahead include:

- Monitor Council's risk management processes and controls
- Monitor the 2020-21 external audit process and the internal audit work program

- Review the annual financial statements and accounting policies for the financial year 2019-20

Given that I have provided my notice of resignation at the end of my current contracted tenure in November 2020, the current work programme submitted to Council may be reviewed by the new Chairman of the Audit Panel as one of the Chairman roles is to drive the programme.

Other Matters

1. Internal Audit

There has been a lack of internal audit activity and reporting during the year to due to staff availability which supports my advocacy for a partially outsourced function.

The Audit Panel is charged with dealing with many matters but without a robust internal audit function, its ability to fulfil its responsibilities is restricted.

Also, internal audit activity enables Management and the Council to have greater assurance that there is compliance with policy, procedure and internal control.

I recommend that a partially outsourced internal audit function be implemented by Council.

2. Performance Review of the Panel.

The panel conducted a formal performance review in May 2020 that identified areas where the Panel believe improvement could be achieved. The Panel develops an action plan of the matters highlighted in the review as well as assessing its ongoing performance.

3. Long Term Sustainability

I commend Council for implementation of its Community Care and Recovery Package COVID-19 but at the same time recommend that there is a watch full eye placed on the consequential Council Long Term Financial Plan. That scenario analysis be conducted going forward to gain greater insights into Council long term sustainability.

Attendance record

The audit panel meeting and attendance record was: -

	Possible	Actual
Steven Hernyk	4	4
Chris Lyall	3	3
Suzie Bower	4	2
Frank Nott	4	3

I commend my fellow Panel members for their contributions and thanks to the Management Team who provided support the Audit Panel.

Steven Hernyk

Chairperson
Audit Panel



Meander Valley Council Audit Panel Annual Work Plan

Proposed Meeting Dates 2020			Sept	Dec
Proposed Meeting Dates 2021	April	June		

AGENDA ITEM	April	June	Sep	Dec
Standing Items				
1. Declaration of Pecuniary Interests/conflict of interest	√	√	√	√
2. Adoption of Previous Minutes	√	√	√	√
3. Outstanding from previous meeting - Action Sheet	√	√	√	√
4. Review Annual Meeting Schedule and Work Plan		√		
Governance and Strategy				
5. Review of Council Strategic Plan		√		
6. Review 10-Year Financial Plan	√			
7. Review Financial Management Strategy (Sustainability)	√			
8. Review preliminary Budget parameters and assumptions	√			
9. Review annual budget and report to Council		√		
10. Review Annual Plan			√	
11. Review Long-Term Strategic Asset Management Plan			√	
12. Review Asset Management Strategy			√	
13. Review Asset Management Policy			√	
14. Review policies and procedures	√	√	√	√
15. Review performance of plans, strategies and policies including performance against identified benchmarks				√
16. Assessment of governance and operating processes integration with financial management practices of the Council			√	
Financial and Management Reporting				
17. Review most current results and report any relevant findings to council	√	√	√	√
18. Review any business unit or special financial reports	√	√	√	√
19. Review annual financial report, audit report and management representation letter (for advice to GM) and make recommendation to Council including meeting with Tas Audit Office representative			√	
20. Review the impact of changes to Australian Accounting Standards		√		
Internal Audit				
21. Consider any available audit reports	√	√	√	√
22. Review management's implementation of audit recommendations	√	√	√	√
23. Review and approve annual internal audit program and alignment with risks		√		
24. Review the adequacy of internal audit resources for consideration in Council's annual budget and review performance of internal auditors	√			
External Audit				
25. Consider any available audit reports	√	√	√	√
26. Review management's implementation of audit recommendations		√		√
27. Review and approve external audit plan including meeting with Tas Audit Office representative		√		
28. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for the Council	√	√	√	√
Risk Management and Compliance				
29. Annual review of risk management framework policies				√

30.	Receive material risk management reports (risk profile, risk management and treatment and periodical/rotational risk review)		√		√
31.	Monitor ethical standards and any related party transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council.	√		√	
32.	Review the procedure for Council's compliance with relevant laws, legislation and Council policies	√			
33.	Review internal and fraud management controls	√			
34.	Review business continuity plan				√
35.	Review processes to manage insurable risks and existing insurance cover			√	
36.	Review delegation processes and exercise of these	√			
37.	Review tendering arrangements and advise Council	√			
38.	Review WH&S management processes				√
39.	Monitor any major claims or lawsuits by or against the Council and complaints against the Council	√	√	√	√
40.	Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour	√	√	√	√
Audit Panel Performance					
41.	Review Audit Panel Charter and make any recommendations for change to the Council for adoption (every 2nd year)				√
42.	Report to Council regarding execution of duties and responsibilities by the Audit Panel		√		
43.	Initiate bi-annual Audit Committee performance self-assessment (every 2nd year)		√		
Other					
44.	Review issues relating to National competition policy	√			

Meander Valley Council Audit Panel Performance Report

May 2020



Audit Panel performance evaluation

The following questionnaire was completed by Panel Members and Management as a self-assessment of an Audit Panel's performance. It is not intended to be all-inclusive.

The ratings below reflect an average from respondents. There were two respondents who made some ratings at a "2" and "3" and one left blank as "unknown" with all other ratings they and other respondents ratings where "4" or "5" which averaged up ratings.

The assessment survey showed an improvement from the last formal survey conducted and is reflective of the maturity of Audit Panel activity and its improved performance.

Other than reinforcing private session with auditors, there are no obvious areas for improvement that require some form of action or monitoring for the whole Panel but I comment Panel Members to self reflect upon their own assessment ratings and to take actions for improvement for themselves.

The average ratings from the survey follow "1" indicating strong disagreement and "5" indicating strong agreement with the statement

Composition and quality	Strongly disagree			Strongly agree	
1. Audit Panel members have the appropriate qualifications to meet the objectives of the Audit Panel's charter, including appropriate financial literacy.				4	
2. The Audit Panel demonstrates integrity, credibility, trustworthiness, active participation, an ability to handle conflict constructively, strong interpersonal skills, and the willingness to address issues proactively.				4	
3. The Audit Panel demonstrates appropriate industry knowledge and includes a diversity of experiences and backgrounds.				4	
4. The Audit Panel monitors compliance with corporate governance regulations and guidelines.				4	
5. The Audit Panel chairman is an effective leader.				4	

Understanding the business, including risks	Strongly disagree				Strongly agree
6. The Audit Panel considers or knows that the full Council or other committees take into account significant risks that may directly or indirectly affect financial reporting. Examples include: <ul style="list-style-type: none"> • Regulatory and legal requirements • Concentrations (e.g., suppliers and customers) • Financing and liquidity needs • Financial exposures • Business continuity • Council reputation • Financial strategy execution • Financial management's capabilities • Management override • Fraud control • Council pressures, including "tone at the top" 				4	
7. The Audit Panel considers, understands, and approves the process implemented by management to effectively identify, assess, and respond to the organisation's risks.				4	

Process and procedures	Strongly disagree				Strongly agree
8. The Audit Panel reports its proceedings and recommendations to the Council after each committee meeting.				4	
9. The Audit Panel develops a calendar that dedicates the appropriate time and resources needed to execute its responsibilities.				4	
10. The level of communication between the Audit Panel and relevant parties is appropriate; the Audit Panel chairman encourages input on meeting agendas from committee and Council members, management, the internal auditors, and the independent auditor.				4	
11. Regularly, Audit Panel meetings include separate private sessions with management and the internal and independent auditors.			3		
12. The Audit Panel respects the line between oversight and operational management involvement.				4	

Oversight of the financial reporting process, including internal controls	Strongly disagree				Strongly agree
13. The Audit Panel considers the quality and appropriateness of financial accounting and reporting, including the transparency of disclosures significant accounting policies.				4	
14. The Audit Panel has a process for reviewing periodical and annual earnings reports, and other significant financial information with management and the independent auditor				4	
15. The Audit Panel understands and gives appropriate consideration to the internal control testing conducted by management, the internal auditors, and the independent auditor to assess the process for detecting internal control issues or fraud. Any significant deficiencies or material weaknesses that are identified are addressed, reviewed, and monitored by the Audit Panel.				4	
16. The Audit Panel reviews the management recommendation letters written by the independent and internal auditors and monitors the process to action recommendations.				4	

Ethics and compliance	Strongly disagree				Strongly agree
17. Audit panel committee members oversee the process and are notified of communications received from governmental or regulatory agencies related to alleged violations or areas of noncompliance.				4	
18. The Audit Panel determines that there is a senior-level person designated to understand relevant legal and regulatory requirements.				4	

Other comments on Audit Panel activities

GOVERNANCE 1

Reference No. 153/2020

2019-20 ANNUAL PLAN – QUARTERLY REVIEW – JUNE 2020

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council receives and note the Annual Plan report for the June 2020 quarter as attached.

2) Officers Report

Section 71 of the Local Government Act 1993 requires Council to prepare an Annual Plan. The annual plan provides details of the works and programs to be undertaken by Council and progress against the plan is reported each quarter.

Notwithstanding the COVID-19 Disease Emergency Council has achieved the majority of its performance targets. In the June quarter there were 69 targets, of these:

- 60 were achieved;
- 4 remain in progress;
- 3 were cancelled due to COVID-19 related impacts; and
- 2 were deferred for reasons due to COVID-19 related impacts.

Specific details relating to the eight measures not achieved within quarter four are:

Action	Status
Deliver Annual Plan (refer Governance 1: page 9)	In progress, the Annual Plan is to be presented to Council on 14 August 2020.
Promote investment in Meander Valley (refer Governance 1, page 13)	In progress, delivery progressing via COVID-19 business and economic recovery agenda.
Westbury Urban Residential Rezoning (refer Infrastructure Services 1, page 31)	In progress, presented to Council Workshop on 4 August 2020.
Undertake project to Prospect Vale and Blackstone Heights Structure Plan (refer Infrastructure Services 2, page 31)	In progress, reliant upon external processes for amendments to the Northern Tasmanian Regional Land Use Strategy and the

	submission of planning scheme amendment applications by private land owners.
Review of Sport and Recreation Plan (refer Community & Dev Services 1, page 42)	Cancelled - work progressed through forward Capital, Financial and Asset Management plans as per workshop held on 26 November 2019.
Conduct School Holiday Program (refer Community & Dev Services 1, page 40)	Cancelled due to COVID-19 restrictions.
Conduct Stepping Stones Camps (refer Community & Dev Services 2, P40)	Cancelled due to COVID-19 restrictions.
Review HR documentation (refer Corporate Services 3, page 20)	Deferred due to COVID-19 related priorities and will now be progressed in 2020-21.
Review promotion and marketing of indoor recreation facilities (refer Community and Dev Services 2, page 42)	Deferred due to COVID-19 related priorities and will now be progressed in 2020-21.

3) Council Strategy and Policy

This performance report relates directly to the achievement of the Annual Plan.

4) Legislation

It is a requirement of the Local Government Act 1993 that Council prepares and approves an Annual Plan.

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Not applicable

10) Voting Requirements

Simple majority

DECISION:



Meander Valley Council
Working Together

2019-2020

ANNUAL PLAN

Community
Vision



Community
Strategic Plan



Annual Plan



Our six future directions:

**A sustainable natural
& built environment**

A thriving local economy

**Vibrant & engaged
communities**

**A healthy & safe
community**

**Innovative leadership
& community governance**

**Planned infrastructure
services**



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Governance			
1.1 Secretarial & Administrative Support.....	9	Community & Development Services	
1.2 Risk Management.....	11	4.1 Land Use & Planning	32
1.3 Employee Health & Safety Management.....	12	4.2 Building, Plumbing & Permit Authority 2016.....	33
1.4 Other Governance Functions	13	4.3 Environmental Health	35
 		4.4 General Inspector	36
Corporate Services		4.5 Natural Resource Management.....	37
2.1 Financial Services	14	4.6 Community Development.....	38
2.2 Financial Management & Reporting	16	4.7 Services to Young People	40
2.3 Information Technology	18	4.9 Recreation Facilities Management.....	42
2.4 Information Management.....	19	4.10 Business Engagement.....	44
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Visitor Information Centre	21	5.1 Roads	46
 		5.2 Urban Storm Water.....	47
Infrastructure Services		5.3 Parks, Reserves, Sports Grounds	
3.1 Emergency Services	22	& Cemeteries	48
3.2 Transport.....	23	5.4 Toilets, Street Cleaning & Litter Collection.....	49
3.3 Property Services.....	24	5.5 Plant.....	50
3.4 Parks & Recreation.....	26	 	
3.5 Asset Management & GIS	27	Public Health Goals & Objectives	
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Annual Plan Overview

Our Annual Plan must state the manner in which we will meet the goals and objectives of our Strategic Plan. The Annual Plan outlines the programs and services Council intends to deliver throughout the financial year. Preparation of the Annual Plan is informed by the strategic objectives of the Meander Valley Community Strategic Plan 2014 to 2024, the activities required to undertake the day-to-day operations and the management of regulatory responsibilities.

This document is important as a key strategic focal point for the organisation's departments and is used as an integral part of the Council's corporate reporting system to the Councillors and the community.

