



Meander Valley Council
Working Together

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 8 December 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 11 August 2020.
- During this first phase priority will be given to those individuals making representations to planning applications which are subject to statutory timeframes. Any member of the public attending will be required to pre-register and attend the meeting for their relevant agenda item or question time. 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 seven members of the public in the Council Chambers at once. At the discretion of the Mayor, people may be asked to leave the meeting at the conclusion of an agenda item. Priority access will be afforded to those making representations to planning applications. The general public will be afforded priority over media representatives. If more than seven 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 car park 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 8 December 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 8 December 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

Reference No. 229/2020

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

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

Reference No. 230/2020

Date	Items discussed:
24 November 2020	<ul style="list-style-type: none">• Representations to Draft Amendment 1/2020 – Westbury Urban Residential Growth• Draft Amendment 3/2020 – Harrison Residential Estate• Presentation – Tasmania Fire Service• Presentation – Launceston Country Club proposed rezoning for urban development• Council Meeting Dates and Time 2021• Community Strategic Plan• Restructure Progress Update• Special Committee Elected Member representation

	<ul style="list-style-type: none"> • Teen Challenge proposal re Meander School Lease • Future of Meander School • Planning Application – 5271 Bass Highway, Deloraine • Events Calendar • General Manager Performance Review • Bracknell Hall Redevelopment Project Update • Items for Noting – a) Review of Policy No. 15 b) TasRail Joint Assets Interface Agreement c) Deloraine Squash Court – Project Update
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ANNOUNCEMENTS BY THE MAYOR

10 November 2020

Council Meeting

11 November 2020

Deloraine Remembrance Day Service

19 November 2020

NTDC AGM

24 November

Council Workshop

25 November

Recyclable Road Program – media

1 December

Federal Group GM Cocktail Party

2 December

NTDC Mayors Meeting

5 December

MVC Christmas Dinner

6 December

Picnic at the Plains – Dairy Plains Hall

ANNOUNCEMENTS BY COUNCILLORS

Councillor Susie Bower

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

Councillor Stephanie Cameron

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

DECLARATIONS OF INTEREST

TABLING AND ACTION ON PETITIONS

PUBLIC QUESTION TIME

General Rules for Question Time:

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

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

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

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

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

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

The Chairperson may 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

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.

- The Chairperson may allocate a maximum time for each question, 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 documents produced are subject to the laws of defamation.

PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – NOVEMBER 2020

Nil

2. PUBLIC QUESTIONS WITH NOTICE – DECEMBER 2020

2.1 *Peter Wileman, Westbury*

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

Response by General Manager, John Jordan:

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

3. PUBLIC QUESTIONS WITHOUT NOTICE – DECEMBER 2020

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2020

1.1 Cr John Temple

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

Response by John Jordan, General Manager:

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

1.2 Cr Rodney Synfield

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

Response by John Jordan, General Manager:

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

2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2020

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2020

DEPUTATIONS BY MEMBERS OF THE PUBLIC

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. 238/2020

5271 BASS HIGHWAY, DELORAINE

Planning Application: PA\20\0153

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

Author: Natasha Whiteley
Town Planner

1) Introduction

Applicant	S Scott
Owner	Estate of J Vandenbrink
Property	5271 Bass Highway DELORAINE (CT: 156209/1)
Zoning	Rural Resource Zone
Existing Land Use	Residential
Number of Representations	Three (3) (including advice from Department of State Growth)
Decision Due	9 December 2020
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

If approved, the application will result in:

- a) The property being used and developed as a Transport Depot which includes:
 - i) The construction of two (2) new accesses off Griffins Road;
 - ii) The construction of a building (14m x 18m x 6.36m high) to be used as a machinery shed/workshop;
 - iii) A shipping container used for storage;
 - iv) The erection of a 1.8m high colourbond fence along Griffins Road;
 - v) Parking of vehicles associated with the use (trucks, utes, trailers, forklift, tractors, wheel loader);

- vi) Storage of equipment and machinery, including potato contracting equipment when not on site and agricultural implements;
- vii) The hours of operation between 6am and 6pm; and
- viii) The employment of three (3) people.

An aerial photograph is shown in Photo 1 below along with an indicative site plan (figure 1) and shed elevations (figure 2). Please refer to the attachment for the full application details and plans.

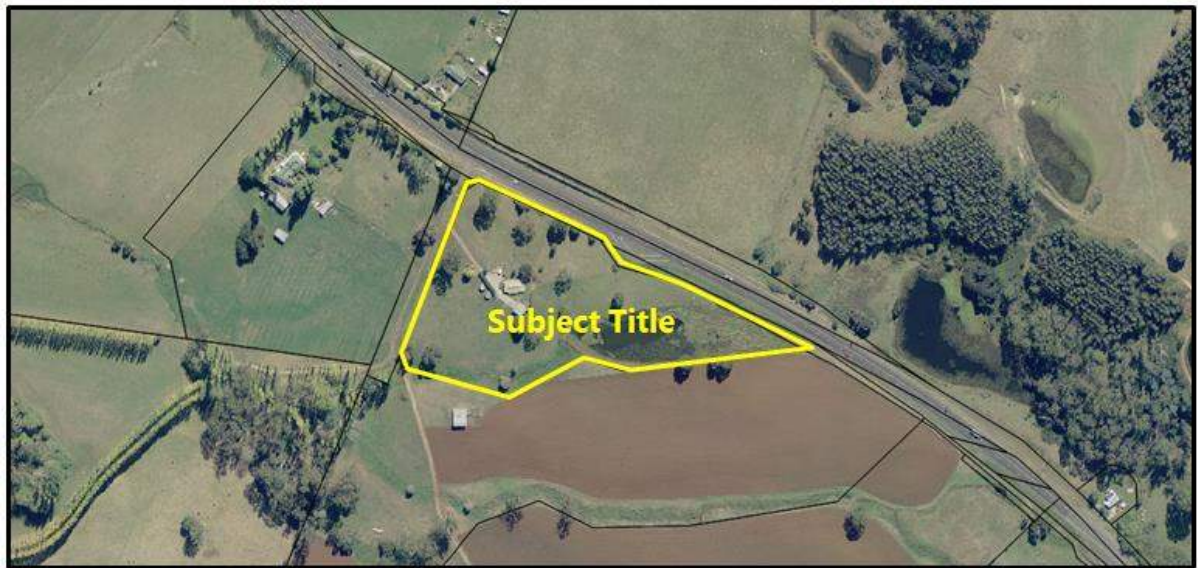


Photo 1: Aerial photo of subject title and adjoining property.



Figure 1: Site plan for the proposed Transport Depot. Refer to attachments for full site plan.

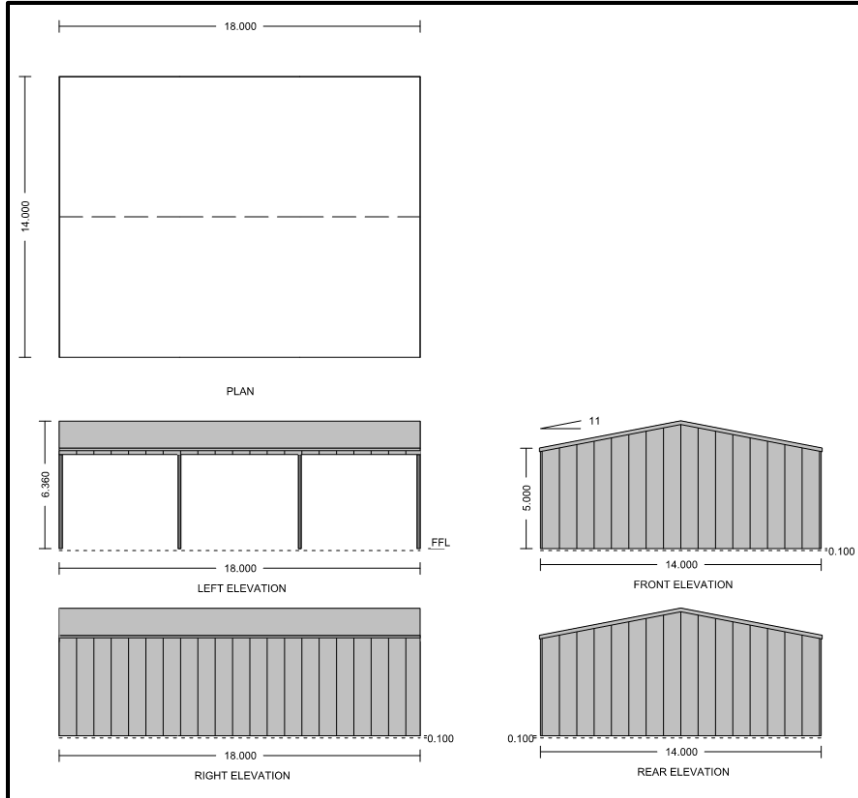


Figure 2: Proposed Machinery Shed / Workshop.



Photo 2: Area to be used as Transport Depot viewed from Griffins Road.

Standards Requiring Discretion

Use and Development for 'Transport Depot and Distribution' in the Rural Resource 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:

Standard	Performance Criteria
26.3.1 Uses if not a single dwelling	P1.1, P2.2, P3, P4, P5
26.3.3 Irrigation district	P1
26.4.1 Building location and appearance	P2
E4.6.1 Use and road or rail infrastructure	P3
E4.7.2 Management of road and accesses and junctions	P2
E4.7.4 Sight distance at accesses, junctions and level crossings	P1
E6.7.1 Construction of car parking spaces and access strips	P1
E6.7.2 Design and layout of car parking	P1, P2

2) Summary of Assessment

The application proposes the use and development of land at 5271 Bass Highway, Deloraine for Transport Depot and Distribution as described above.

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 subject site is 3.272ha and contains an existing dwelling and outbuildings, with the land used for grazing.
- The application proposes to formalise the use of the site as a Transport Depot including the construction of two (2) new accesses into the site from Griffins Road, construction of a machinery shed/workshop, a shipping container to be used as storage and the erection of a 1.8m high colourbond fence. The site will be used to park vehicles and equipment associated with the transport (freight) and potato harvesting business.
- Transport Depot and Distribution is a discretionary use in the Rural Resource 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 standards of the Rural Resource Zone generally relate to: not confining or restraining resource development activities on adjoining properties; minimising the conversion of prime agricultural land to non-primary industry use; and not significantly impacting the visual amenity of the rural landscape.
- Two (2) representations were received from adjoining property owners during the advertising period. The representations primarily relate to the use of the site, access and safety, environmental issues and visual amenity (refer to Section 4 Representations). A representation was also received from the Department of State Growth.
- The proposal is considered to be satisfactory in relation to the Performance Criteria and concerns raised by neighbours. Conditions are recommended to establish a vegetation screen, construct accesses to the site to the relevant standards including localised widening of Griffins

Road to enable vehicle turning paths, and to manage potential intensification of the use.

- A 1.8m high colorbond fence constructed along the boundary with Griffins Road is proposed. Whilst the representor would prefer a vegetation screen in this location, there is an electricity supply easement which limits planting along the boundary which may require ongoing maintenance. To plant outside of the easement would take up land that is proposed to be used and require more earthwork to enlarge the area. A vegetation screen is recommended along the northern side of the area to be used (on top of the bank) to aid in screening the development from the initial entry point into Griffins Road from the Bass Highway.
- Whilst the Transport Depot is visible from Griffins Road, and some vantage points along the Bass Highway, it can be appropriately conditioned to minimise the impact on the rural landscape.
- The Department of State Growth reviewed the Traffic Impact Statement and accepted this report.
- Council's Road Authority has assessed Griffins Road and the accompanying Traffic Impact Statement and accepted the report and recommendations.
- The proposed Transport Depot is considered to look similar to other farm yards where implements, machinery and equipment is stored on rural properties.

With appropriate conditions, the proposed development is considered to comply with the applicable standards 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 Transport Depot (storage of equipment & machinery, including construction of workshop, shipping container, two (2) new accesses & front fence) on land located at 5271 Bass Highway Deloraine (CT:156209/1), by S Scott, be APPROVED, generally in accordance with the endorsed plans:

- a) Dornauf Contracting, application information including site plans; Sheets 1 – 8; and**
- b) Eureka Garages & Sheds; proposed shed elevations - 14 x 18 x 5, Sheet**

- 1 of 1; and**
- c) Shipping Container details Sheet 1 of 1; and**
 - d) Traffic & Civil Services; Dated 5 October 2020; Traffic Impact Statement; Pages 1-30.**

and subject to the following conditions:

- 1. Council approval will be required to be obtained prior to any intensification of the use of the site (including increased vehicle movements to the site) or expansion of the area utilised, beyond that which has been approved in accordance with the endorsed documents.**
- 2. All vehicles and equipment must be garaged and stored within the property boundary. Parking of vehicles in the road reservation of Griffins Road is not permitted.**
- 3. The driveway accesses must be constructed in accordance with Tasmanian Standard Drawings TSDR04 and R05 to the satisfaction of Council's Director Infrastructure Services. The works must be completed by a suitably qualified contractor. Refer Note 1.**
- 4. Road widening off Griffins Road is to be completed by the developer in accordance with the findings of the TCS Traffic Impact Statement and Tasmanian Standard Drawings TSD-R01 to the satisfaction of Council's Director Infrastructure Services. All costs associated with the road widening are at the developer's expense. The works must be completed by a suitably qualified contractor. Refer Note 1.**
- 5. Prior to the construction of the machinery shed and colourbond fence, a colour schedule must be submitted and approved to the satisfaction of Council's Town Planner. Colours must be in tones that blend in with the landscape.**
- 6. Within three (3) months of the date of this approval, the following must be completed to the satisfaction of Council:**
 - a) Three (3) car parking spaces to the east of the shipping container must be formed having a minimum dimension of 2.6m wide by 5.4m long and are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner.**
 - b) The existing access to the transport depot must be upgraded in accordance with Conditions 3 & 4, to the satisfaction of Council's**

Director Infrastructure Services.

- c) The 1.8m high colourbond fence must be erected along the title boundary with Griffins Road in accordance with the endorsed site plan. Refer to Note 4.**
 - d) A landscape plan must be submitted to the satisfaction of Council showing the location of the vegetation screen and the species of vegetation as required in Condition 7, to the satisfaction of Council's Town Planner.**
- 7. Within nine (9) months of the date of this approval, a vegetation screen must be planted and established along the northern extent of the site area on the higher side of the embankment. The vegetation screen must grow to a minimum mature height of 2m. The vegetation screen must be maintained to ensure survival, with any plant that dies replaced. The vegetation screen must not be removed or destroyed without the written consent of Council.**
- 8. Prior to the use of the entry point as shown on the endorsed site plan, directional signage must be erected at both the entry and exit points to clearly direct the flow of traffic. The signs must clearly identify the entry and exit points such as 'Entry Only' and 'No Entry' when viewed from Griffins Road, and 'No Exit' 'Exit Only' when viewed from within the site. The signage visible from Griffins Road must be erected on the property boundary, unless approval is obtained from Council's Road Authority for erection within the road reservation. The signage must be erected to the satisfaction of Council's Town Planner.**

Note:

- 1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
- 2. As per the recommendation in the Traffic Impact Statement, the applicant is advised to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over Griffins Road.
- 3. The applicant is advised to contact WorkSafe Tasmania regarding the requirements for storage of hazardous chemicals. WorkSafe Tasmania can be contacted on 1300 366 322.

4. The use and development is in proximity to TasNetworks powerline. TasNetworks have advised that the colourbond fence should be located 1m from the power poles. The applicant is referred to TasNetwork's Customer Enquires team at Customer.Enquiries@tasnetworks.com.au to discuss the proximity of the development to the powerlines and power poles.
5. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Community and Development Services Department on (03) 6393 5320 or via email: mail@mvc.tas.gov.au
6. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
 - a) Building approval
 - b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on (03) 6393 5320 or Council's Plumbing Surveyor on 0419 510 770.

7. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
8. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
9. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
10. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this

permit (which includes the endorsed documents) on request, at the Council Office.

11. If any Aboriginal relics are uncovered during works:

- a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
- b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; 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.

During the advertising period three (3) representations were received (attached documents). Two (2) representations were received from adjoining property owners and one (1) was received from the Department of State Growth. 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 the full representations included in the attachments.

Concern – Use of the site.

- a) Amazed that Council allowed the applicant to operate the business from the site without a permit. 'Land and earth works and a new entrance from Griffins Road has already been constructed by the applicant without any Council approval or notice made to the neighbouring families who also use Griffins Road to access their properties. Two letters have been submitted to Council regarding this matter, dated 2nd August 2019 and 18th May 2020'.
- b) Business is established and caused 'annoyance and unnecessary stress'.
- c) Area being used is too small for the operation and is crowded. Growth of the business is restricted by the size of the area and the business will therefore outgrow the site. Given the insufficient space on-site, trucks and trailers have been parked 'on the verge of Griffins Road'.
- d) Located within 'a very well established rural area and should remain as such with heritage homes on adjoining properties'.
- e) Sites within the Deloraine Township are better suited with the

appropriate zoning.

- f) If approved, 'Limit future use of the site to NO MORE than TWO prime mover b-double units'.
- g) If approved, 'NO FURTHER expansion of business land area in future years'.
- h) The average annual daily traffic (AADT) movements 'does not consider future growth of the business'.

Comment:

- a) Council has worked with the applicant to lodge an application for the proposal since it was brought to Council's attention regarding the business operating from the site.
- b) The 'annoyance and unnecessary stress' does not raise a specific planning matter for consideration.
- c) The applicant has proposed the area required to operate the business and considers it to be of an appropriate size to accommodate the operation. The construction of the machinery shed/workshop will enable parking of vehicles and storage of equipment. To prevent parking in the Griffins Road, road reserve, a recommended condition of approval is to require all vehicles and equipment to be garaged and stored within the property boundary. Parking of vehicles in the road reservation of Griffins Road is not permitted.
- d) The visual appearance of the proposal is considered in the assessment of Performance Criteria 5 of standard 26.3.1 – Uses if not a single dwelling below. Whilst there are heritage listed properties within the immediate area, any potential impact on these heritage listed properties is not something that can be specifically considered as part of the assessment. However, Council must be satisfied that the visual appearance of the use is consistent with the local area having regard to a range of matters listed in the performance criteria.

A recommended condition of approval aims to minimise the visual impact on the rural landscape when viewed from Griffins Road by requiring a vegetation screen to be planted along the northern edge of the area used. The proposed colourbond fence will partially screen the site and block the ground level views from Griffins Road. It is acknowledged that a fence will not hide everything that is contained within the area and larger/higher items will be visible above the fence line and from vantage points at higher elevations.