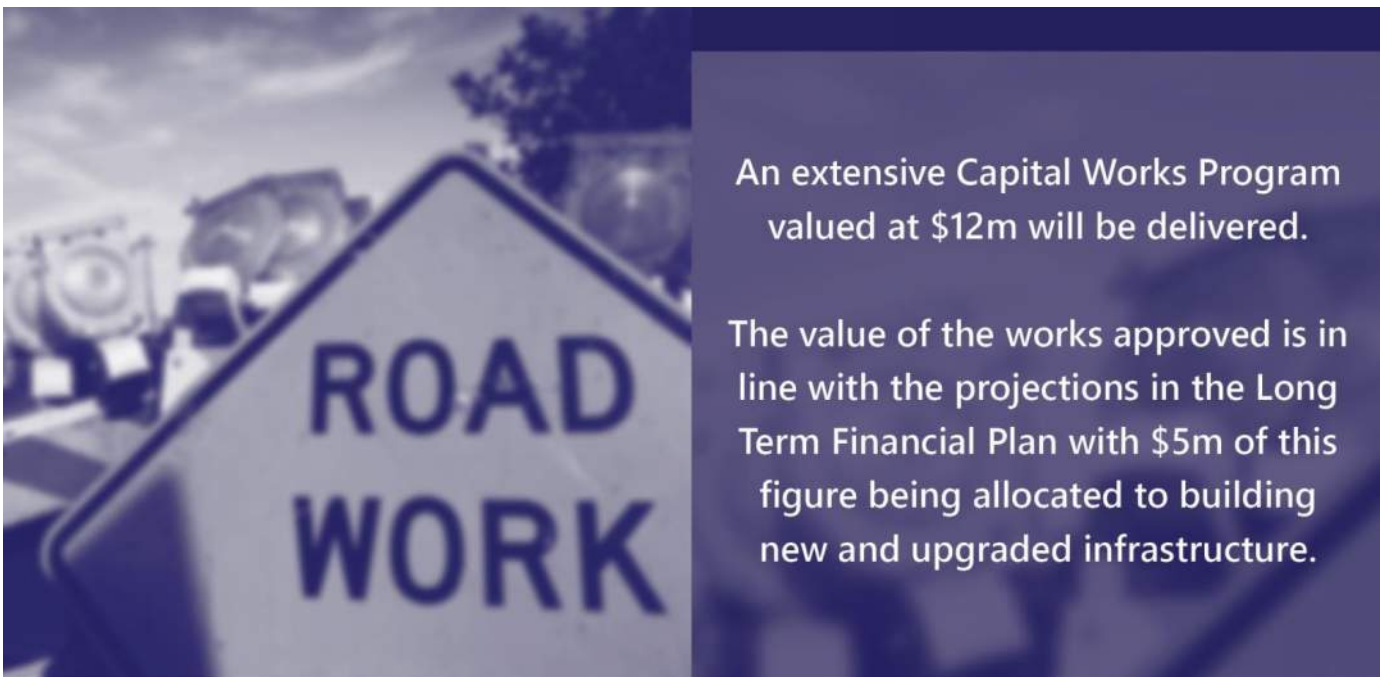
Link to Community Strategic Plan 2014 to 2024

The Community Strategic Plan 2014 to 2024 outlines the vision of the community. Council works to implement the vision through six future direction statements that are aligned with key strategic outcomes. These strategic outcomes guide the development of projects and programs. The diagram below depicts the current strategic planning framework of Meander Valley Council:



The coming year will see Council deliver the following projects –

- Completion of Westbury Recreation Ground Change Rooms Upgrade
- Implementation of Waste Management Strategy Action Plan
- Completion of Urban Stormwater System Management Plans
- Upgrade of Railton Road
- Upgrade of Council Chambers
- Rehabilitation of Osmaston Road
- Replacement of six Rural Bridges
- Upgrade of Meander Valley Performing Arts Centre Foyer



An extensive Capital Works Program valued at \$12m will be delivered.

The value of the works approved is in line with the projections in the Long Term Financial Plan with \$5m of this figure being allocated to building new and upgraded infrastructure.

Rates and Charges

The following rates and charges will apply for 2019-20:

General Rate	All rateable properties are applied a General Rate of 5.682 cents in the \$ of AAV with a minimum charge of \$170.
Waste Management	For properties without a kerbside collection service the charge is \$56. For each separate service where kerbside garbage and/or green-waste and recycling collection is provided the charge is \$184 for the standard collection of one 80L mobile garbage bin and one mobile recycling bin or \$210 for the extra capacity collection of one 140L mobile garbage bin and one mobile recycling bin or \$364 for one 240L mobile garbage and one mobile recycling bin.
Fire Levies	All properties within the municipal area are rated based on the income requirements of the State Fire Commission. Properties within the Launceston Permanent Brigade District are applied a rate of 1.468 cents in the \$ of AAV with a minimum of \$41. Properties within the Volunteer Brigade Districts are applied a rate of 0.373 cents in the \$ of AAV with a minimum of \$41. All other properties are applied a rate of 0.335 cents in the \$ of AAV with a minimum of \$41.
Payment Method	Ratepayers are provided with the option of paying their rates in full, with no discount for early payment, or paying their rates in four approximately equal instalments due on 30 August 2019, 31 October 2019, 31 January 2020 and 31 March 2020.
Penalties for late payment	Any late payment of rates and charges will be subject to daily interest at a rate equivalent to 8.10% per annum (2.2192c per \$100 per day).

Council's Rating Policy No 77 is available on the website www.meander.tas.gov.au

Policy Review

Policy For Review	28 June Audit Panel	30 Sept. Council	30 Sept. Audit Panel	31 Dec. Council	31 Dec. Audit Panel	31 March Council	31 March Audit Panel	30 June Council
Governance								
Policy 49: Media Communications								
Policy 87: Hadspen Urban Growth Area								
Corporate Services								
Policy 45: Information Management								
Policy 71: Investment of Surplus Funds								
Infrastructure Services								
Policy 13: Subdivision Servicing								
Policy 14: Fencing Council Owned Land								
Policy 78: New and Gifted Assets								
Community and Development Services								
Policy 34: Real Estate Advertising Signs (due in August 2018)								
Policy 65: Staged Development Schemes under Strata Titles Act 1998								

Policy 73: Managing Public Appeals									
Policy 89: Undocumented Building Works									
Policy 86: Industrial Development Incentive									
Works	Nil								

Program Activity

Governance

Directorate	1. Governance	Program number and title	1.1 Secretarial and Administrative support
Program Objective	To undertake functions to ensure compliance with legislative requirements		
Link to Community Strategic Plan 2014 to 2024	Future Direction (5) - Innovative Leadership and Community Governance <i>5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan</i> <i>5.6 Meander Valley Council is recognised as a responsibly managed organisation.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Deliver Annual Plan Responsible Officer: Executive Assistant	5.1	Prepare quarterly review Achieved	Prepare quarterly review Achieved	Prepare quarterly review Achieved	Prepare quarterly review. Prepare 2020/21 Annual Plan In Progress
2	Prepare Annual Report & Conduct Annual General Meeting (AGM) Responsible Officer: Executive Assistant	5.6	Complete draft for printing Achieved	Complete report and present at AGM. Advertise and conduct AGM Achieved		
3	Review the Community Strategic Plan 2014 to 2024 Responsible Officer: General Manager	5.1	Complete Project Planning Achieved	Undertake Community Consultation In Progress	Draft updated document completed Deferred	
4	Investigate the development of a Community Consultation Policy	5.1	Achieved	Workshop with Council Achieved	Prepare Draft Policy Deferred	

Action Performance Targets

No.	Performance target
2	AGM held and Annual Report adopted by Council
3	Community Strategic Plan reviewed and updated if required
4	Council decision on development of Policy

Directorate	1. Governance	Program number and title	1.2 Risk Management
Program Objective	Minimise risk to our people and the public		
Link to Community Strategic Plan 2014 to 2024	Future Direction (5) - Innovative leadership and community governance <i>5.4 Meander Valley Councilors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities.</i> <i>5.6 Meander Valley Council is recognised as a responsibly managed organisation.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Implement Risk Management Framework Responsible Officer: General Manager	5.6	Review the framework Achieved	Action the framework Achieved	Action the framework Achieved	Action the framework Achieved
2	Implement the Internal Audit Program Responsible Officer: Risk & Safety Officer	5.4	Review of Audit outcomes Achieved		Review of Audit outcomes In Progress	

Action Performance Targets

No.	Performance target
1	Review Completed and Update endorsed by Audit Panel
2	Audit Recommendations implemented

Action Performance Targets

N/A

Directorate	1. Governance	Program number and title	1.3 Employee Health and Safety Management
Program Objective	To provide a safe place of work for our people and to measure and monitor our employer obligations.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (5)- Innovative leadership and community governance <i>5.6 Meander Valley Council is recognised as a responsibly managed organisation.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Health and Safety Committee Responsible Officer: Health & Safety Officer	5.6	Conduct quarterly meeting Achieved	Conduct quarterly meeting Achieved	Conduct quarterly meeting Achieved	Conduct quarterly meeting Achieved

Action Performance Targets

No.	Performance target
1	Conduct meetings and implement improvement initiatives

Action Performance Targets

N/A

Directorate	1. Governance	Program number and title	1.4 Other Governance Functions
Program Objective	To provide good governance		
Link to Community Strategic Plan 2014 to 2024	<p>Future direction (2) - A thriving local economy</p> <p><i>2.1 The strengths of Meander Valley attract investment and provide opportunities for employment.</i></p> <p><i>2.2 Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure</i></p> <p><i>2.3 People are attracted to live in the townships, rural and urban areas of Meander Valley.</i></p> <p>Future Direction (6) - Planned infrastructure services</p> <p><i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i></p> <p><i>6.3 The Meander Valley transport network meets the present and future needs of the community and business</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Promote investment in Meander Valley to support the growth of identified industry sectors Responsible Officer: General Manager	2.2	Identify opportunities and report on progress Achieved	Identify opportunities and report on progress Achieved	Identify opportunities and report on progress In progress	Identify opportunities and report on progress In progress
2	Signage Strategy Responsible Officer: General Manager	6.1, 6.3		Project Scope Deferred		

Action Performance Targets

N/A

Corporate Services

Directorate	2. Corporate Services	Program number and title	2.1 Financial Services
Program Objective	Responsibly manage the Council's core financial activities		
Link to Strategic Plan	Future Direction (5) - Innovative leadership and community governance 5.2 Long term financial planning and asset management underpins the ongoing viability of Meander Valley 5.6 Meander Valley Council is recognised as a responsibly managed organisation		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Raise Rates & Regular Debtor accounts Responsible Officer: Director Corporate Services	5.2	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved
2	Complete State Government Authority returns Responsible Officer: Rates Officer	5.6	Initial State Fire and Treasury pensioner claims and Annual State Fire Levy data return Achieved			Final State Fire and Treasury pensioner claims Achieved
3	Issue Section 132 certificates (Property Rates) Responsible Officer: Rates Officer	5.6	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved
4	Arrange annual insurance renewals Responsible Officer: Director Corporate Services	5.6		Crime Insurance (Fidelity Guarantee renewal) Achieved		Annual insurance renewals incl. Public Liability, Property & Workers Comp. Achieved
5	Reconciliation of Control Accounts Responsible Officer: Senior Accountant	5.2	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved

Action Performance Targets

No.	Performance target
1	<ul style="list-style-type: none">▪ Issue Rates notices before 31st August 2019▪ Issue Sundry Debtor notices within 10 working days of receipt of request
3	<ul style="list-style-type: none">▪ Issue 98% of Section 132 Certificates within 3 working days of entry of request
5	<ul style="list-style-type: none">▪ Reconcile rates, sundry debtor and creditors control accounts within 10 working days of the month end▪ Reconcile Payroll within 5 working days of processing

Directorate	2. Corporate Services	Program number and title	2.2 Financial Management and Reporting
Program Objective	To comply with statutory requirements for Local Government Finance, State and Federal Taxation and to provide meaningful reports for internal financial management		
Link to Strategic Plan	Future Direction (5) - Innovative leadership and community governance 5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan 5.2 Long term financial planning and asset management underpins the ongoing viability of Meander Valley 5.3 Evidence based decision-making engages the community and is honest, open and transparent 5.6 Meander Valley Council is recognised as a responsibly managed organisation		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Review & present updated the Long Term Financial Plan (LTFP) to Council Responsible Officer: Senior Accountant	5.2				Review and present the LTFP to Council Achieved
2	Coordinate the development of Budget & Rating recommendations with statutory timeframes Responsible Officer: Director Corporate Services	5.2			Determine budget update program Achieved	Present budget, fees and charges to Council workshop Achieved
3	Annual external reporting Responsible Officer: Senior Accountant	5.6	Produce Statutory Accounts for Tas Audit Office Achieved	Produce Statutory KPI consolidated data sheets Achieved		Determine year end update program Achieved
4	Issue BAS, FBT and Payroll Tax returns within legislative timeframes Responsible Officer: Senior Accountant	5.6	Submit BAS and Payroll Tax returns Achieved	Submit BAS and Payroll Tax returns Achieved	Submit BAS and Payroll Tax returns Achieved	Submit BAS and Payroll Tax returns Achieved
5	Provide internal financial management reports on a timely basis for decision making Responsible Officer: Senior Accountant	5.3	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved	Achieve activity performance target Achieved

6	Monitor Council's short-term expenditure commitments & invest funds in accordance with Council's Investment Policy Responsible Officer: Senior Accountant	5.2	Review cash flow weekly Achieved	Review cash flow weekly Achieved	Review cash flow weekly Achieved	Review cash flow weekly Achieved
7	Co-ordinate functions of the Audit Panel Responsible Officer: Director Corporate Services	5.6	Conduct meeting as per Work Plan Achieved	Conduct meeting as per Work Plan Achieved	Conduct meeting as per Work Plan Achieved	Conduct meeting as per Work Plan Achieved

Action Performance Targets

No.	Performance target
5	<ul style="list-style-type: none"> ▪ Produce and distribute monthly project expenditure reports ▪ Provide financial reports for September, December and March quarters to Council in Oct 2019, Jan 2020 & April 2020 respectively

Directorate	2. Corporate Services	Program number and title	2.3 Information Technology
Program Objective	Provide reliable and effective information technology services for the organisation		
Link to Strategic Plan	Future Direction (5) - Innovative leadership and community governance 5.6 Meander Valley Council is recognised as a responsibly managed organisation		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Maintenance & upgrade of IT infrastructure Responsible Officer: IT Officer	5.6	Commence rolling replacement of PC's Achieved	Complete rolling replacement of PC's. Achieved		

Action Performance Targets

N/A

Directorate	2. Corporate Services	Program number and title	2.4 Information Management
Program Objective	Effectively manage and maintain Council's information resources		
Link to Strategic Plan	Future Direction (5) - Innovative leadership and community governance 5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan 5.6 Meander Valley Council is recognised as a responsibly managed organisation		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Maintenance of Council's cemetery records in accordance with the Cemeteries Act Responsible Officer: Information Management Officer	5.6	Maintain records in accordance with legislation Achieved	Maintain records in accordance with legislation Achieved	Maintain records in accordance with legislation Achieved	Maintain records in accordance with legislation Achieved
2	Annual Archive Disposal Responsible Officer: Information Management Officer	5.6	Arrange for removal of documents due for disposal Achieved			List documents due for disposal Achieved

Action Performance Targets

N/A

Directorate	2. Corporate Services	Program number and title	2.5 Human Resources
Program Objective	Effectively manage and support Council's human resources		
Link to Strategic Plan	Future Direction (5) - Innovative leadership and community governance 5.4 Meander Valley Councillors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities. 5.6 Meander Valley Council is recognised as a responsibly managed organisation.		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Review 2019 Enterprise Agreement Responsible Officer: HR/Payroll Officer	5.6	Review increases and apply across new scale and allowances. Achieved			Review CPI percentage determine increase Achieved
2	Performance Review System Responsible Officers: HR/Payroll Officer & Directors	5.4	Coordinate inside employee performance reviews due for completion Achieved		Coordinate inside employee mini reviews & salary reviews due for completion Achieved	Coordinate outside employee performance reviews and salary reviews due for completion Achieved
3	Review of documentation including HR Policy manual, employee information manual & LGAT Policies Responsible Officer: HR/Payroll Officer	5.6			Review, update & consolidate draft HR policy manual Achieved	Adopt revised HR policy manual Deferred

Action Performance Targets

N/A

Directorate	2. Corporate Services	Program number and title	2.6 Great Western Tiers Visitor Information Centre
Program Objective	Effectively manage and maintain Council's Visitor Information Centre		
Link to Strategic Plan	Future Direction (2) - A thriving local economy 2.4 A high level of recognition and demand for Great Western Tiers products and experiences.		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Advise elected members of monthly visitation statistics Responsible Officer: Director Corporate Services	2.4	Provide statistics in the Briefing Report Achieved	Provide statistics in the Briefing Report Achieved	Provide statistics in the Briefing Report Achieved	Provide statistics in the Briefing Report Achieved

Action Performance Targets

N/A

Infrastructure Services

Directorate	3. Infrastructure Services	Program number and title	3.1 Emergency Services
Program Objective	To build capacity and resilience in the community and ensure Council is prepared to assist with emergency services in the response to emergencies and lead in the recovery		
Link to Community Strategic Plan 2014 to 2024	Future Direction (4) - A healthy and safe community <i>4.4 Prepare and maintain emergency management plans and documents and work with our communities to educate and plan for emergencies.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Co-ordinate the Municipal Emergency Management and Recovery Committee (MEMRC) Responsible Officer: Director Infrastructure Services	4.4	Chair six-monthly meeting Achieved		Chair six-monthly meeting Cancelled	
2	Support the operation of the Meander Valley SES unit through ongoing management of the MOU Responsible Officer: Director Infrastructure Services	4.4	Report to Council in Annual Plan Review Achieved			
3	Conduct emergency management training exercise facilitated by Red Cross Responsible Officer: Administration Officer, Infrastructure Services	4.4			Conduct training Cancelled	

Action Performance Targets

No.	Performance target
1	Meetings held
2	Obtain activities report from Deloraine SES and provide information to Council on a 12 monthly basis in Briefing Reports
3	Complete exercise training for MVC officers

Directorate	3. Infrastructure Services	Program number and title	3.2 Transport
Program Objective	To maintain the serviceability and integrity of Council's transport network.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.3 The Meander Valley transport network meets the present and future needs of the community and business</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Deliver the bridge inspection and maintenance program Responsible Officer: Senior Technical Officer	6.1, 6.3		Contractor engaged for maintenance works Achieved	Prepare maintenance budget items for 2020-2021 Achieved	Maintenance works completed Achieved
2	Design, document, procurement, and supervision of contracts as per the specific projects listed in the 2019-20 Capital Works Program Responsible Officer: Director Infrastructure	6.1, 6.3	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved
3	Undertake footpath proactive defect inspections Responsible Officers: Director Works & Asset Management Coordinator	6.1			Undertake required inspections Achieved	Undertake required inspections Achieved

Action Performance Targets

No.	Performance target
1	Quarterly tasks achieved. Contractor performance assessed
2	Completion of projects in line with project plan requirements
3	Meet timeframes set out by Conquest

Directorate	3. Infrastructure Services	Program number and title	3.3 Property Services
Program Objective	Operate property services in a safe and effective manner to satisfy public demand.		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (6) - Planned infrastructure services</p> <p><i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i></p> <p><i>6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilized and maintained.</i></p> <p><i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Operate Deloraine Swimming Pool and provide support to community swimming pool at Caveside Responsible Officer: Property Management Officer	6.4, 6.6	Review and extend existing contract Achieved	Undertake pre-opening inspection and required maintenance. Open pool 1 December Achieved	Operate pool to 1 March Achieved	
2	Co-ordinate building maintenance – general, reactive and programed Responsible Officer: Property Management Officer	6.1	Undertake required maintenance Achieved	Undertake required maintenance Achieved	Undertake required maintenance Achieved	Undertake required maintenance Achieved
3	Design, document, procurement, and supervision of contracts as per the specific projects listed in the 2019-20 Capital Works Program Responsible Officer: Property Management Officer	6.1	Report to program Achieved	Report to program Achieved	Report to program Achieved	Report to program Achieved

Action Performance Targets

No.	Performance target
1	Review and document Contractor's compliance with the contract
2	Meet timeframes set out by Conquest
3	Completion of projects in line with project plan requirements

Directorate	3. Infrastructure Services	Program number and title	3.4 Parks & Recreation
Program Objective	To provide and maintain parks and recreation facilities throughout the Local Government Area.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Undertake inspections and condition assessments of all equipment and facilities Responsible Officer: Director Works & Project Manager Infrastructure	6.1, 6.6		Undertake required inspections Achieved	Undertake required inspections Achieved	Undertake required inspections Achieved
2	Design, document, procurement, and supervision of contracts as per the specific projects listed in the 2019-20 Capital Works Program Responsible Officer: Project Manager Infrastructure	6.1	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved

Action Performance Targets

No.	Performance target
1	Meet timeframes set out by Conquest. Annual comprehensive inspection completed by December 31
2	Completion of projects in line with project plan requirements

Directorate	3. Infrastructure Services	Program number and title	3.5 Asset Management and GIS
Program Objective	Provision of Asset and GIS services to assist the operations of Council.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.3 The Meander Valley transport network meets the present and future needs of the community and business.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Co-ordinate Asset Management Group and Strategic Asset Management Plan Improvement Plan actions <ul style="list-style-type: none"> - Review Strategic Asset Management Plan - Review Asset Management Plans Responsible Officer: Asset Management Coordinator	6.1, 6.6	Chair meeting and action improvement program Achieved	Chair meeting and action improvement program Achieved	Chair meeting and action improvement program Achieved	Chair meeting and action improvement program Achieved
2	Prepare 2020-2021 Capital Works Program and Forward Works Program Responsible Officer: Asset Management Coordinator	6.1, 6.3, 6.6		Update Proposed Projects list Achieved	Prioritise and undertake further design and cost estimation Achieved	Annual program prepared for approval by Council Achieved
3	Update asset information including <ul style="list-style-type: none"> - capitalisation of assets in Conquest - undertake building and storm water revaluation Responsible Officer: Asset Management Coordinator	6.1	Capitalisation of assets and recording in Conquest and GIS Achieved	Capitalisation of assets and recording in Conquest and GIS Achieved	Capitalisation of assets and recording in Conquest and GIS Achieved	Capitalisation of assets and recording in Conquest and GIS Achieved

Action Performance Targets

No.	Performance target
1	Meetings held
2	To prepare annual Capital Works Program for approval in June Quarter
3	Capitalisation of assets prior to finalisation of 2019-2020 Statutory Reporting.

Directorate	3. Infrastructure Services	Program number and title	3.6 Waste Management and Resource Recovery
Program Objective	To provide adequate, efficient, and affordable waste services within Meander Valley Local Government Area		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Provision of kerbside collection contracts to existing urban areas for waste, recyclables and organics Responsible Officer: Senior Technical Officer	6.6	Manage Contract Achieved	Manage Contract Achieved	Manage Contract Achieved	Manage Contract Achieved
2	Provision of landfill, waste transfer stations and resource recovery operations contract Responsible Officer: Senior Technical Officer	6.6	Manage Contract Achieved	Manage Contract Achieved	Implement contract extension or issue new tender for services. Achieved	Manage Contract Achieved
3	Provision of hard waste collection Responsible Officer: Senior Technical Officer	6.6		Undertake collection Achieved	Report to Council in Annual Plan Review Achieved	
4	Design, document, procurement, and supervision of contracts as per the specific projects listed in the 2019-2020 Capital Works Program Responsible Officer: Director Infrastructure	6.1	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved
5	Operational compliance with Environment Protection Notice for Westbury and Deloraine landfill sites. Responsible Officer: Senior Technical Officer	6.6	Ground and surface water monitoring. Annual Report to EPA Achieved		Ground and surface water monitoring Achieved	

Action Performance Targets

No.	Performance target
1	Supervise and review contract
2	Supervise and review contract. Existing contract to be extended or retendered and approval of new contract by Council by 31 March
3	Report to Council by March 31 on collection results
4	Completion of projects in line with project plan requirements
5	Complete reporting requirements for EPA in line with license requirements

Directorate	3. Infrastructure Services	Program number and title	3.7 Stormwater Management
Program Objective	<p>To minimize the risk of flooding and provide clean water into the region's waterways. Council through the Urban Drains Act and the Local Government (Highways) Act aims to provide piped stormwater networks in line with current local government standards and major stormwater networks (overland flows and roads) capable of meeting a 1% AEP.</p> <p>Water quality is managed through Water Sensitive Urban Design (WSUD) principles where appropriate.</p>		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Develop stormwater system management plans in line with legislation Responsible Officer: Director Infrastructure	6.1				Complete program by 30 June Achieved
2	Design, document, procurement, and supervision of contracts as per the specific projects listed in the 2019-2020 Capital Works Program Responsible Officer: Director Infrastructure	6.1	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved	Report to program in Annual Plan Review Achieved

Action Performance Targets

No.	Performance target
1	Complete all lower risk catchments by June 2020
2	Completion of projects in line with project plan requirements

Directorate	3. Infrastructure Services	Program number & title	3.8 Sustainable Development
Program Objective	Develop sustainable practices within our organisation and community through leading, supporting and encouraging staff, contractors and community to use energy, water and non-renewable resources more productively. Promote and support sustainable economic development initiatives.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (1) - A sustainable natural and built environment <i>1.1 Contemporary planning supports and guides growth and development across Meander Valley</i> Future Direction (2) - A thriving local economy <i>2.2 Economic development in Meander Valley is planned, maximizing existing assets and investment in infrastructure.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Westbury Residential Rezoning Responsible Officer: Senior Strategic Planner	1.1		Rezoning approved Deferred to 30/06		Rezoning approved In Progress
2	Undertake projects to support implementation of the Prospect Vale Blackstone Heights structure Plan	1.1				PVBH Specific Area Plan approved In Progress
3	Support the progress of land developments including Valley Central and the Hadspen Urban Growth Area Responsible Officer: Sustainable Development Project Manager	2.2	Report in Annual Plan Review Achieved	Report in Annual Plan Review Achieved	Report in Annual Plan Review Achieved	Report in Annual Plan Review Achieved