It is noted that the area is an agricultural area with changes to the landscape depending on seasonal farming activities, including cropping, irrigation and grazing. It is also not unusual in the rural landscape for vehicles, trailers, farm implements and equipment to be parked on rural properties.

- e) The only zone that provides a permitted use class for Transport Depot and Distribution is in the General Industrial Zone. It is considered a discretionary use in the General Business Zone, Light Industrial Zone and Rural Resource Zone. Transport Depot and Distribution is prohibited in all other zones including the residential specific zones. The discretionary use classification enables the application to be considered in the zone, and must be considered against the purpose of the zone and the relevant applicable performance criteria of the Scheme. If this can be met, and it is considered to be met as assessed below, then the development can be approved, and the site is considered appropriate for the use.
- f-h) A condition of approval is recommended to manage any intensification of the use of the site. The future growth of the business has not been considered or applied for as part of the application. The application, if approved, is approved in accordance with the endorsed plans, which outlines the current business operation including vehicles, trailers, equipment, machinery and implements.

Concern – Access

- a) Griffins Road is intended for 'small vehicle access' to dwellings including access to the larger rural property. 'Two families from 5273 Bass Highway use Griffins Road as the only access to the Bass Highway'. Proposed access points further restricts adjoining properties.
- b) 'Griffins Road is in poor condition due to increased traffic with heavy trucks and farm machinery. It forms a narrow carriage way of only 2.8 metres'.
- c) 'Any increase in traffic movements to the access points is not acceptable'.
- d) Notes that Traffic Impact Assessment states "Griffins Road is not part of the Tasmanian 26m B-Double Network". It's proposed to use the road for B-doubles.
- e) If approved 'Griffins Road be constructed to B-double standard with sufficient passing laneways formed within'.
- f) Access from Griffins Road onto Bass Highway is dangerous. Refers to Figure A18 of TIA.
- g) Only one serious crash in the last five years at the intersection of Griffins

Road and the Bass Highway was identified in the Traffic Impact Assessment Report. Aware of two further crashes at this intersection. Department of State Growth's crash database identifies six (6) crashes since 2009 at Bass Highway and Christmas Hills Road intersection which is very close to the Griffins Road intersection. Concerned about safety of large vehicles (26m B-Doubles, 'large farm machinery including 19.5m triaxle Semi Trailers) turning into Griffins Road from the Bass Highway in a 110 km zone'. The representor doesn't believe it is 'feasible or logical' for vehicles to perform a u-turn and enter Griffins Road from the East. Outlines State Growth and Council's road network objective 'to maintain traffic safety and transport efficiency'.

- h) Concerned that the matters raised in the Traffic Impact Assessment Report regarding the standard of Griffins Road and the need to widen the road would 'incur a considerable financial cost to the Meander Valley Council and Meander Valley ratepayers for a growing business that will soon require larger premises than the proposed site'

Comment:

Council's Infrastructure department has provided the following comments regarding the concerns raised in the representations:

Council Infrastructure officers have reviewed the traffic issues raised in the representations and believe these issues can be managed with appropriate conditions on the planning permit. Council accepted the findings of the Traffic Impact Statement prepared by Traffic and Civil Services, which included a Safe Systems Assessment. The Assessment concluded that the crash risk of Griffins Road, and the Griffins Road/Bass Highway intersection were in the very low risk score category. In addition it was found that site distances at both truck accesses and at the highway intersection were compliant with Australian Standards.

It is noted that currently Griffins Road has insufficient width to service the turning path of a B-double into the proposed access locations. One of the conditions of the planning approval will be that the road widening of Griffins Road is to be completed in accordance with the findings of the Traffic Impact Statement and to Council Standards by the applicant. This will ensure there is sufficient width in the road for a B-double vehicle to pull off the road without impacting traffic. The applicant will need to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over the portion of Griffins Road.

The representor claims to be personally aware of 2 additional crashes at the intersection of Griffins Road and Bass Highway, and stated that the Department of State Growth has a record of 6 crashes in the vicinity since 2009, where only 1

was considered in the Traffic Impact Statement (TIS). It was also referenced that the applicant's TIS states that Section E4.7.2 of the Road and Rail Assets Code is not met.

The industry standard, and the Department of State Growth's position, is to primarily consider crashes that have occurred in the last 5 years, due to the fact that the road environment has changed significantly since crashes beyond this period. The ten year crash statistics are considered supplementary to the most recent 5 year statistics, however a cluster of crashes needs to be found to establish there is a traffic issue. It is noted that all the known crashes occurred on the Bass Highway and none were at the intersection of Griffins Road. The crashes were all attributed to fatigue, distraction, or failing to obey road rules/signs and markings. As such it is considered that there is no propensity for crashes at the intersection of Griffins Road and Bass Highway.

The Department of State Growth is responsible for recording all significant crashes on Tasmanian roads. The author of the TIS can't be expected to consider crashes that are not recorded with the Department of State Growth. The two crashes additional at the intersection of Griffins Road and Bass Highway do not constitute a cluster or crash propensity and it is unlikely that the crashes were serious, as they were not recorded by the Department.

For section E4.7.2 of the Road and Rail Assets Code, the acceptable solution A2 cannot be met as the development is creating an additional access on Griffins Road which has a speed limit of over 60km/h. The Traffic Impact Statement found that performance criteria P2 can be met for the development by ensuring that the accesses are constructed to the required standard and that localised road widening is completed on Griffins Road to allow safe and efficient access.

Given the above, Council's Road Authority does not believe there is sufficient justification to reject the proposal on the basis of traffic grounds.

Concern – Environmental Issues

- a) 'Concerned about fuel, oils, and residual chemicals being washed downhill from the proposed pressure washer site into the creek which runs into our property'. An environmental survey identified that there are 'protected freshwater crayfish in this creek'.
- b) If approved 'Pollution impacts issues addressed to protect natural habitat and water source to Rubicon River'.
- c) The creek is the start of the Rubicon River System. The creek provides a natural habitat for Freshwater Crayfish. This section also forms a wetland

habitat for native birds and platypus. 'Noise disturbance pollution will adversely affect the environment'.

- d) Stormwater soakage from site and new shed will enter eventually the creek.

Comment:

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

The representations list a number of concerns with the proposed development, however the primary concern of relevance to environmental health is the storage of oils, diesel fuel and agricultural sprays, and the possibility of spills entering the creek at the rear of the property (in close proximity to the southern boundary). The creek is approximately 70 metres from the container and approximately 40 metres from the location of the proposed shed. It is assumed that oil, diesel and sprays would be stored in one of these locations.

As a workplace, the person conducting the business or undertaking (PCBU) will be required to comply with the Work Health and Safety Regulations 2012, which includes requirements for the use, handling, labelling and storage of hazardous chemicals. Bunding in areas for hazardous chemical storage is frequently used for spill containment and to minimise the risk of pollution to the surrounding land and waterways. The type of bunding required (or an alternative method of spill containment) will depend on the nature and quantity of the hazardous chemicals to be stored on the site. It is important to note that these requirements are administered by WorkSafe Tasmania (part of the Department of Justice) not Council. Council does, however, have a duty under the Environmental Management and Pollution Control Act 1994 to prevent or control acts or omissions which cause or are capable of causing pollution. Given the distance from either storage area to the creek, together with the provisions for spill containment noted above, it is considered possible to mitigate the risk of pollution from this source entering the waterway.

The documentation accompanying the application indicates that a pressure washer is used on the site for washing trucks, cars and tractors, not for washing livestock crates. As witnessed during the site visit on 24 June 2020, the pressure washer is currently located on the eastern side of the property and is approximately 60 metres from the creek. The type of pressure washer viewed is typical of that found on rural properties and given the number of vehicles required to be washed and the anticipated quantity of water to be used, it is considered unlikely that any wash down

water would have an adverse impact on the creek.

The emissions from the operation are considered not likely to cause an environmental nuisance.

It is suggested that a note be included on the permit to recommend the applicant seek advice from WorkSafe Tasmania regarding the requirements for storage of hazardous chemicals. WorkSafe Tasmania can be contacted on 1300 366 322.

- b) Refer to a) above.
- c) There is a dam located on 5271 Bass Highway Deloraine that overflows and forms the start of the creek. It is noted that the creek at this location being at the start of the catchment does not run all year. The proposal is located 40 metres from the creek. The hours of operation for the proposal are from 6am to 6pm. The noise generated from the site is considered to be consistent with noise on agricultural properties. The vehicles will come and go from the property meaning that the noise will be only during the times that people are at the site. Given the distance of the development to the creek, the disturbance on the natural environment is not considered to be significant.
- d) The stormwater runoff for the machinery shed/workshop will be directed into a rain water tank. There is the opportunity for the tank to overflow, however, this overflow will be similar to the natural ground runoff that would occur during the wetter months and would be captured by the creek should it not be absorbed prior to entering. The stormwater is appropriately managed and contained on-site, and is not considered to cause adverse impacts to the creek and the associated habitats.

Concern – Visual Amenity

- a) If approved, 'Suitable screening of area- preferably natural vegetation of height not to affect Power Supply Line'
- b) Concerned about the 'aesthetic impact of the proposed transport depot and machinery yard on the surrounding rural landscape and the adjoining historic properties, Hill Top (18) and Mount Pleasant (1800). These two historical Victorian era homesteads and properties are mentioned in numerous publications about the early history of the area'.