Action Performance Targets

No.	Performance target
1	Complete rezoning process in the December quarter.
2	Progress Westbury Road Activity Centre Project and complete PVBH Specific Area Plan in June quarter.
3	Further feasibility work for the bioenergy project subject to grant funding

Community and Development Services

Directorate	4. Community and Development Services	Program number and title	4.1 Land Use and Planning
Program Objective	To carry out planning duties and prepare policies for the sustainable development of the local government area		
Link to Community Strategic Plan 2014 to 2024	Future Direction (1) - A sustainable natural and built environment. <i>1.1 Contemporary planning supports and guides growth and development across Meander Valley.</i> <i>1.2 Liveable townships, urban and rural areas across the local government area with individual character.</i> <i>1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Process development applications in accordance with delegated authority Responsible Officer: Coordinator Development Services	1.1, 1.2, 1.3	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved
2	Process Planning Scheme Amendments Responsible Officer: Director Community & Development Services	1.1, 1.2, 1.3	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved

Action Performance Targets

No.	Performance target
1	Within Statutory time frames, 100% Conformance
2	Within Statutory time frames, 100% Conformance

Directorate	4. Community and Development Services	Program number and title	4.2 Building, Plumbing and Permit Authority 2016
Program Objective	To carry out statutory responsibilities for the administration and enforcement of the Building Act 2016 and the Tasmanian Building Regulations 2016.		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (1) - A sustainable natural and built environment.</p> <p><i>1.1 Contemporary planning supports and guides growth and development across Meander Valley.</i></p> <p><i>1.2 Liveable townships, urban and rural areas across the local government area with individual character.</i></p> <p><i>1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.</i></p> <p><i>1.4 Public health and the environment is protected by the responsible management of liquid and solid waste at a local and regional level.</i></p> <p>Future Direction (3) Vibrant and engaged communities.</p> <p><i>3.2 Successful local events enhance community life.</i></p> <p>Future Direction (4) A healthy and safe community.</p> <p><i>4.3 Public health and safety standards are regulated, managed and maintained.</i></p> <p>Future direction (5) Innovative leadership and community governance</p> <p><i>5.5 Councils in the region collaborate and share resources for the collective good of their communities</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Permit Authority – Issue Permits for Category 4 Building works Responsible Officer: Coordinator Development Services	1.1, 1.2, 1.3	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved
2	Permit Authority – Process Notifiable Building Works (Category 3) Responsible Officer: Coordinator Development Services	1.1, 1.2, 1.3	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved
3	Permit Authority – Manage outstanding Building Completions and Illegal Works Responsible Officer: Coordinator Development Services	1.1, 1.2, 1.3				Reduce outstanding completions Achieved

4	Coordinate Major Events applications Responsible Officer: 337 Officers	3.2	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved
5	Permit Authority – Issue Permits for Category 4 Plumbing works Responsible Officer: Coordinator Development Services	1.4, 4.3, 5.5	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved
6	Permit Authority – Issue Notifiable Plumbing Works (Category 3) Responsible Officer: Coordinator Development Services	1.4, 4.3, 5.5	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved

Action Performance Targets

No.	Performance target
1	Issue Building Permits within 7 working days from the date all other permits and documents as required by the Building Act, are received by Council.
2	Notifiable Building works processed in a timely manner
3	Outstanding building completions and illegal works reduced to meet transitional requirements of Building Act 2016
4	Respond to applications within 7 working days
5	Process plumbing permit applications within 7 days of receipt of all information
6	Process notifiable plumbing works within 21 days of receipt of all information

Directorate	4. Community and Development Services	Program number and title	4.3 Environmental Health
Program Objective	Manage Council's statutory obligations in relation to Environmental Protection and Preventative Health		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (1) - A sustainable natural and built environment. <i>1.5 Public health and the environment is protected by the responsible management of liquid and solid waste at a local and regional level.</i></p> <p>Future Direction (4)- A healthy and safe community. <i>4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.</i> <i>4.3 Public health and safety standards are regulated, managed and maintained.</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Monitor and sample water quality of recreational waters Responsible Officer: Environmental Health Officer	1.5, 4.1	Record Results Achieved	Record Results Achieved	Record Results Achieved	Record Results Achieved
2	Inspect and register food premises annually Responsible Officer: Environmental Health Officer	4.1, 4.3	Issue annual registration for all premises Achieved	Inspections as per Schedule Achieved	Inspections as per Schedule Achieved	Inspections as per Schedule Achieved
3	Co-ordinate immunisation clinics Responsible Officer: Environmental Health Officer	4.1, 4.3		Complete Annual Immunisation Program Achieved		

Action Performance Targets

No.	Performance target
1	Respond to non-conformances within 48 hours
2	Conduct inspections as per program
3	Provide school based immunisations as per program (usually March and September)

Directorate	4. Community and Development Services	Program number and title	4.4 General Inspector
Program Objective	To carry out statutory responsibilities for the administration and enforcement of the Dog Control Act 2000, Fire Services Act 1979 and the Local Government Act 1993.		
Link to Community Strategic Plan 2014 to 2024	Future direction (4) - A healthy and safe community. <i>4.3 Public health and safety standards are regulated, managed and maintained.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Annual Audit of Dog Registrations Responsible Officer: General Inspector	4.3	Prepare for Audit Achieved	Conduct Audit Achieved		
2	Fire Abatement Management Responsible Officer: General Inspector	4.3		Issue Notices Achieved	Issue Notices Achieved	
3	Investigate incidents and complaints regarding animal control Responsible Officer: General Inspector	4.3	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved	Performance Target Achieved

Action Performance Targets

No.	Performance target
1	Audit conducted as scheduled (potentially October)
2	Notices issued as required
3	Investigate all cases and complaints within 10 days

Directorate	4. Community and Development Services	Program number and title	4.5 Natural Resource Management
Program Objective	Facilitate Natural Resource Management for Council and Community		
Link to Community Strategic Plan 2014 to 2024	Future Direction (1) - A sustainable natural and built environment. <i>1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.</i> <i>1.4 Meander Valley is environmentally sustainable</i> <i>1.6 Participate and support programs that improve water quality in our waterways.</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Review and implement NRM strategies Responsible Officer: NRM Officer	1.3, 1.4, 1.6	Review and prioritize Council based activities Achieved	Implement activities Achieved	Implement activities Achieved	Implement activities Achieved
2	Monitor and assess implementation of the Town Common Management Plan Responsible Officer: NRM Officer	1.3, 1.4, 1.6	Performance target Achieved	Performance target Achieved	Performance target Achieved	Performance target Achieved

Action Performance Targets

No.	Performance target
1	Complete actions within timeframes and within budget
2	Consistent with management plan

Directorate	4. Community and Development Services	Program number and title	4.6 Community Development
Program Objective	Working with the community for the benefit of all		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (3) - Vibrant and engaged communities. <i>3.1 Creativity and learning are art of daily life across the communities of Meander Valley.</i> <i>3.2 Successful local events enhance community life.</i> <i>3.4 Meander Valley communities have the resilience and capacity to address and overcome life's challenges and emergencies.</i></p> <p>Future Direction (4) - A healthy and safe community. <i>4.1 The health and wellbeing needs of all sectors of the community are planned, met and managed.</i> <i>4.3 Public health and safety standards are regulated, managed and maintained</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Facilitate the operation of Council Community Forums Responsible Officer: Community Development Manager	3.4, 4.1.	Conduct Forum and report outcomes Achieved	Conduct Forum and report outcomes Achieved	Conduct Forum and report outcomes Achieved	Conduct Forum and report outcomes Achieved
2	Deliver the Community Grants Program Responsible Officer: Community Development Manager	3.1, 3.2, 3.4, 4.1.	Acquit Round 1 and advertise Achieved	Acquit Round 2 and advertise Achieved	Acquit Round 3 and advertise Achieved	Acquit Final Round and advertise Conduct Grants Information Forum Achieved
3	Conduct GWTTA Art Exhibition Responsible Officer: Community Development Manager	3.1, 3.2	Establish event, promotion and procedures Achieved	Promote participation Achieved	Conduct exhibition Achieved	Review exhibition Achieved
4	Conduct a Festival of Small Halls concert Responsible Officer: Community Development Manager	3.1, 3.2,	Establish event venue, format and partnership Achieved	Promote event and sell tickets Achieved	Conduct event Achieved	Review event outcomes Achieved
5	Produce a user-friendly Event Management Guide Responsible Officer: Community Development Manager	3.2, 4.1, 4.3	Draft Guide Achieved	Launch Guide In Progress		

Action Performance Targets

No.	Performance target
1	Meetings held and goals achieved
2	Number and range of grant applications
3	Number of artists participating
4	Audience number and event finances
5	Guide produced

Directorate	4. Community and Development Services	Program number and title	4.7 Services to Young People
Program Objective	To address and support the needs of young people through responsive and participatory approaches		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (3) - Vibrant and engaged communities</p> <p>3.1 Creativity and learning are part of daily life across the communities of Meander Valley.</p> <p>3.2 Successful local events enhance community life.</p> <p>3.3 Educations and training opportunities are available to everyone across the local government areas.</p> <p>3.4 Meander Valley communities have the resilience and capacity to address and overcome life's challenges and emergencies.</p> <p>3.5 Young people have the opportunity to be engaged in community life.</p> <p>Future Direction (4) - A healthy and safe community.</p> <p>4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.</p> <p>4.2 Infrastructure, facilities and programs encourage increased participation in all forms of active and passive recreation.</p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Conduct School Holiday Program Responsible Officer: Community Officer	3.1, 3.2, 3.3, 3.4, 3.5, 4.1, 4.2	Conduct and report Achieved		Conduct and report Achieved	Conduct and report. Evaluate overall outcomes Cancelled
2	Conduct Stepping Stones Camps Responsible Officer: Community Officer	3.1, 3.3, 3.4, 4.1, 4.2.		Conduct and report Achieved	Conduct and report Achieved	Conduct and report. Evaluate overall outcomes Cancelled
3	Conduct 'National Youth Week' Event Responsible Officer: Community Officer	3.1, 3.2, 3.5, 4.1.			Prepare and advertise event Deferred	
4	Conduct Youth Liaison workshop with Council Responsible Officer: Community Officer	3.4, 3.5	Prepare, conduct workshop and report outcomes Achieved			

Action Performance Targets

No.	Performance target
1	Programs conducted and evaluated
2	Program conducted and evaluated
3	Event conducted and evaluated
4	Workshop conducted and evaluated

Directorate	4. Community and Development Services	Program number and title	4.9 Recreation Facilities Management
Program Objective	To provide indoor facilities for recreational, social and community based activities that are safe, comfortable and fit for purpose		
Link to Community Strategic Plan 2014 to 2024	<p>Future direction (1) - A sustainable natural and built environment. <i>1.1 Contemporary planning supports and guides growth and development across Meander Valley.</i></p> <p>Future Direction (3) - Vibrant and engaged communities. <i>3.3 Education and training opportunities are available to everyone across the local government area.</i> <i>3.5 Young people have the opportunity to be engaged in community life.</i></p> <p>Future Direction (4) -A healthy and safe community. <i>4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.</i> <i>4.2 Infrastructure facilities and programs encourage increased participation in all forms of active and passive recreation.</i></p> <p>Future direction (6) - Planned infrastructure services. <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilised and maintained.</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Review of Sport and Recreation Plan Responsible Officer: Recreation Coordinator	1.1, 4.1, 4.2, 6.1, 6.4	Draft Final Plan In Progress	Seek endorsement of Plan Achieved	Report on progress Achieved	Report on progress Cancelled
2	Implement promotion and marketing of indoor recreation facilities to current and prospective users Responsible Officer: Recreation Coordinator	3.5, 4.1, 4.2, 6.4.	Promote facilities Achieved	Promote facilities Achieved	Promote facilities In Progress	Review and assess promotion strategies Deferred
3	Produce a User Guide for individual indoor facilities Responsible Officer: Sport Facility & Development Officer	4.1,4.2, 6.4	Draft Guide format Deferred	Complete Guide In Progress	Report on progress In Progress	

Action Performance Targets

No.	Performance target
1	Plan endorsed and progress reported
2	Promotion implemented and progress reviewed
4	Guides produced and progress reported