Comment:

- a) The applicant proposes to erect a 1.8m high colorbond fence along the stretch of the Griffins Road boundary that is shared with the area to be used. This will not mitigate views of trucks, trailers and or high equipment that is parked at the property, but the fence will screen the views of what is on the ground when looked at from Griffins Road directly adjacent to the property. A vegetation screen along this boundary is not considered appropriate due to being within the low voltage powerline easement. A vegetation screen would potentially require ongoing maintenance to ensure compliance with TasNetworks clearance requirements. It is recommended that a vegetation screen be established on the top side of the cut along the northern extent of the area to be used. Once established, this screen will obscure views of the depot when entering Griffins Road from the Bass Highway. The line of sight of the development from Griffins Road will be reduced to those points directly through the access gates, and when at higher elevation to the transport depot.
- b) The proposed transport depot, comprising multiple trucks, trailers, harvesting equipment, tractors, farming implements etc., is considered to appear similar in nature to what farm yards in rural areas look like. Whilst these yards are not visibly apparent in the immediate rural landscape, the property on the northern side of the Bass Highway does have trucks and trailers parked at the property.

Whilst there are heritage listed properties within the immediate area, the heritage listing is applicable to the title only. There are no heritage landscape considerations in the Meander Valley Interim Planning Scheme 2013. The area is extensively used for agricultural activities and is located within an irrigation district and as such, the rural landscape continually changes depending upon what the land is being used for, eg, grazing and cropping. Whilst visible from Griffins Road, the proposal has minimal visibility from the Bass Highway.

Concern – Comments from Department of State Growth

- The Department of State Growth provided the following advice on 22 October 2020 stating ‘the Department have no comment to make noting that we have previously reviewed and accepted the Traffic Impact Assessment’.

Comment:

Noted

5) Consultation with State Government and other Authorities

The Department of State Growth was notified of the development on 16 October 2020 as an adjoining land owner.

Refer to Section 4 Representations, directly above which quotes the Department's reply.

An enquiry was sent to TasNetworks on 19 November 2020 to query the erection of a 1.8m high colorbond fence within proximity to the low voltage powerline. TasNetworks replied on 27 November 2020 with the following:

- *The fence cannot be within 1.0 m of a TasNetworks pole. This is to allow for inspection access around the entire base of the pole.*
- *For Low Voltage ABC, as is used in this line, the below clearances must be complied with by any works undertaken under this LV line.*
- *If the customer wants to plant screening vegetation, the customer should plant trees that are expected to grow to less than 3.0m. As the trees are planted in our easement, TasNetworks will be responsible for determining the extent to which the growth of the trees need to be cut as part of our vegetation program. This may have aesthetic consequences for the customer.*

10.1.4 Summary Table

Clearance Type		Location Description	Direction	Insulated Service Conductor Clearance
Ground	Roads	At centre of carriageway	Vertically	5.5m
		At kerb line (bottom of kerb)	Vertically	4.6m
		At verge	Vertically	3.0m
		At fence alignment	Vertically	3.0m
		At fence alignment (from top of fence)	Vertically	2.0m
	Other	Private driveways and land traversable by vehicles more than 3m in height (except service stations, farms, caravan parks and other high-risk locations)	Vertically	4.6m
Structures / Buildings	Areas not normally accessible to vehicles		Vertically	3.0m
	Unroofed terraces, balconies, sun decks, paved areas etc. that are subject to pedestrian traffic only	Vertically	3.0m	
		Horizontally	1.0m	
	Roofs or similar structure not normally accessible to persons but on which a person may stand	Vertically	2.0m	
		Horizontally	1.0m	
	Covered places normally accessible to persons, including for example windows capable of being opened, roofed open verandahs and covered balconies		In any direction	1.0m
	Blank walls / windows which cannot be opened		In any direction	1.0m
	Other structures not normally accessible to persons		Vertically	2.0m
		Horizontally	1.0m	
Other High-Risk Situations	Gas Storage Cylinders		Horizontally	1.5m
	Swimming pools.	Vertically	Not permitted	
		Horizontally	3.5m	
	Rotary clothes line, Radio/TV antennae.	Vertically	0.6m	
		Horizontally	0.1m	
	Areas where trailable sailing craft, farm machinery and irrigation pipes may be used		Vertically	5.5m
	Service Poles in the vicinity of bare OH conductors (refer HV clearances table for conductors greater than 650V)	Vertically	-	
		Horizontally	-	
Caravan parks		Vertically	5.5m	
Service station and farm driveways		Vertically	5.5m	
Telecommunications	Telephone or Broadband Communications Cables		Vertically	1.2m

Notes:

1. All clearances are a minimum to which a conductor may sag or swing under any of the following conditions:
 - a. Rated maximum conductor temp in still air (75°C)
 - b. Conductor temperature of 15°C with a wind pressure of 350Pa (blowout condition)
 - c. Conductor temperature of 5°C in still air

An additional 200mm to vertical clearance shown measured under normal stringing temperature is to be added to allow for sag increase under maximum operating conditions.

A note is recommended to direct the applicant to discuss the proposal with TasNetworks.

6) Scheme Assessment

Use Class: Transport Depot and Distribution.

Zone Purpose

In the Rural Resource Zone, Transport Depot and Distribution is listed as a discretionary use under section 26.2 –Use Table. As such, the proposed use is assessed against the Zone Purpose including the Zone Purpose Statements, Local Area Objectives and Desired Future Character Statements.

Rural Resource Zone	
26.1	Zone Purpose
26.1.1	Zone Purpose Statements
26.1.1.1	<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>

26.1.1.2	<i>To provide for other use or development that does not constrain or conflict with resource development uses.</i>
26.1.1.3	<i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i>
26.1.1.4	<i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i>
26.1.2	<p>Local Area Objectives</p> <p><i>a) Primary Industries:</i> <i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i></p> <p><i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>b) Tourism</i> <i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p> <p><i>c) Rural Communities</i> <i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are</i></p>

	<p><i>supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p>
26.1.3	<p>Desired Future Character Statements</p> <p><i>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</i></p>
<p>Response</p> <p>The proposal is consistent with Clause 26.1.1.2 providing for other use and development which is not sensitive in nature and does not conflict with or constrain resource development activities on the adjoining properties. The parking of vehicles and equipment at the site appears similar to yards at farms, where all farming implements and vehicles are parked in open spaces or undercover. The main difference, however, is that the proposed transport business services the primary industry market through transport of freight (including livestock, stock feed and machinery across Tasmania and interstate) and potato contracting which occurs offsite. The use of the site is considered compatible with resource development activities. The proposal is in keeping with the zone purpose statements.</p> <p>The nature of the operation directly services primary industry sector at a local, regional and state level. The proposal is not tourism related. The proposal broadly aligns with the local area objectives.</p> <p>The rural landscape within the immediate area is characterised by houses, outbuildings and farm sheds either clustered with other buildings on the property or separate, some buildings are screened by established rows of vegetation whilst others are visible. The immediate landscape is scattered with single standing trees that are in paddocks that are actively farmed for grazing (sheep and cattle) and for cropping. The topography is undulating with a significant hill framing the gully, with mountain views to the rear. Given the farming activities of the area, the landscape is changing.</p> <p>The subject title is located on the corner of the Bass Highway and Griffins Road and contains a dwelling and outbuildings. The property falls from the Bass Highway towards a creek. The area to be used for the Transport Depot has been cut into the bank and levelled. Given the sloping nature of the site, there are minimal vistas available from the Bass Highway to see the development. The speed limit of the highway is 110km/h which reduces the amount of time that the proposal is visible at vantage points along the highway. From the highway, the nature of the parked</p>	

equipment is comparable to agricultural equipment and visually is in keeping with the rural character. As such, from the Bass Highway the proposal has minimal visual impact on the rural landscape that is characterised by land used for grazing and cropping, undulating topography, scattered vegetation and in the wider rural context the parking of farming equipment.

However, the development will be visible from Griffins Road. A 1.8m high colourbond fence is proposed to be constructed along the boundary of Griffins Road for the extent of the proposal. Whilst this fence will not entirely screen the development, it will reduce the obtrusiveness of the development, blocking some views when directly adjacent. It is noted however, that the height of the equipment parked will extend beyond the height of the fence.

A vegetation screen is recommended (discussed below Performance Criteria P5) to be planted and established along the northern extent of the area to obscure the development when entering Griffins Road from the Bass Highway. At this intersection, the development will not be obtrusive in the rural landscape. The location of the access point will provide opportunity to openly see the proposal when travelling along Griffins Road, which is a local traffic environment. A vegetation screen will not fully screen the development because there are some vantage points where the road is elevated higher than the development area and the line of sight will not include the recommended vegetation screen.

Given the large extent of the rural landscape and the relatively small area the proposal occupies, it is considered that the effect of the transport depot on the rural landscape can be minimised so not to be obtrusive and be in keeping with the desired future character statement. This is considered to be achieved through the erection of a 1.8m high colorbond fence and a vegetation screen.

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.

Rural Resource Zone

13.3.1 Uses if not a single dwelling

Objective

- a) *To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to*

identified nodes of settlement or purpose built precincts.