Directorate	4. Community and Development Services	Program number and title	4.10 Business Engagement
Program Objective	Working with the small business community to increase participation, innovation and partnership		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (2) – A thriving local economy</p> <p><i>2.1 The strengths of Meander Valley attract investment and provide opportunities for employment</i></p> <p><i>2.3 people are attracted to live in the townships, rural and urban areas of Meander Valley</i></p> <p><i>2.4 A high level of recognition and demand for Great Western Tiers products and experiences</i></p> <p><i>2.5 Current and emerging technology is available to benefit both business and community</i></p> <p>Future Direction (3) - Vibrant and engaged communities.</p> <p><i>3.2 Successful local events enhance community life</i></p> <p><i>3.3. Education and training opportunities are available to everyone across the local government area</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Establish a Small Business Directory Responsible Officer: Business Engagement Officer	2.1, 2.3, 2.4, 2.5,	Present at Council workshop Deferred	Launch Directory site with promotion strategy Achieved	Report on progress Deferred	
2	Produce a regular Small Business Bulletin Responsible Officer: Business Engagement Officer	2.1, 2.4, 2.5, 3.3	Compile and distribute Achieved	Compile and distribute Achieved	Compile and distribute Deferred	
3	Support the establishment of a 'Chamber of Commerce' for Meander Valley Responsible Officer: Business Engagement Officer	2.1,2.2. 2.3,2.4,2.5, 3.2,3.3,	Report on progress Achieved	Report on progress Achieved	Report on progress Deferred	

Action Performance Targets

No.	Performance target
1	Directory established and promoted
2	Bulletin established and distributed
3	Chamber of Commerce progressed

Works

Directorate	5. Works	Program number and title	5.1 Roads
Program Objective	To construct and maintain a safe and effective road network to meet the needs of road users and the community.		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (6) - Planned infrastructure services</p> <p><i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i></p> <p><i>6.3 The Meander Valley transport network meets the present and future needs of the community and business</i></p> <p><i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Undertake maintenance works that achieve the Program Objective Responsible Officer: Works Supervisors & Works Officers	6.1, 6.3, 6.6	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved
2	Plan and deliver capital work projects Responsible Officer: Works Director, Works Supervisors & Works Officers	6.3, 6.6	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved	Report to Annual Plan Review Achieved

Action Performance Targets

No.	Performance target
1	Provide Customer Service Request statistics and budget updates in Briefing Report
2	Provide program, project and budget updates in Briefing Report

Directorate	5. Works	Program number and title	5.2 Urban Storm water
Program Objective	To provide and maintain an effective urban storm water drainage system.		
Link to Community Strategic Plan 2014 to 2024	<p>Future Direction (6)- Planned infrastructure services</p> <p>6.1 <i>The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i></p> <p>6.5 <i>Storm water and flooding cause no adverse impacts.</i></p> <p>6.6 <i>Infrastructure services are affordable and meet the community's needs into the future</i></p>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Undertake maintenance works that achieve the Program Objective Responsible Officer: Works Supervisors & Works Officers	6.1, 6.5, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved
2	Plan and deliver capital work projects Responsible Officer: Works Director, Works Supervisors & Works Officers	6.1, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved

Action Performance Targets

No.	Performance target
1	Provide Customer Service Request statistics and budget updates in Briefing Report
2	Provide program, project and budget updates in Briefing Report

Directorate	5. Works	Program number and title	5.3 Parks, Reserves, Sports Grounds and Cemeteries
Program Objective	To ensure that Councils parks, reserves, cemeteries and sports grounds are suitably maintained to provide a safe, clean and inviting experience to community and sporting organisations.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilized and maintained.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Undertake maintenance works that achieve the Program Objective Responsible Officers: Works Supervisors and Works Officers	6.1, 6.4, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved
2	Plan and deliver capital work projects Responsible Officer: Works Director, Works Supervisors & Works Officers	6.1, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review + Achieved

Action Performance Targets

No.	Performance target
1	Provide Customer Service Request statistics and budget updates in Briefing Report
2	Provide program, project and budget updates in Briefing Report

Directorate	5. Works	Program number and title	5.4 Toilets, Street Cleaning and Litter Collection
Program Objective	To ensure public toilets and streets are presented in a clean and tidy condition and meet the needs of the community.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilized and maintained.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Undertake maintenance works that achieve the Program Objective Responsible Officers: Works Supervisors & Works Officers	6.1, 6.4, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved

Action Performance Targets

No.	Performance target
1	Provide Customer Service Request statistics and budget updates in Briefing Report

Directorate	5. Works	Program number and title	5.5 Plant
Program Objective	To provide plant and equipment that suits Councils activities and is financially sustainable.		
Link to Community Strategic Plan 2014 to 2024	Future Direction (6) - Planned infrastructure services <i>6.1 The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i> <i>6.6 Infrastructure services are affordable and meet the community's needs into the future</i>		

Operational Detail

No.	Actions and Tasks	Strategic Plan Reference	Complete by 30/9	Complete by 31/12	Complete by 31/3	Complete by 30/6
1	Manage plant to achieve the Program Objective Responsible Officers: Works Director and Works Supervisors	6.1, 6.6			Complete major plant annual review Achieved	
2	Undertake plant purchases in accordance with the approved budget Responsible Officer: Works Director	6.1, 6.6	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved	Report to Annual Plan review Achieved

Action Performance Targets

No.	Performance target
1	Review plant utilization and hire rates, and update 10 year Plant Replacement Program
2	Provide program, project and budget updates in Briefing Report

Public Health Goals and Objectives

Meander Valley Council is committed to protecting and promoting the health of its residents and visitors. The Council's Environmental Health team and General Inspector is responsible for ensuring the statutory obligations under the Public Health Act 1997, Environmental Management and Pollution Control Act 1994, Food Act 2003, Dog Control Act 2000 and Local Government Act 1993 are met. As part of Meander Valley's public health goals and objectives, in 2019-20 the Health and Compliance Department will seek to:

- Review the public health statement/report provided in the Annual Report;
- Improve public awareness with regards to responsible dog ownership and the provisions of our Dog Management Policy;
- Improve public awareness with regards to wood smoke and Burn Brighter initiatives;
- Undertake Immunisation programs in the local schools;
- Conduct food handling training for local food businesses and community groups
- Ensure on site waste water treatment systems are installed in accordance with regulations
- Monitor water quality at public recreation sites

Budget Estimates

	2018-19	2019-20
Revenue		
Rate Revenue	12,465,800	12,966,400
Fees and User Charges	1,228,300	1,255,000
Contributions and Donations	46,500	51,500
Interest	785,400	835,600
Grants and Subsidies	4,602,400	4,441,200
Other Revenue	736,500	748,700
Total Operating Revenue	19,864,900	20,298,400
Operating Expenditure		
Employee Costs	6,659,300	6,798,100
Maintenance and Working Expenses	6,409,300	6,427,500
Borrowing Costs	236,500	266,000
Depreciation	5,135,500	5,088,000
Payments to Government Authorities	1,192,000	1,264,900
Other Payments	274,700	286,800
Total Operating Expenditure	19,907,300	20,131,300
Underlying Surplus/(Deficit)	204,400	167,100
Net Operating Surplus/(Deficit)including capital and abnormal items	2,657,700	1,900,300
Capital Expenditure	13,753,100	11,978,100
Repayment of Loans	-	-
Asset Sales	216,000	216,000
Closing Cash Balance	15,899,100	15,767,800
Net Assets	295,743,892	295,910,992

GOVERNANCE 2

Reference No. 154/2020

MEANDER VALLEY COUNCIL ANNUAL PLAN 2020–21

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council:

- 1. Adopts the Meander Valley Council Annual Plan for the 2020-21 financial year prepared in accordance with section 71 of the Local Government Act 1993.***
- 2. Notes progress against the Annual Plan will be reported to Council each quarter.***

2) Officers Report

The purpose of an annual plan is to provide a public statement that outlines the projects, activities and programs that Council will commit to undertake during the upcoming financial year.

Under section 71 of the *Local Government Act 1993* (the Act) Council is required to prepare an Annual Plan.

Council's Annual Plan must:

- Be consistent with the Meander Valley Community Strategic Plan;
- Outline how Council is to meet the goals and objectives of the Strategic Plan;
- Summarise the estimates adopted under section 82 of the Act; and
- Summarise the major strategies to be used in relation to the Council's public health goals and objectives.

The above aspects are satisfied in the draft Annual Plan submitted for Council adoption.

The Annual Plan is a public document and upon adoption will be made available for public viewing at Council's offices at Westbury. A copy will also be posted on Council's website. In line with statutory requirements a copy of the Annual Plan will also be forwarded to the Directors of Local Government and Public Health.

The Annual Plan will be supported by a set of quarterly performance measures. Quarterly performance measures will be presented at the next Council Meeting following adoption of the Annual Plan.

The draft Meander Valley Council Annual Plan 2020-21 was presented at the Council Workshop held on 4 August 2020.

3) Council Strategy and Policy

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

- Future Direction (5) Innovative leadership and community governance

4) Legislation

Local Government Act 1993

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

The Meander Valley Council Annual Plan will be available for viewing and review at the public offices of Meander Valley Council during normal business hours. The plan will also be available on the Meander Valley Council website.

8) Financial Consideration

The Meander Valley Council Annual Plan 2020-21 aligns with the 2020-21 Budget.

9) Alternative Recommendations

Council may elect to amend the Meander Valley Council Annual Plan 2020-21.

10) Voting Requirements

Simple majority

DECISION:



Meander Valley Council
Working Together

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Annual Plan 2020-21

Your Councillors



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“Our work enhances the amenity of our townships, the livability of our region and most importantly, helps to create strong, connected communities.”

Message from the Mayor

This years' Annual Plan defines our priority actions for the financial year ahead and, whilst it does not incorporate every aspect of our operations, it outlines the goals and objectives we aim to achieve in the coming year.

Meander Valley Council manages over 8,800 different assets that the community relies upon and our work enhances the amenity of our townships, the livability of our region and most importantly, helps to create strong, connected communities.

The COVID-19 pandemic and declared state of emergency have meant exceptionally challenging times for everyone. Restrictions resulted in the temporary closure of our customer service centre and the introduction of social distancing measures have significantly changed the way we work and relate to the community.

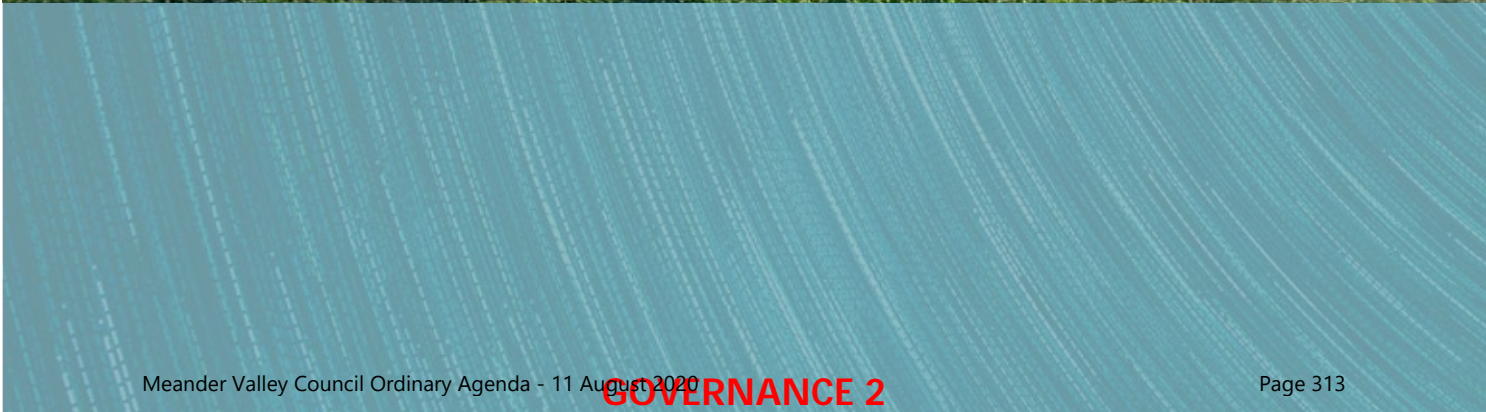
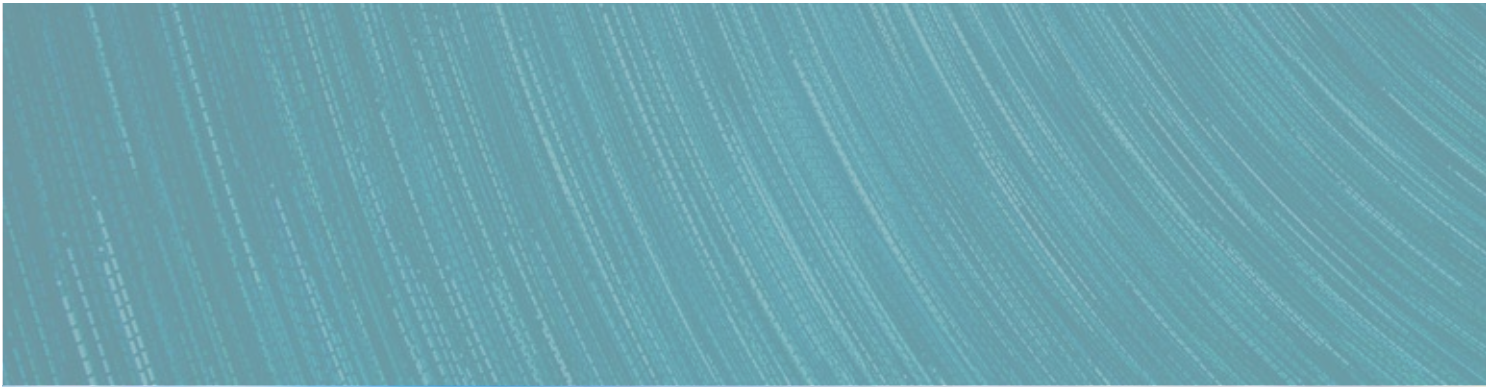
Throughout this challenging time, Council has had the incredible support of a number of volunteer organisations that have assisted in the provision of transport, meals and other essential services to those most vulnerable. On behalf of the Meander Valley community and all Councillors, I thank you for your continued efforts. In the spirit of our motto, it really has been a year of everyone working together for the common good.