- b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
- c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
- d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
- e) Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
- f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Performance Criteria P1

P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and

P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.

Response

The proposed Transport Depot is considered to be consistent with the local area objectives for the provision of non-primary industry uses in the zone as explained above.

Performance Criteria P2

P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the: i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; and

P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.

Response P2.2

The property is mapped as being Class 3 land which is considered prime agricultural land. The title is 3.272ha and contains a dwelling, outbuilding and a dam. The topography of the site is undulating and is bound by a creek to the south for which the property slopes towards. The proposal will convert approximately 1900m² of

prime agricultural land to a non-agricultural use. The agricultural potential of the property is limited because of the size of the land. It cannot easily be farmed with adjoining properties because of the location of the existing dwelling and water course, and, therefore, the productive capacity of the land is constrained.

The business 'Dornauf Contracting' that operates from the site, is a small business employing three (3) people and transports freight throughout Tasmania and Australia. The transport of freight includes livestock, stock feed, machinery and goods transported in taut liners. The business also incorporates a potato harvesting contract, whereby land is leased and potato contracts are managed including ground preparation, planting, irrigation and harvesting of potatoes. Only empty trailers and vehicles are parked on the property, meaning that no freight or potatoes are stored at the property. The business has a direct relationship with primary industry activities and benefits the region. Being located beside the Bass Highway directly benefits the business, by being able to connect to the transport network including connection to ports.

The land is a relatively small title, containing a dwelling and has minimal capacity to be used for primary industries. The use is currently more consistent with a residential use and the proposed depot will bring the use into greater conformity with the Zone Purpose. Whilst there is a small amount of land that is to be converted to a non-agricultural use, the proposal directly benefits agriculture and the region by providing a freight and potato contracting service.

Performance Criteria P3

The conversion of non-prime agricultural to non-agricultural use must demonstrate that:

- a) the amount of land converted is minimised having regard to:
 - i) existing use and development on the land; and*
 - ii) surrounding use and development; and*
 - iii) topographical constraints; or**
- b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:
 - i) limitations created by any existing use and/or development surrounding the site; and*
 - ii) topographical features; and*
 - iii) poor capability of the land for primary industry; or**
- c) the location of the use on the site is reasonably required for operational efficiency.*

Response

The land is mapped as Class 3 land and, therefore, recognised as prime agricultural

land. This performance criterion is not applicable.

Performance Criteria P4

It must be demonstrated that:

- a) emissions are not likely to cause an environmental nuisance; and*
- b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and*
- c) the capacity of the local road network can accommodate the traffic generated by the use.*

Response

- a) Refer to Section 4 Representations subsection Concern – Environmental Issues, for Council’s Environmental Health Officer comments which considers emissions. Based on these comments the emissions from the operation are considered not likely to cause an environmental nuisance.

Recommended Note:

- The applicant is advised to contact WorkSafe Tasmania regarding the requirements for storage of hazardous chemicals. WorkSafe Tasmania can be contacted on 1300 366 322.
- b) The adjoining properties to the south and south-west are used for primary industry activities including grazing and cropping. The adjoining property to the west is a small property restricted by its size for agricultural activities. This property contains a dwelling and the land it used for grazing. Given the proposal is not for a sensitive use and directly supports primary industry activities, and the development is setback 33m from the closest primary industry use, the existing activities on adjoining land will not be unreasonably confined or restrained. The normal agricultural activities and operations will be able to occur as they currently do.
- c) A Traffic Impact Statement has been undertaken for the proposal. This report demonstrated that the road network is capable of accommodating the traffic generated by the proposal, noting the requirements for Griffins Road to be widened.

Performance Criteria P5

It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:

- a) the impacts on skylines and ridgelines; and*
- b) visibility from public roads; and*
- c) the visual impacts of storage of materials or equipment; and*

- d) *the visual impacts of vegetation clearance or retention; and*
- e) *the desired future character statements.*

Response

The visual appearance of the development is considered to be consistent with the local area as explained in the Zone Purpose response above, which considers the proposal against the desired future character statements.

The area to be utilised has been cut into the slope reducing the obtrusiveness of the development, compared to if the site had been filled. The extent of cut partly screens the area from some lines of sight. The area is located on a downslope and partly within a large gully and as such, it will not have any impacts on skylines and ridgelines. There has not been any vegetation removed or proposed to be removed as a result of the proposal. As explained previously, the development will have minimal visual impact when viewed from the Bass Highway. However it will be visible from Griffins Road. The photos below are of the proposal when viewed from Griffins Road. Two (2) photos have been marked-up to demonstrate what a 1.8m high fence would look like.

It is considered appropriate to recommend a vegetation screen that establishes and matures to a minimum height of 2m be planted along the top side of the northern extent of the site area. This will lessen the obtrusiveness of the proposal on the landscape especially when viewed from the entry to Griffins Road. This vegetation screen will also blend in with the tree lines that are characteristic in the landscape in the local area.

A machinery shed/workshop is also proposed which will result in some items being stored in this area. With the fence and the vegetation screen, and because the equipment parked on the property is comparable to equipment parked on other rural properties, the visual appearance is considered to be consistent with the local area.

A condition is also recommended that all vehicles and equipment must be garaged and stored within the property boundary. Parking of vehicles in the road reservation of Griffins Road is not permitted.



Photo 3: Photo of subject property from the start of Griffins Road.



Photo 4: Photo of site further south along Griffins Road.



Photo 5: Photo of transport depot area viewed from within 5271 Bass Highway.



Photo 6: Photo of site area viewed from Griffins Road, including a mark-up to show the proposed 1.8m high fence.



Photo 7: Photo of site area viewed from Griffins Road, including a mark-up to show the proposed 1.8m high fence.

In consideration of the recommended conditions the proposal is in keeping with the objective.

26.3.3 Irrigation Districts

Objective

To ensure that land within irrigation districts proclaimed under Part 9 of the Water Management Act 1999 is not converted to uses that will compromise the utilisation of water resources.

Performance Criteria P1

Non-agricultural uses within an irrigation district proclaimed under Part 9 of the Water Management Act 1999 must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to:

- a) the location and amount of land to be used; and*
- b) the operational practicalities of irrigation systems as they relate to the land; and*
- c) any management or conservation plans for the land.*

Response

The irrigation potential, current and future, is not significantly reduced by the proposal. A small amount of land, approximately 1900m² is proposed to be converted to a non-agricultural use that is situated beside Griffins Road. The property is a small rural holding being 3.272ha. The property is constrained by the existing dam and area,

limiting the ability for intensive agriculture. The property is used for grazing only.

The proposal is in keeping with the objective.

26.4.1 Building Location and Appearance

Objective

To ensure that the:

- a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and*
- b) development of buildings is unobtrusive and complements the character of the landscape.*

Performance Criteria P2

Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

- a) the topography of the land; and*
- b) buffers created by natural or other features; and*
- c) the location of development on adjoining lots; and*
- d) the nature of existing and potential adjoining uses; and*
- e) the ability to accommodate a lesser setback to the road having regard to:*
 - i) the design of the development and landscaping; and*
 - ii) the potential for future upgrading of the road; and*
 - iii) potential traffic safety hazards; and*
 - iv) appropriate noise attenuation.*

Response

The machinery shed/workshop is proposed to be located 10m from Griffins Road and 33m from the southern boundary. The shipping container is proposed to be 18m from Griffins Road. As such, the siting of the buildings does not comply with the Acceptable Solution and requires assessment against the Performance Criteria.

The subject site falls in elevation from the Bass Highway towards the south of the property to the dam and creek. The fall is approximately 12m from the north to the south of the property. The area to be used as the transport depot has been levelled by cutting into the bank on the northern side. There are some single standing trees that are located between the nominated area and the southern boundary.

The adjoining property to the rear is 31.25ha, contains a shearing shed that is located approximately 20m from the subject title and is used for agricultural activities. The property to the west contains a dwelling and associated outbuildings and is 4.38ha having limited agricultural potential (most likely used for grazing). The property to the southwest is 54ha in area, contains two (2) dwellings that are located a significant distance from Griffins Road, provides visitor accommodation and is used for agricultural activities. This property has established poplar tree rows and mature trees

established in the north-eastern corner. This vegetation provides an appropriate buffer to mitigate any potential conflicts from the proposed development to the primary industry activities undertaken at the property.

The proposed machinery shed/workshop and shipping container are not being used for a sensitive use. These buildings will be used in association with the proposed transport depot use which directly supports primary industry activities. The positioning of these buildings will not constrain the primary industry operations carried out on adjoining land.

Any future upgrade to Griffins Road will not be impacted upon by the proposed 10m and 18m setback for the machinery shed/workshop and shipping container respectively. The siting of these buildings is not considered to pose any traffic safety hazards. Noise attenuation from Griffins Road to the two buildings is not required given the low traffic volumes of the road and because the development is not for a sensitive use. The proposed machinery shed/workshop and shipping container are consistent in design and character to buildings which are constructed in rural areas. Landscaping is not considered necessary for the treatment of the buildings because the development will not constrain the adjoining primary industry operations.

The building setbacks are considered not likely to constrain adjoining primary industry operations and is consistent with the objective.

E4 Road and Rail Access Code

E4.6.1 Use and road or rail infrastructure

Objective

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

Performance Criteria P3

For limited access roads and roads with a speed limit of more than 60km/h:

- a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and*
- b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

Response

There is no direct access proposed on to a category 1 road. Griffins Road is not a category 1, 2, 3, 4 or 5 road as per Department of State Growth's road hierarchy and as such point a) and b) are not applicable.