Council was fortunate to be in a relatively strong financial position that enabled the timely release of a comprehensive \$1.7m COVID-19 Community and Business Support Package. This is the single largest community support package ever endorsed by Council and delivered much needed immediate relief and longer term support.

Council will also deliver an \$15m capital works program, bringing forward construction works and progressing a range of projects including design and construction of a new community hall in Bracknell, squash courts and clubrooms in Deloraine and drainage, irrigation and upgrade works at the Prospect Vale Park training grounds.

Our Annual Plan highlights the outstanding opportunities Meander Valley has and as we look towards 2021, we do so with an actions focused plan and an incredibly resilient community that I am proud to represent.

- *Wayne Johnston, Mayor*



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Message from the General Manager

I am proud to present Meander Valley Council's Annual Plan. The Annual Plan complements Council's Annual Budget and presents the strategic priorities for the coming year as determined by elected members and more broadly expressed through long term strategy planning including; the Community Strategic Plan 2014-2024, the Financial Management Strategy and the Long Term Financial Plan.


The emergence and ongoing effects of the COVID-19 Disease Emergency means that for the foreseeable future, Council will be operating in a very different set of social and economic circumstances and this will require Council and the community to remain responsive to uncertainty and emerging issues.

Council has been mindful to ensure opportunities to responsibly support the community and business remain a key focus. Council's \$1.7m COVID-19 Community and Business Support Package delivers a wide range of benefits including no general rate increases for 2020-21, fee and charge waivers and other measures to support the community and small business through grants, additional infrastructure spending and more.

While the measures contained in the Community and Business Support Package deliver much needed help across the municipality, they do alter Council's financial position. These impacts are compounded by the broader repercussions of COVID-19 and generally unfavourable circumstances including the loss of TasWater dividends (\$556,000), increased kerbside bin collection costs (\$127,000) and a reduction in interest earned from invested cash (\$190,000).

Capital expenditure totalling \$15m has been incorporated into this year's program with a range of projects planned including footpaths, road resurfacing, bridge and road reconstructions.

This year, Council will review its community and lifestyle programs including the renewal of the Community Strategic Plan and a refresh of community consultation and communication approaches. A revitalised community events program will also be developed, focusing on events that promote participation, connection and the activation of spaces to benefit local businesses, residents and visitors. Council will also renew its commitment to regionally significant events and programs.



"...Council remains in a strong financial position to accommodate the prevailing economic and social headwinds"

- John Jordan, General Manager

Council has utilised savings to support the community during COVID-19 and this has resulted in a forecast operating deficit of \$2.065m for 2020-21.

Despite this, Council remains in a strong financial position with capacity to accommodate the prevailing economic and social headwinds. A review of our long term financial plan targets a return to an operating surplus by 2026-27.

To improve this position and deliver the capabilities needed in the future, the Annual Plan commits Council to a review of its service delivery, systems and workforce to better align services to community expectations and optimise operations.

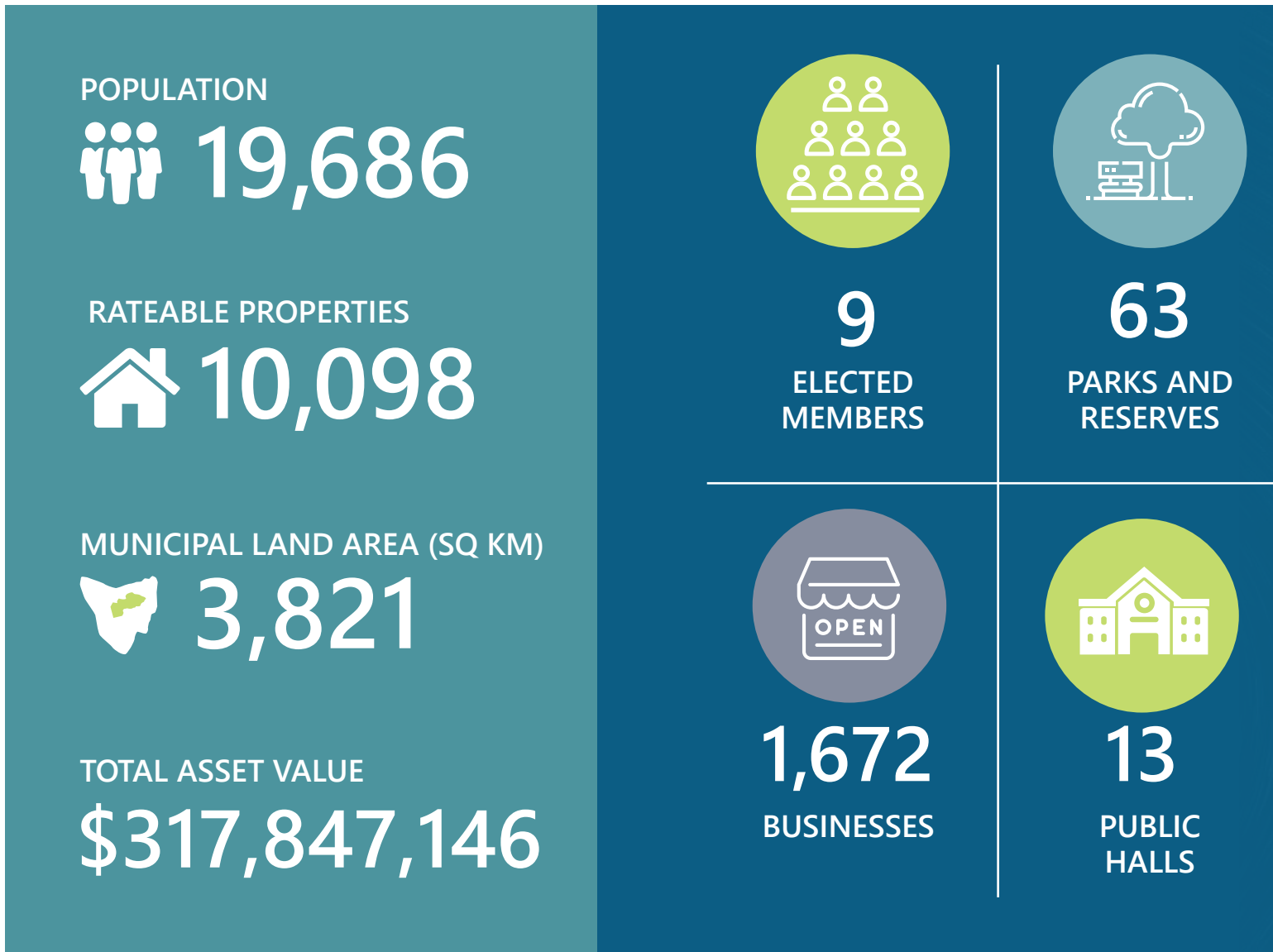
I want to thank Councillors and staff for their contributions and ongoing commitment in setting and delivering the agenda laid out in this Annual Plan. The initiatives provide real value and contribute to the prosperity of Meander Valley.

- John Jordan, General Manager

Our Meander Valley

Meander Valley has some of the State's best short walks, world heritage listed wilderness, cycling trails, trout fishing and gourmet food producers. Those who live and work in Meander Valley enjoy a rural lifestyle that is centrally located, close to serviced towns and an easy commute to both Launceston and Devonport.

Meander Valley's central location and proximity to major ports, airports and highways are attractive to investors and many agricultural, manufacturing, transport and logistics based businesses have capitalised on the area's affordable industrial-zoned land.



1,300+

CUSTOMER SERVICE REQUESTS ARE MANAGED EACH YEAR.

37% **FEWER STAFF***

MEANDER VALLEY COUNCIL OPERATES WITH FEWER STAFF IN COMPARISON TO THE STATE AVERAGE FOR ALL COUNCILS.

(*Source: Tasmanian Audit Office)

“Meander Valley has a growing and diverse community with a progressive Council and, despite being a small organisation, we have great capability.”

- John Jordan, General Manager



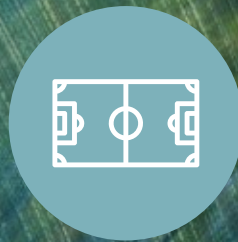
41

SPORTING FACILITIES



223

BRIDGES



8

SPORTING GROUNDS



6,500

KERBSIDE COLLECTION SERVICES



821

KILOMETRES OF ROAD NETWORKS



36

PLAYGROUNDS AND FITNESS STATIONS



2

MUNICIPAL SWIMMING POOLS



3

MUNICIPAL WASTE FACILITIES

24%

LOWER RATES



DESPITE BEING IN CLOSE PROXIMITY TO TWO MAJOR CITIES, AVERAGE RATES IN MEANDER VALLEY ARE ALMOST THE LOWEST IN THE STATE.

5

URBAN TOWNSHIPS

5+

VILLAGE CENTRES

29+

RURAL & RESIDENTIAL AREAS

Our Capacity



Workforce

As our municipality grows, community expectations around service levels change and towards 2021, we will be focusing on creating greater efficiencies and securing our workforce as we prepare to respond to the changing needs of the Meander Valley community.

Based on figures from the Tasmanian Audit Office, Meander Valley Council has fewer staff than most other Councils, employing an average of 4.1 workers per 1,000 residents. Our people provide a wealth of experience across a broad range of skillsets. Our people often perform more than one role.

In 2020-21 we will undertake a review of our workforce capacity and capability to ensure we continue to have the right mix of people, with the right skills, to deliver services to the community in an efficient and contemporary way.

A focus will be succession planning and skills development. We have an aging workforce in key areas and we need to take steps to ensure new staff benefit from the knowledge of those transitioning to retirement or leaving the organisation for other reasons.



Customer Service

Improving our service capabilities is an ongoing commitment of Council. We have recently completed new customer services facilities at the Westbury office and in the coming year, we will be striving towards service models that are even more “customer centric”, making it easier for residents and business owners to access information, navigate planning processes and get things done.

The recent restrictions imposed due to the COVID-19 Disease Emergency have accelerated online interactions with our customers and we have and will continue to improve our online services in response to this growing trend.



Our Assets

Council manages over 8,840 assets across the municipality worth \$317,847,146. Meander Valley comprises urban centres, villages, townships and rural residential areas dispersed across over 3,800 square kilometres. Whilst this offers an attractive range of lifestyle options it does present some challenges. We manage a vast rural road network and over 220 bridges that provide vital connective infrastructure.

Other asset classes include land, plant, stormwater, community halls, buildings, recreation facilities, parks and playgrounds.

About the Annual Plan



What is it?

The Annual Plan is an outline of what Council intends to deliver over the next twelve months and provides an operational overview of the programs, activities and regulatory responsibilities that Council will progress.

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How does Council decide what to include in this years' Annual Plan?

Activities in the Annual Plan are drawn from:



- The six future directions set out in our broader, ten year plan - the Meander Valley Community Strategic Plan 2014 - 2024



- Decisions and endorsed strategies of Council



- Legislative and regulatory requirements of Council
- Essential reforms to services in response to emerging issues
- Asset Management Strategy
- Long Term Strategic Asset Management Plan
- Financial Management Strategy
- Long Term Financial Plan



How are the programs and activities in the plan delivered?

Each department of Council is responsible for delivering the programs, activities and regulatory responsibilities that are allocated to them and, reporting on their progress throughout the year.

"...towards 2021, we will be focusing on greater efficiencies and securing our workforce as we prepare to respond to the changing needs of the Meander Valley community."

- John Jordan, General Manager

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\$1.7m

COVID-19 COMMUNITY AND BUSINESS SUPPORT PACKAGE

A comprehensive support package providing both immediate relief to reduce expenses for residents and businesses and longer term measures to assist the municipality to recover.

Key initiatives include a suspension of any increase in general rates, planning, building and licensing fees and temporary removal of all fees associated with food business registration.

FUNDING TO SUPPORT THE COMMUNITY AND LOCAL EVENTS

\$134,000 to support the community and local events through grants and sponsorship to re-activate our townships.



Annual Plan 2020-21



\$1.8m

RECONSTRUCTION AND UPGRADE OF 5.5KM OF OUR ROAD NETWORK.



RENEWED COMMUNITY STRATEGIC PLAN

Council will renew its community and lifestyle programs and undertake a refresh of community consultation and communication approaches to achieve effective, value for money outcomes across Meander Valley.