The proposal seeks to establish two (2) new accesses on to Griffins Road providing for a dedicated entry and exit to the Transport Depot site. One (1) of the accesses has been previously constructed but will be required to be upgraded to the appropriate standard.

The application includes a Traffic Impact Statement, prepared by a suitably qualified person and is accompanied by advice from the Department of State Growth. The Traffic Impact Statement recommends Griffins Road be widened 'to allow left off and right on turn movements' suitable 'for the design vehicle 26m B-double'. This localised widening would 'allow for trucks to 'stand' while other traffic passes' (Traffic and Civil Services 2020:15). The Traffic Impact Statement states that the Bass Highway and Griffins Road junction is suitable for the proposed use. The Department of State Growth accepted the Traffic Impact Statement.

Council's Road Authority has provided the following comments regarding the Traffic Impact Assessment Report and recommends the following conditions of approval:

The Infrastructure Department has reviewed the TIA provided for the planning application and has no requests for further amendments to the document. The TIA addresses the requirements of the planning scheme and the conclusions are considered acceptable. The landowner will need to construct the proposed access in accordance with TSD-R04 and R05 and the road widening in accordance with the recommendations of the TIA.

It is noted that currently Griffins Road has insufficient width to service the turning path of a B-double into the proposed access locations. One of the conditions of the planning approval will be that the road widening of Griffins Road is to be completed in accordance with the findings of the Traffic Impact Statement and to Council Standards. This will ensure there is sufficient width in the road for a B-double vehicle to pull off the road without impacting traffic. The applicant will need to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over the portion of Griffins Road.

Recommended Conditions:

- The proposed driveway accesses must be constructed in accordance with Tasmanian Standard Drawings TSDR04 and R05 to the satisfaction of Council's Director Infrastructure Services. The works must be completed by a suitably qualified contractor. Refer Note 1.

- Road widening off Griffins Road is to be completed by the developer in accordance with the findings of the TCS Traffic Impact Assessment and Tasmanian Standard Drawings TSD-R01 to the satisfaction of Council's Director Infrastructure Services. All costs associated with the road widening are at the developer's expense. The works must be completed by a suitably qualified contractor. Refer note 1.

Recommended Notes:

- Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.
- As per the recommendation in the Traffic Impact Statement, the applicant is advised to apply to the National Heavy Vehicle Regulator to seek a permit to operate B-double combinations over Griffins Road.

The development is consistent with the objective as demonstrated in the Traffic Impact Statement which has been accepted by the Department of State Growth and Council's Road Authority. The safety and efficiency of Griffins Road will not be reduced if suitable access widths for the design vehicle are installed, along with the localised widening of Griffins Road which will maintain an adequate level of safety and efficiency for all road users.

E4.7.2 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.

Performance Criteria P2

For limited access roads and roads with a speed limit of more than 60km/h:

- a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and*
- b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

Response

Refer to response directly above.

E4.7.4 Sight Distance and 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

- a) 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 speed limit applied to Griffins Road is 100km/h. However, the recorded vehicle speed for the road as identified in the Traffic Impact Statement is 40km/h. As such the applicable sight distance for each access, as prescribed by the planning scheme, is 80m in both directions. The proposed accesses cannot achieve 80m of sight distance and relies on assessment against the performance criteria.

The following table which was provided in the Traffic Impact Statement demonstrates the sight distance available from each new access. It shows that the 'left off access to Griffins Road' achieves 40m of sight distance to the left and the 'right on access to Griffins Road' achieves 72m of sight distance to the right. Both of which are less than the required 80m. However, the performance criteria in the Australian Standard AS/NZS 2890.1 requires 35m of sight distance and as such, the proposed access points are deemed to comply with this standard. Therefore, the proposed accesses are considered to provide adequate sight distance to ensure the safe movement of vehicles. This Traffic Impact Statement has been accepted by Council's Road Authority.

Junction Major Rd - Minor Rd	Speed Limit (km/h)	Speed Environment (km/h)	Acceptable Solution	Current Provision		Performance Criteria	Proposed Treatment	
			Table E4.7.4 SISD (m)	Road frontage sight distance Available		AS / NZS 2890.1 (m)	Mitigation	
				Left(m)	Right(m)		Left	Right
Bass - Griffins	110	110	290	>300m	>300m	NA	NA	
Griffins - Dwelling access	100	40	80	120	55	35		
Griffins - Left off access	100	40	80	40	140	35		
Griffins - Right on access	100	40	80	82	72	35		

Compliant with Table E4.7.4

Compliant with AS / NZS 2890.1

Figure 3: Sight distance assessment table. Source: Traffic & Civil Services 2020 Page 8.

The proposed development is consistent with the objective providing for sufficient sight distances to enable the safe movement of traffic.

E6 Car Parking and Sustainable Transport Code

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective

To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Performance Criteria P1

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.

Response

The Transport Depot site will have a compacted gravel surface which will be trafficable in all weather conditions. It is proposed to have a separate entry and exit point for the circulation of vehicles within the site. The entry and exit points are required to be clearly sign posted with signage to the effect of 'Entry Only' 'Exit Only' 'No Entry' 'No Exit' at the access points.

The vehicle parking for employees and visitors is provided behind the shipping container. This car parking area is required to be identifiable by physical means of delineation such as line marking and signage. The trailer and machinery parking area is proposed for the middle of the site. This area does not require identification through line marking or delineation as the parking requirements will change depending upon what trailers or machinery is on site at the time.

Recommended Conditions:

- Within three (3) months of the date of this approval, three (3) car parking spaces to the east of the shipping container must be formed having a minimum dimension of 2.6m wide by 5.4m long and be physically delineated to the satisfaction of Council's Town Planner.
- Prior to the use of the entry point as shown on the endorsed site plan, directional signage must be erected at both the entry and exit point to clearly direct the flow of traffic. The signs must clearly identify the entry and exit points such as 'Entry Only' and 'No Entry' when viewed from Griffins Road, and 'No Exit' 'Exit Only' when viewed from within the site. The signage visible from Griffins Road must be erected on the property boundary, unless approval is

obtained from Council's Road Authority for erection within the road reservation. The signage must be erected to the satisfaction of Council's Town Planner.

The development is consistent with the objective.

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 proposed site has been cut into a hill to provide a relatively level area. The existing dwelling and outbuildings on the property are located 40m from Griffins Road. There are no other buildings within the area that are within close proximity to Griffins Road. All car parking within the area is located around the existing dwellings.

The machinery shed/workshop is proposed to be constructed 10m from the title boundary with Griffins Road. The location of the shed is to the southern extent of the area proposed to be used. There is the ability to access the rear of the shed from the subject property.

The car parking is proposed to be located behind the shipping container. The proposed colorbond fence and shipping container will predominately obscure views of cars parked in this area from Griffins Road. The parking area for trailers and machinery is located beside Griffins Road and not behind the building line. Given the height of the trailers, trucks and machinery to be parked in this location, the proposed 1.8m high colorbond fence will not be able to screen the parked machinery and trailers.

The manoeuvring spaces will be located to the east, north and south of the designated trailer and machinery parking area and this is considered to be the most accessible location to enable the manoeuvring of vehicles.

The proposed site is visible at some vantage points along the Bass Highway. However, given the high speed environment, the visibility of the site is for only a small period of time for road users.

The site is visible from Griffins Road, however, with screening vegetation along the northern boundary of the area used (as recommended above) and the erection of a colorbond fence along the Griffins Road frontage, the visibility will be reduced to vantage points at the access points, and when directly opposite the proposal along Griffins Road, as well as with some vantage points at higher elevations.

With the erection of a colorbond fence and the establishment of a vegetation screen along the northern edge of the development, the location of parking and the manoeuvring space on-site is considered not to be detrimental to the streetscape, or surrounding amenity.

The development is consistent with the objective.

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

It is proposed to have a separate entry and exit point to the site allowing vehicles to enter and exit the property in a forward direction, with a dedicated car parking area and separate trailer and machinery parking area. The site has previously been cut providing a fairly level area. The car parking and manoeuvring space is considered to be convenient, safe and will provide for the efficient use of the site and can appropriately accommodate the current needs of the business.

The dimension of the car parking spaces to the east of the shipping container have not been nominated, however there is adequate space to provide car parking spaces that have a width of 2.6m and a length of 5.4m to be consistent with the car parking requirements of the planning scheme. As such it is recommended that as a condition of approval the car parking spaces are provided on-site at these dimensions. The manoeuvring space adjacent to the car parking spaces is appropriate and exceeds the minimum requirement. Given the single direction flow of traffic proposed, there is little requirement for turning on-site.

The development is consistent with the objective and parking, and manoeuvring spaces are designed and laid-out to an appropriate standard.

Recommended Condition

- Within three (3) months of the date of this approval, three (3) car parking spaces to the east of the shipping container must be formed having a minimum dimension of 2.6m wide by 5.4m long and be physically delineated to the satisfaction of Council's Town Planner.

Acceptable Solutions

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

Rural Resource Zone		
Scheme Standard	Comment	Assessment
26.3.1 Uses if not a single dwelling		
A1	Transport Depot & Distribution is a Discretionary use.	Relies on Performance Criteria
A2	Transport Depot & Distribution is a Discretionary use.	Relies on Performance Criteria
A3	Transport Depot & Distribution is a Discretionary use.	Relies on Performance Criteria
A4	Transport Depot & Distribution is a Discretionary use.	Relies on Performance Criteria
A5	Transport Depot & Distribution is a Discretionary use.	Relies on Performance Criteria
26.3.2 Dwellings		
A1.1	N/A	
A1.2	N/A	
A1.3	N/A	
26.3.3 Irrigation District		
A1	The property is located within an irrigation district.	Relies on Performance Criteria
26.4.1 Building Location and Appearance		
A1	The machinery shed is 6.458m high. It will require approximately 300mm fill at the rear to create a level area. The shipping container is 2.4m high.	Complies

A2.1	<p>The machinery shed will be located 10m from the Griffins Road (western) boundary and 33m to the southern boundary.</p> <p>The shipping container will be 18m to Griffins Road (western) boundary.</p> <p>All other boundary setbacks are greater than 50m.</p>	Relies on Performance Criteria
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E4 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
E4.6.1 Use and road or rail infrastructure		
A1	N/A	
A2	N/A	
A3	New access installed, and proposing a new second access.	Relies on Performance Criteria
E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways		
A1	N/A – greater than 50m from Cat 1 road.	
E4.7.2 Management of Road and Accesses and Junctions		
A1	N/A	
A2	Two new accesses are proposed.	Relies on Performance Criteria
E4.7.3 Management of Rail Level Crossings		
A1	N/A	
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings		
A1	<p>The proposed accesses do not meet the 80m sight distance requirement.</p> <p>Southern access (Turning left off Griffins Road) 40m to the south and 140m to the north.</p> <p>Northern access (Turning right on to Griffins Road) 82m to the south and 72m to the north.</p>	Relies on Performance Criteria

E6 Car Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
E6.6.1 Car Parking Numbers		
A1	<p>Standard – 10% of the site is to be set aside for car spaces and access strips (excluding driveways).</p> <p>Approx. 1900m² of area to be used as Transport Depot.</p> <p>Car parking area and access strip takes up approx. 350m².</p>	Complies
E6.6.3 Taxi Drop-off and Pickup		
A1	N/A	
E6.6.4 Motorbike Parking Provisions		
A1	N/A	
E6.7.1 Construction of Car Parking Spaces and Access Strips		
A1	The surface of the access will be gravel.	Relies on Performance Criteria
E6.7.2 Design and Layout of Car Parking		
A1	The proposed vehicle parking area is behind the shipping container. The trailer and machinery parking is not behind building line.	Relies on Performance Criteria
A2	<p>The gradient of the car parking and manoeuvring space is less than 10%.</p> <p>It is proposed for vehicles to enter and exit in a forward direction.</p> <p>The width of the proposed accesses is greater than the table.</p> <p>The layout of the car parking spaces and access ways is not shown on the site plan so cannot be considered in accordance with the Australian Standard AS2890.1-2004 Parking Facilities, Part 1: Off Road Car Parking.</p>	Relies on Performance Criteria
E6.7.3 Car Parking Access, Safety and Security		
A1	Not greater than 20 car parking spaces provided.	Complies

E6.7.4 Parking for Persons with a Disability		
A1	No disability parking shown.	N/A
A2	No disability parking shown.	N/A
E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup		
A1	Type of use does not require loading bay.	N/A
E6.8.1 Pedestrian Walkways		
A1	N/A	

E7 Scenic Management Code		
Scheme Standard	Comment	Assessment
E7.4 Use and Development exempt from this Code		
	The use for Transport Depot is exempt from the code. The development components (workshop and shipping container) are greater than 100m from the road corridor.	Exempt

E8 Biodiversity Code		
Scheme Standard	Comment	Assessment
E8.2 Application of this Code		
	No vegetation was removed, and the area is not located within the priority habitat overlay.	Code not applicable

E9 Water Quality Code		
Scheme Standard	Comment	Assessment
E9.6.1 Development and Construction Practices and Riparian Vegetation		
A1	No removal of vegetation	Complies
A2	No filling, piping or draining of a wetland	Complies
A3	No filling, piping or channelling of a watercourse.	Complies
E9.6.2 Water Quality Management		
A1	Stormwater to be connected to a water tank.	Complies
A2	No new point source discharge – Stormwater will be connected to a water	Complies

	tank.	
A3	Not a quarry	N/A

E11 Environmental Impacts and Attenuation Code		
Scheme Standard	Comment	Assessment
E11.2 Application of this Code		
	The use and development is not an attenuated activity.	Code not applicable

E14 Signage Code		
Scheme Standard	Comment	Assessment
E14.2 Application of this Code		
	No signage is proposed.	Code not applicable

Conclusion

It is considered that the application for Use and Development for Transport Depot (storage of equipment & machinery, including construction of workshop, shipping container, 2 new accesses and front fence) is acceptable in the Rural Resource Zone, can be managed by appropriate conditions and is recommended for approval.

DECISION:

APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993

Index No. 19670	
Doc No.	
RCVD	21 JAN 2020
Action Officer	SS
Dept.	CDS
EO	OD <input checked="" type="checkbox"/>

Meander Valley Council

- 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: **19620** Assessment No: - -

DA\ **20/0186** PA\ **20/0153** PC\

- Is your application the result of an illegal building work? Yes No
- Have you already received a Planning Review for this proposal? Yes No
- Is a new vehicle access or crossover required? Yes No

Indicate by box

PROPERTY DETAILS:

Address: **3271 Bass Highway** Certificate of Title: **15620911**

Suburb: **Deloraine** **7304** Lot No:

Land area: **3.272 HA** m² / ha

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

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

DETAILS OF USE OR DEVELOPMENT:

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

Total cost of development (inclusive of GST): **\$11,000.00** Includes total cost of building work, landscaping, road works and infrastructure

Description of work: **land and earth works, gravelled, new entrance**

Use of building: **Transport depot, machinery yard** (main use of proposed building – dwelling, garage, farm building, factory, office, shop)

New floor area: m² New building height: m

Materials: External walls: Colour:

Roof cladding: Colour:

SEARCH OF TORRENS TITLE

VOLUME 156209	FOLIO 1
EDITION 1	DATE OF ISSUE 01-Jun-2009

SEARCH DATE : 21-Jan-2020

SEARCH TIME : 02.19 PM

DESCRIPTION OF LAND

Parish of MALLING Land District of DEVON
 Lot 1 on Sealed Plan 156209
 Derivation : Part of Lot 1412 Gtd. to William George Gardner
 Sams & Richard Green and Part of Lot 90 Gtd. to William George
 Gardner Sams
 Prior CTs 108222/1, 21165/2 and 32377/4

SCHEDULE 1

M199820, M199821 & M228513 TRANSFER to JOSEPHINE VAN DEN BRINK

SCHEDULE 2

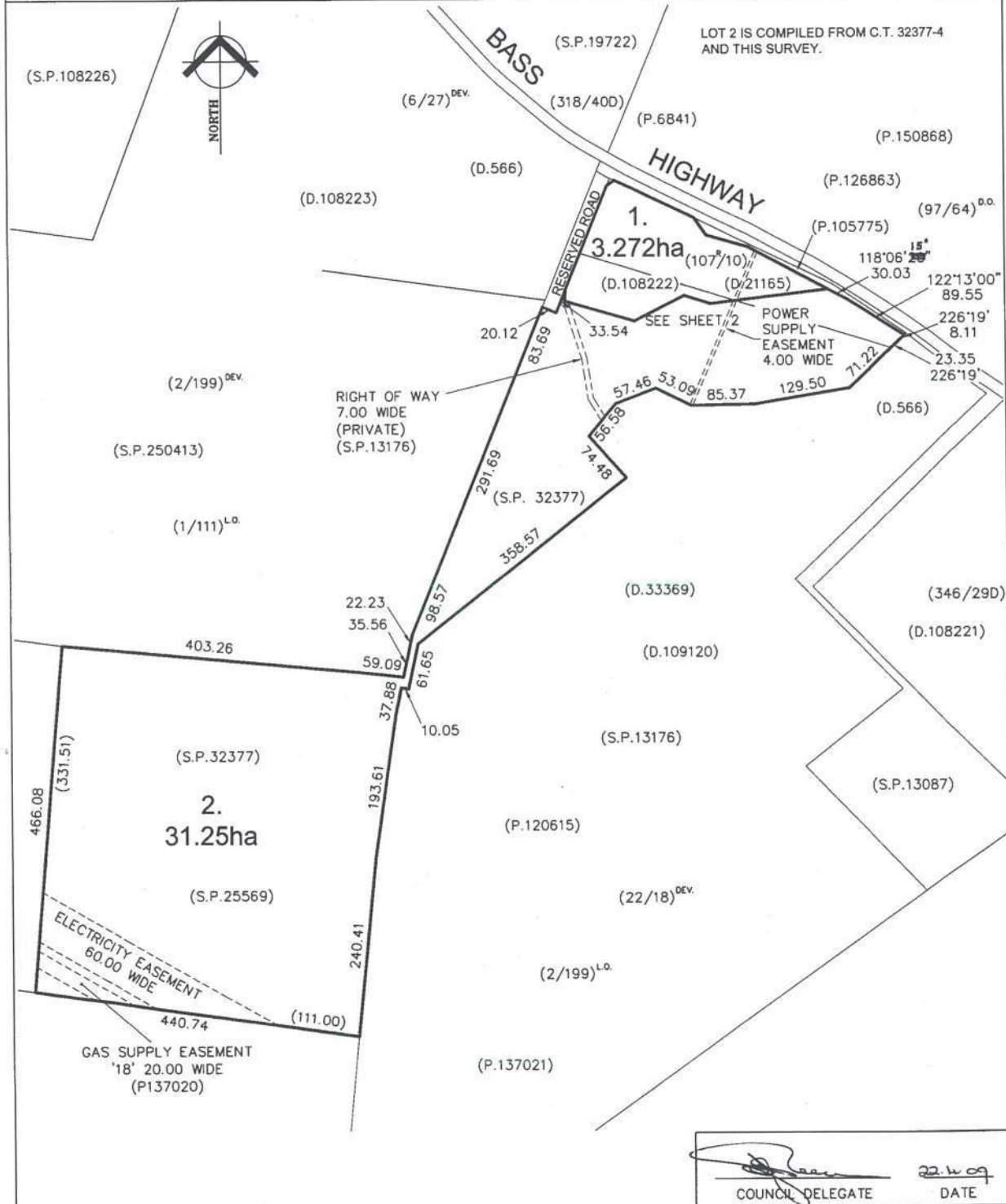
Reservations and conditions in the Crown Grant if any
 SP156209 EASEMENTS in Schedule of Easements
 SP156209 FENCING COVENANT in Schedule of Easements
 33/759 CONVEYANCE Made Subject to Boundary Fences Condition
 SP 32377 FENCING COVENANT in Schedule of Easements
 B157663 FENCING PROVISION in Transfer
 B63414 PROCLAMATION under Section 9A and 52A of the Roads
 and Jetties Act 1935 Registered 14-Aug-1986 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