BRIDGE RECONSTRUCTION PROJECTS

Over \$1m in funding will be directed to the reconstruction of bridges at:

- Collier Creek, Railton Road
- Liffey River, Liffey Falls Road
- Black Sugarloaf Creek, Allens Road



SUPPORT FOR ECONOMIC DEVELOPMENT

Council will work with peak organisations for economic development, tourism and regional planning.



STRATEGIC PLANNING PROJECTS

Council will finalise and implement the Tasmanian Planning Scheme - Local Provisions Schedule and support the progress of land developments such as the Hadspen Urban Growth Area.

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ONLINE SERVICE DELIVERY

Council will continue to develop ways to provide more streamlined and responsive services in more convenient and accessible ways.



ENVIRONMENT AND NATURAL AMENITY

Council will renew its NRM Strategy and Westbury Town Common Management Plan and continue the roll out of street tree planting to improve amenity of our streetscapes and livability of our towns.



FOOTPATH PROJECTS

\$465,000 in funding has been allocated to construction work on over 1.6km of footpaths to improve pedestrian connectivity.



CONSOLIDATING FIELD SERVICES

Council will secure land to build a new works depot at Westbury and consolidate field and infrastructure workforces at a single contemporary facility.

WASTE SERVICES REVIEW

Council will review levels of service and waste stream management practices to finalise a long term plan for its \$2m investment in collection, recycling and landfill management.



ROAD RESURFACING PROJECTS

Over \$1.5m in funding has been allocated to road resurfacing projects across 35km of our sealed and unsealed road network.



SUPPORT FOR REGIONAL TOURISM

Council has created a new role, dedicated to business and economic recovery and focusing on actions to grow existing sectors and attract new business. Funding has also been allocated to initiatives that support local and regional tourism through Tourism Northern Tasmania.

REPRESENTING OUR REGION

Council will continue to work proactively with other northern councils on regional initiatives including the Regional Economic Development Plan, the Greater Launceston Transport Vision, Tamar Estuary Management Taskforce and the Greater Launceston Transformation Plan Steering Committee.

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An Agenda of Renewal



Growing Capability

This year's Annual Plan sets out an agenda of renewal. Council will progress work to underpin its capacity to operate in the future and this includes:

- Progressing work to upgrade the financial management systems; considering options for regional and standalone solutions;
- Securing the land and preliminary works for a new works depot which will co-locate our Deloraine and Westbury field and infrastructure workforces into a contemporary single location to achieve operational efficiencies;
- Completing the refurbishment of the Council chambers and our customer service area and improvements to the Town Hall Supper Room and courtyard;
- Undertaking a review of Council's workforce to achieve the contemporary arrangements needed to ensure high standards of service, staff retention and development and maintaining our employer of choice standing; and
- A review of assets held by Council to ensure land and property holdings are retained or disposed of in line with long term business need.



Governance and Managing Operational Risk

Council's risk and audit functions are overseen by an independently chaired Audit Panel. The tenure of the current Audit Panel Chairman, Mr Steven Heryk, will end in the first half of 2020-21 and Council will seek a replacement with a preference to continue with the successful practice of a common chair across some of our neighbouring councils. Council will continue efforts to enhance its management of operational risks in 2020-21 by:

- Using planning, project, program and risk management methodologies;
- Developing and maintaining operational plans for the delivery of projects and services;
- Regular reporting to Council, the Audit Panel and other forums of all key projects funded by the Annual Plan and Budget;
- Monitoring the efficiency and effectiveness of services delivered within the Annual Plan and Budget and by undertaking quarterly and annual reporting by the General Manager to Council;
- Ensuring Directors and staff have the appropriate skills to identify and assure risks are managed in accordance with policies, standards, laws, regulations and commitments and remain accountable by providing regular risk and compliance reports to the General Manager and, reporting the results of any internal audit reviews to the Audit Panel and Council.



Community and Lifestyle

Council will renew its community and lifestyle programs spending \$700k. Key work will include the renewal of the Community Strategic Plan and a refresh of community consultation and communication approaches to achieve effective, value for money outcomes across Meander Valley. The community events program will also be revitalised; building on the successes of the past but with a focus on events that promote participation, connection and the activation of spaces to benefit local businesses, residents and visitors.



Waste and Recycling

Council spends approximately \$2m on waste collection, recycling and management of Council owned or supported landfill sites and transfer stations at Cluan, Deloraine, Mole Creek and Meander. Recycling and waste collection costs are increasing significantly due to market driven changes. At the same time, community expectations for waste collection services are increasing. Council will be undertaking a review of waste management services to determine the best way to manage costs, meet service expectations and limit the level of waste going to landfill.



Planning

Council will work towards the finalisation of Meander Valley's Local Provisions Schedule ahead of the implementation of the Tasmanian Planning Scheme. This will include the conversion of associated digital resources and assessment reporting to ensure a smooth transition to the new statewide scheme. The strategic development framework for Prospect Vale - Blackstone Heights will be progressed, including any required amendments to the Regional Land Use Strategy and the Planning Scheme. The Hadspen Urban Growth Area will also be progressed.



Business and Economic Recovery

Council has created a new role as part of the response to the COVID-19 pandemic. This role recognises the importance of the Meander Valley business sector to the broader northern Tasmanian community. The Manager, Business and Economic Recovery will focus on strategies and actions to assist local enterprises to recover from the economic downturn and to look for opportunities to grow existing sectors and attract new businesses. While the initial focus will be on assisting business to recovery, there is a strong emphasis on expanding the many economic advantages and resources that are within the Meander Valley municipality.

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Capital Works

The capital works program outlines the renewal, reconstructive and new works that Council intends to deliver in the coming year. Planned renewal of existing assets allows Council to maintain services and the building of new assets aligns with the growing needs of the community.

This year, the total value of Council's Capital Works program is over \$11.5m.

This figure includes over \$3.3m worth of provisional projects. Provisional projects will receive a funding allocation in Council's budget, but are also reliant on other factors such as securing additional State and Federal Government grant funding in order for them to progress in the 2020-21 financial year.

It is Council's intention to commence and substantially deliver these provisional projects, however, if outside factors prevent these projects from being actioned, they may be deferred or carried forward to future financial years for completion. The status of these provisional projects will be adjusted each quarter as delivery is confirmed.





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Program Activity

An outline of the services, facilities and actions that Council intends to deliver for the Meander Valley community.



Future Directions Focused - Highlights

1

- ▶ Renew Meander Valley's Natural Resource Management Strategy.
- ▶ Monitor and assess implementation of the Westbury Town Common Management Plan.
- ▶ Review and implement the waste management strategy.

4

- ▶ Support community emergency service providers.
- ▶ Manage public safety and health risks through fire risk abatement and monitoring of recreational water.

2

- ▶ Promote investment in Meander Valley to support the growth of identified industry sectors.
- ▶ Develop economic recovery pathways and establish industry-specific priority actions.
- ▶ Support the progress of land developments such as the Hadspen Urban Growth Area.

5

- ▶ Complete State and Federal legislative reporting.
- ▶ Deliver financial management reports to the community.
- ▶ Review and update the Long Term Financial Plan.

3

- ▶ Renew the Community Strategic Plan.
- ▶ Deliver the Community Grants Program.
- ▶ Renew the Events Program responsive to COVID-19.
- ▶ Conduct youth liaison workshop, Festival of Small Halls and Great Western Tiers Art Award.

6

- ▶ Update Strategic Asset Management Plan.
- ▶ Deliver the bridge inspection and maintenance program.
- ▶ Operate the Deloraine pool and support the Caveside community pool.

Strategic Plan Future Direction 1

A sustainable natural and built environment

1.1 Contemporary planning supports and guides growth and development across Meander Valley.

1.2 Liveable townships, urban and rural areas across the local government area with individual character.

1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.

1.4 Meander Valley is environmentally sustainable.

1.5 Public health and the environment is protected by the responsible management of liquid and solid waste at a local and regional level.

1.6 Participate and support programs that improve water quality in our waterways.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Renew NRM Strategy.	1.3, 1.4, 1.6	Community & Development Services	NRM Strategy renewed within timeframes.
2	Monitor and assess implementation of the Westbury Town Common Management Plan.	1.3, 1.4, 1.6	Community & Development Services	Practices consistent with management plan and condition of Common is stable or improved.
3	Design and implement initiatives from the NRM Strategy.	1.3, 1.4, 1.6	Community & Development Services	Completed within timeframes.
4	Westbury residential rezoning.	1.1	Infrastructure	Complete rezoning submission to the TPC and report to Council Workshop.
5	Undertake projects to support implementation of the Prospect Vale - Blackstone Heights Structure Plan including the Regional Land Use Strategy and planning scheme amendments.	1.1	Infrastructure	Report to Council workshop at key stages of RLUS and planning scheme amendment work.
6	Assess individual planning scheme amendment applications as they arise.	1.1	Infrastructure	Assess individual planning scheme amendment applications within statutory timeframes.
7	Process development applications in accordance with delegated authority.	1.1, 1.2, 1.3	Community & Development Services	Completed within statutory timeframes with 100% conformance.
8	Permit Authority – issue permits for Building Works (Category 4).	1.1, 1.2, 1.3 (primary) 4.3 (secondary)	Community & Development Services	Issue building permits within 7 working days from the date all other permits and documents are received as required by the Building Act.
9	Permit Authority – process Notifiable Building Works (Category 3).	1.1, 1.2, 1.3	Community & Development Services	Notifiable Building Works processed in a timely manner.

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No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
10	Permit Authority – manage outstanding building completions and illegal works.	1.1, 1.2, 1.3	Community & Development Services	Outstanding building completions reduced by 10%.
11	Permit Authority – issue permits for Plumbing Works (Category 4).	1.4	Community & Development Services	Process plumbing permit applications within 21 days of receipt of all information.
12	Waste Management Strategy review and implementation.	1.5 (primary) 6.6 (secondary)	Infrastructure	Present strategy to Council at December workshop.
13	Permit Authority – issue Notifiable Plumbing Works (Category 3).	1.4	Community & Development Services	Process Notifiable Plumbing Works within 14 days of receipt of all information.
14	Manage Land Information Certificates.	1.1,1.2,1.3	Community & Development Services	Issue certificates within 10 working days.



Strategic Plan Future Direction 2

A thriving local economy

2.1 The strengths of Meander Valley attract investment and provide opportunities for employment.

2.2 Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.

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

2.4 A high level of recognition and demand for Great Western Tiers products and experiences.

2.5 Current and emerging technology is available to benefit both business and the community.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Promote investment in Meander Valley to support the growth of identified industry sectors.	2.2	Governance	Meander Valley 'Brand' and regional prospectus developed.
2	Develop economic recovery pathways and establish industry-specific priority actions.	2.1, 2.3, 2.4, 2.5	Governance	Economic recovery action plans in place for key industries/sectors.
3	Establish economic development structure plans for each population centre.	2.1, 2.4, 2.5	Governance	Plans and community consultation in place.
4	Establish a structured list of investment vehicles and investment attraction policies.	2.1, 2.2, 2.3, 2.4, 2.5	Governance	Investment vehicles assessed and policies in place.
5	Establish a business media and communications plan.	2.1, 2.3, 2.4, 2.5	Governance	Plan in place.
6	Support the progress of land developments including Valley Central and the Hadspen Urban Growth Area.	2.2	Governance	Quarterly review, actions and reports.
7	Monitor and report monthly visitation statistics.	2.4	Corporate	Reports produced.

Strategic Plan Future Direction 3 Vibrant and engaged communities

3.1 Creativity and learning are part of daily life across the communities of Meander Valley.

3.2 Successful local events enhance community life.

3.3 Education and training opportunities are available to everyone across the local government area.

3.4 Meander Valley communities have the resilience and capacity to address and overcome life's challenges and emergencies.

3.5 Young people have the opportunity to be engaged in community life.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Progressively establish economic development structure plans for each population centre.	3.3	Governance	Program of clear defined plan progressed.
2	Review acceptable investment vehicles and put in place investment attraction policies as required.	3.3	Governance	Investment vehicles analysed and report presented to Council. Policies in place.
3	Facilitate the operation of Council pop up meetings.	3.4 (primary) 4.1 (secondary)	Community & Development Services	Pop up meetings held and documented.
4	Deliver the Community Grants Program.	3.1, 3.2, 3.4 (primary) 4.1 (secondary)	Community & Development Services	Number and range of grant applications.
5	Renew the Community Strategic Plan.	3.4 (primary) 4.1 (secondary)	Community & Development Services	Complete within timeframes.
6	Renew the events program responsive to COVID-19.	3.1, 3.2	Community & Development Services	Events program approved and implemented.
7	Conduct GWTA Exhibition.	3.1, 3.2	Community & Development Services	Number of artists participating.
8	Conduct a Festival of Small Halls concert.	3.1, 3.2	Community & Development Services	Audience number and event finances.
9	Produce a user-friendly Event Management Guide.	3.2 (primary) 4.1, 4.3 (secondary)	Community & Development Services	Guide produced.
10	Coordinate major event applications.	3.2	Community & Development Services	Respond to applications within 7 days.
11	Conduct youth liaison workshop with Council.	3.4, 3.5	Community & Development Services	Workshop conducted and evaluated.
12	Prepare Volunteer Management Policy and Procedures.	3.1, 3.2, 3.3, 3.4 & 3.5 (primary) 4.1, 4.2 (secondary)	Community & Development Services	Policy and procedures adopted. Number of volunteers trained.

Strategic Plan Future Direction 4 A healthy and safe community

4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.

4.2 Infrastructure, facilities and programs encourage increased participation in all forms of active and passive recreation.

4.3 Public health and safety standards are regulated, managed and maintained.

4.4 Prepare and maintain emergency management plans and documents and work with our communities to educate and plan for emergencies.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Coordinate the Municipal Emergency Management & Recovery Committee (MEMRC).	4.4	Infrastructure	Meetings held.
2	Support the operation of the Meander Valley SES unit through ongoing management of the Memorandum of Understanding.	4.4	Infrastructure	Obtain activities report from Deloraine SES and provide information to Council on a six monthly basis in Briefing Report.
3	Conduct emergency management training exercise for Council staff, facilitated by Red Cross.	4.4	Infrastructure	Training for Council staff completed.
4	Develop and action a plan to promote indoor recreational facilities to current and prospective users to increase patronage and participation.	4.2	Infrastructure	Present plan to Council Workshop. Review promotion outcomes and report to management team.
5	Manage public health risk through monitoring and sampling of recreational water.	4.1 (primary) 1.5 (secondary)	Community & Development Services	Quarterly monitoring and testing completed for all sample sites. Non-conformances responded to within 48 hours.
6	Undertake annual/periodic inspections of food premises consistent with Food Act Requirements.	4.1, 4.3	Community & Development Services	Conduct inspections as per program and report on results each quarter.
7	Coordinate immunisation clinics for Meander Valley Schools.	4.1, 4.3	Community & Development Services	Provide school based immunisations as per program (usually March and September) and provide quarterly report.
8	Audit microchipping of registered dogs.	4.3	Community & Development Services	Audit conducted and reported each quarter.
9	Prepare and implement annual Fire Abatement Management Program.	4.3	Community & Development Services	Program in place by December. All previous properties inspected. All additional identified properties inspected. Notices issued as required and relevant follow up work arranged.
10	Investigate incidents and complaints regarding animal control.	4.3	Community & Development Services	Investigate all cases and complaints within 10 days and provide quarterly reports.

Strategic Plan Future Direction 5

Innovative leadership and community governance

5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan.

5.2 Long term financial planning and asset management underpins the ongoing viability of Meander Valley.

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

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

5.5 Councils in the region collaborate and share resources for the collective good of their communities.

5.6 Meander Valley Council is recognised as a responsibly managed organisation.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Deliver Annual Plan.	5.1	Governance	Plan adopted by Council, compliant with statutory requirements.
2	Prepare Annual Report and conduct Annual General Meeting (AGM).	5.6	Governance	AGM held and Annual Report adopted by Council.
3	Review the Community Strategic Plan 2014-2024.	5.1	Community & Development Services	Community Strategic Plan reviewed and updated.
4	Develop community consultation policy.	5.1	Governance	Council decision on development of policy.
5	Update risk management framework.	5.6	Governance	Risk review completed, updated and endorsed by Audit Panel. Actions progressed and reported on quarterly.
6	Deliver the Internal Audit Program.	5.4	Governance	Audit recommendations implemented and audits conducted.
7	Health & Safety Committee.	5.6	Governance	Conduct meetings, implement improvement initiatives and produce quarterly reports.
8	Raise rates and sundry debtor (other Council debts) accounts.	5.2	Corporate	Reconcile rates debtor, sundry debtor and creditors control accounts within 10 days of the working month.
9	Reconcile financial control accounts.	5.2	Corporate	Reconcile payroll clearing account within 5 days of processing fortnightly pay.
10	Complete State Government Authority returns.	5.6	Corporate	Submit State Fire and Treasury pensioner claims.
11	Complete Section 132 Certificates (property rates).	5.6	Corporate	Issue 98% of certificates within 3 working days.



No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
12	Complete annual insurance renewals.	5.6	Corporate	Insurance policies completed.
13	Update Long Term Financial Plan (LTFP)	5.2	Corporate	Review and adopt LTFP annually.
14	Develop budget estimates and rating recommendations in accordance with statutory timeframes.	5.2	Corporate	Review and adopt annual budget estimates.
15	Annual external financial reporting.	5.6	Corporate	Prepare financial statements and State Government financial reporting.
16	Submit Business Activity Statement (BAS), Fringe Benefits Tax (FBT) and Payroll Tax returns.	5.6	Corporate	Complete statutory reporting.
17	Review and submit internal financial management reports.	5.3	Corporate	Produce and distribute monthly management reports.
18	Review structure of internal financial management reports.	5.3	Corporate	Complete review of report structure.
19	Monitor Council's short-term expenditure commitments and invest funds in accordance with Council's Investment Policy.	5.2	Corporate	Weekly monitoring of cash flow.
20	Facilitate Council Audit Panel meetings.	5.6	Corporate	Meetings conducted as per work plan.
21	Maintain efficient desktop IT equipment.	5.6	Corporate	Rolling replacement of computer equipment.
22	Review server structure and system requirements to ensure a stable IT architecture.	5.6	Corporate	Review server structure and associated software replacement.

Strategic Plan Future Direction 5 (continued)

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
23	Maintain cemetery records in accordance with the Cemeteries Act.	5.6	Corporate	Maintain new and existing burial information.
24	Maintain records management processes in line with requirements of the Archives Act.	5.6	Corporate	Induct new users and maintain information management system.
25	Comply with requirements of 2019 Enterprise Agreement.	5.6	Corporate	Maintain salary, allowances and clause application.
26	Employee Performance Reviews.	5.4	Corporate	Performance and salary reviews completed for all employees.
27	Review Employee Information Manual.	5.6	Corporate	Review and update manual.
28	Review Business Continuity Plan and conduct training scenario.	5.6	Infrastructure	Review and update plan for management team approval. Complete training for MVC officers and report on improvement opportunities.
29	Engage with community sport and recreation organisations to ascertain future needs and venue planning.	5.3	Infrastructure	Quarterly report presented to Council Workshop.



Strategic Plan Future Direction 6 Planned Infrastructure Services

6.1 The future of Meander Valley's infrastructure assets is assured through affordable, planned maintenance and renewal strategies.

6.2 Regional infrastructure and transport is collaboratively planned and managed by all levels of government.

6.3 The Meander Valley transport network meets the present and future needs of the community and business.

6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilised and maintained.

6.5 Stormwater and flooding cause no adverse impacts.

6.6 Infrastructure services are affordable and meet the community's needs into the future.

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
1	Undertake maintenance works to ensure safe and fit for purpose assets.	6.1, 6.3, 6.6	Works	Provide Customer Service Request statistics and budget updates in Briefing Report.
2	Plan and deliver capital work projects.	6.3, 6.6	Works	Provide program, project and budget updates in Briefing Report.
3	Manage plant to achieve effective and efficient use that minimises ownership costs.	6.1, 6.6	Works	Review plant utilisation and hire rates and update 10 year Plant Replacement Program.
4	Undertake plant purchases in accordance with approved budget.	6.1, 6.6	Works	Provide program, project and budget updates in Briefing Report.
5	Co-ordinate Asset Management Group and Strategic Asset Management Plan Improvement Plan actions. Review Strategic Asset Management Plan and Review Asset Management Plans.	6.1 (primary) 5.2 (secondary)	Infrastructure	Meetings held. Strategic Asset Management Plan and Asset Management Plans updated.
6	Prepare 2021-22 Capital Works Program and Forward Works Program.	6.1, 6.6	Infrastructure	Prepare annual Capital Works Program for approval in June quarter.
7	Design, procurement and contract management for projects listed in the 2020-21 Capital Works Program.	6.1	Infrastructure	Undertake projects in line with project plan requirements and completion of all non-provisional projects.
8	Update asset information including capitalisation of assets in Conquest and undertake bridge asset revaluation.	6.1	Infrastructure	Capitalisation of assets prior to finalisation of 2020-21 statutory reporting.
9	Undertake required proactive footpath defect inspections, parks and recreation asset inspections and condition assessments.	6.1	Infrastructure	Meet timeframes set out by Conquest. Annual comprehensive inspection of playgrounds completed by December 31.

Strategic Plan Future Direction 6 (continued)

No.	Actions and Tasks	Strategic Plan Reference	Department	Performance Target
10	Development of stormwater system improvement plan and present to Council.	6.1	Infrastructure	Workshop presentation to Council in December quarter.
11	Coordinate reactive and programmed maintenance of building assets.	6.1	Infrastructure	Meet timeframes set out by Conquest.
12	Deliver the bridge inspection and maintenance program.	6.1, 6.3	Infrastructure	Review and document contractor compliance with the contract.
13	Operate Deloraine Swimming Pool and provide support to community swimming pool at Caveside.	6.4, 6.6	Infrastructure	Document contract extension and contractor performance.
14	Provision of kerbside collection contracts to existing urban areas for waste, recyclables and organics.	6.6	Infrastructure	Supervise and review contract.
15	Provision of landfill, waste transfer stations and resource recovery operations contract.	6.6	Infrastructure	Supervise and review contract.
16	Provision of hard waste collection.	6.6	Infrastructure	Report to Council by March 31 on collection results.
17	Operational compliance with Environment Protection Notice for Westbury and Deloraine landfill sites.	6.6	Infrastructure	Complete reporting requirements for EPA in line with license requirements.
18	Review and update User Guides for indoor facilities.	6.4	Infrastructure	Complete review and distribute guides to user groups.

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Statutory Estimates and Public Health Goals and Objectives 2020-21

Operating Statement

Operating Revenue	2020-21	2019-20
Rates and Charges	\$13,046,800	\$12,966,400
Fees and User Charges	\$1,150,100	\$1,255,000
Contributions	\$85,500	\$51,500
Interest	\$645,800	\$835,600
Operating Grants	\$4,350,400	\$4,441,200
TasWater Distributions	\$0	\$556,000
Other Revenue	\$184,800	\$192,700
Total Operating Revenue	\$19,463,400	\$20,298,400

Operating Expenditure	2020-21	2019-20
Operating Wages	\$7,277,900	\$6,798,100
Operating Materials and Contracts	\$7,305,100	\$6,427,500
Finance Costs	\$271,600	\$266,000
Depreciation	\$5,132,200	\$5,088,000
State Fire Contribution	\$1,264,900	\$1,264,900
Other Expenditure	\$276,500	\$286,800
Total Operating Expenditure	(\$21,528,200)	(\$20,131,300)

Underlying Surplus / (Deficit)	(\$2,064,800)	\$167,100
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Capital, Cash and Investments	2020-21	2019-20
Capital Revenue	\$5,451,600	\$1,900,300
Capital Expenditure	(\$14,955,800)	(\$11,978,100)
Opening Cash and Investment Balance	\$18,721,900	\$20,729,700
Closing Cash and Investment Balance	\$12,108,800	\$15,767,800

Public Health Goals and Objectives

Major Strategies 2020-21

Council's Environmental Health Officers are responsible for ensuring the statutory obligations in relation to Environmental Protection and Preventative Health are met. This includes the *Public Health Act 1997 (Tas)*, *Environmental Management and Pollution Control Act 1994 (Tas)*, *Food Act 2003 (Tas)*, and *Local Government Act 1993 (Tas)*.

As part of Meander Valley Council's 2020-21 public health goals and objectives, the Environmental Health Officers will seek to:

- ▶ Review the community sharps disposal program and procedure.
- ▶ Update the events management guide to assist event organisers ensure events are conducted in accordance with relevant legislation.
- ▶ Promote safe food handling in our community and provide food handler training for community groups.
- ▶ Continue to actively participate in the Tamar Estuary and Esk Rivers program (TEER) including the Lake Trevallyn algal bloom working group.
- ▶ Promptly investigate public and environmental health complaints.
- ▶ Continue to actively participate and contribute to policy and legislative development at a regional and state level.
- ▶ Coordinate the immunisation program in Meander Valley Schools in accordance with the National Immunisation Program and directives from Department of Health.



Meander Valley Council
Working Together

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ITEMS FOR CLOSED SECTION OF THE MEETING

Councillor xx moved and Councillor xx 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.”***

Voting Requirements

Absolute majority

Council moved to Closed Session at x.xxpm

GOVERNANCE 3 CONFIRMATION OF MINUTES

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

GOVERNANCE 4 LEAVE OF ABSENCE

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

GOVERNANCE 5 RMPAT APPEAL 47/17P – 137 MAIN ROAD, MEANDER – CHANGE OF USE (REHABILITATION AND TRAINING)

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

Council returned to Open Session at x.xxpm

Cr xxx moved and Cr xxx seconded ***“that the following decisions were taken by Council in Closed Session and are to be released for the public’s information.”***

The meeting closed at

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Wayne Johnston
Mayor