<p>OWNER JOSEPHINE VAN DEN BRINK TRUFFLES THREE LANDCO LIMITED</p> <p>FOLIO REFERENCE C.T. 108222-1 C.T. 21165-2 C.T. 32377-4</p> <p>GRANTEE PART OF LOT 1412 GTD. TO WILLIAM GEORGE GARDNER SAMS & RICHARD GREEN. PART OF LOT 58 GTD. TO WILLIAM MORIARTY & PART OF LOT 90 GTD. TO WILLIAM GEORGE GARDNER SAMS.</p>	<p>PLAN OF SURVEY</p> <p>BY SURVEYOR R.M. PECK OF G.J. WALKEM & CO.</p> <p>LOCATION LAND DISTRICT OF DEVON PARISH OF MALLING</p> <p>SCALE 1:5000 LENGTHS IN METRES</p>		<p>REGISTERED NUMBER SP156209</p> <p>APPROVED - 1 JUN 2009 EFFECTIVE FROM <i>Alice Kawa</i> Recorder of Titles</p>
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MAPSHEET MUNICIPAL CODE No 121 (4640)	LAST UPI No FYQ 50 FYQ 53	LAST PLAN No S.P.32377, D.21165, D.108222	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
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Dornauf

CONTRACTING

Dornauf Contracting was established in 2014 in Deloraine Tasmania by owner/director Chris Dornauf along with his partner Selina Scott. Specializing in local transport freight for the first year before expanding the business interstate in 2015 as well and also purchasing the potato contracting equipment in 2015. Today the business consists of local/interstate freight with only two trucks and our seasonal potato contracting that has grown successfully since 2015.

Transport Depot Council question/answers

- **Completed application (I have attached a planning application form for your reference).**

Attached

- **Copy of the Certificate of Title documents**

I don't have any copies or have seen any title documents only a number CT: 156209/1

- **Payment of application fees.**

I can pay once there advised

- **Site plan showing the location of the proposed area to be used for the transport depot. This can also detail where the leveling of the site is located (ie areas of cut and areas of fill) and a distance from this area to the creek. The site plan should also show the new access onto Griffins Road.**

As all the land works was completed by us, a drawn plan attached

• **Explanation of the use outlining:**

i. The business and what is proposed to occur at the site.

Transport/agriculture services, site is for parking and storage of all our transport gear and machinery

ii. Hours of operation-

6.00AM-6.00PM

iii. Number of vehicles associated with the use,

2x trucks, 2x utes, wheel loader, 2x tractors, forklift, 2/3 trailers (sometimes they are not all onsite at once)

Does this also include any stationary machinery (Agriculture implements)?

iv. Maximum Number of vehicle movements to and from the site per day?

3/4 at the most

v. Number of employees -

Three

vi. Will the site be gravelled or sealed? -

Gravelled

vii. Has anything been installed to stop sediment loss into the creek associated with the earthworks. -

No, nothing we have installed has affected the creek

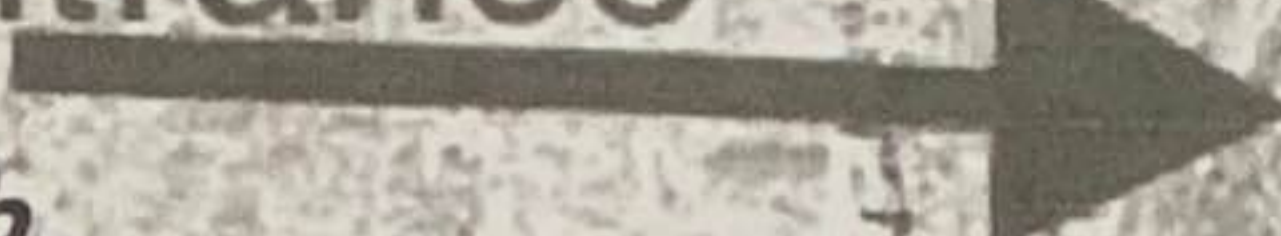
New
entrance



Levelled/
gravelled
Area

Google

New entrance

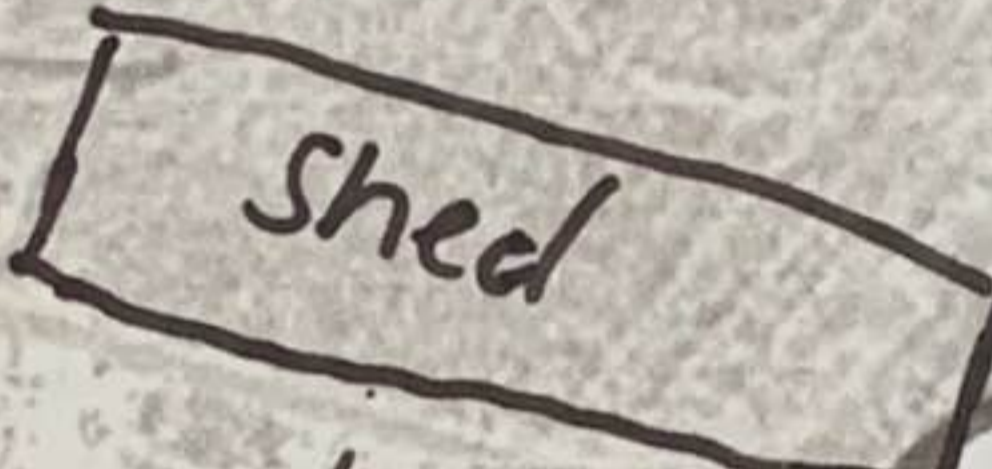


Machinery/
trailer parking

Visitor parking

Levelled/
gravelled
Area

New entrance

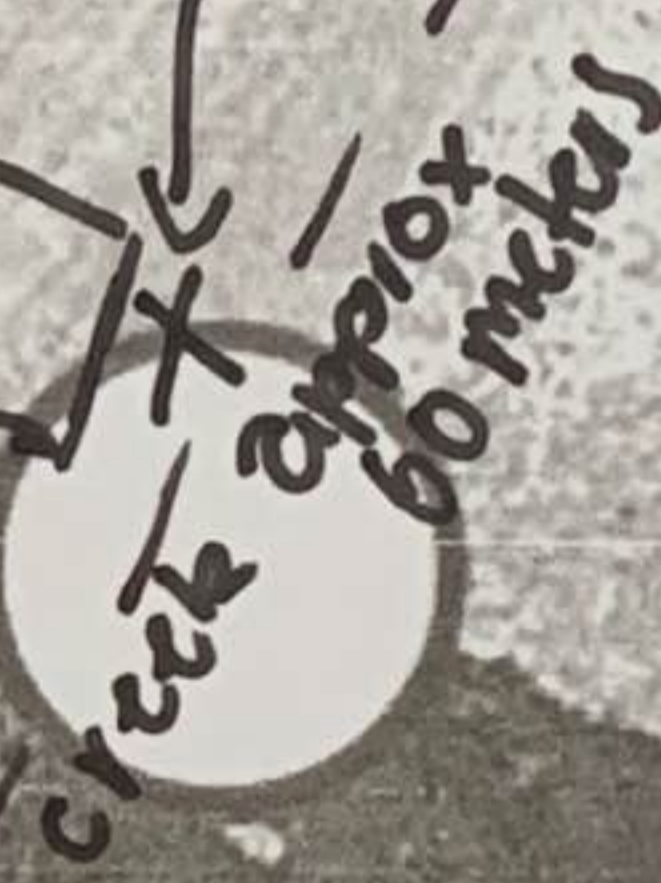


Shed

Water tank



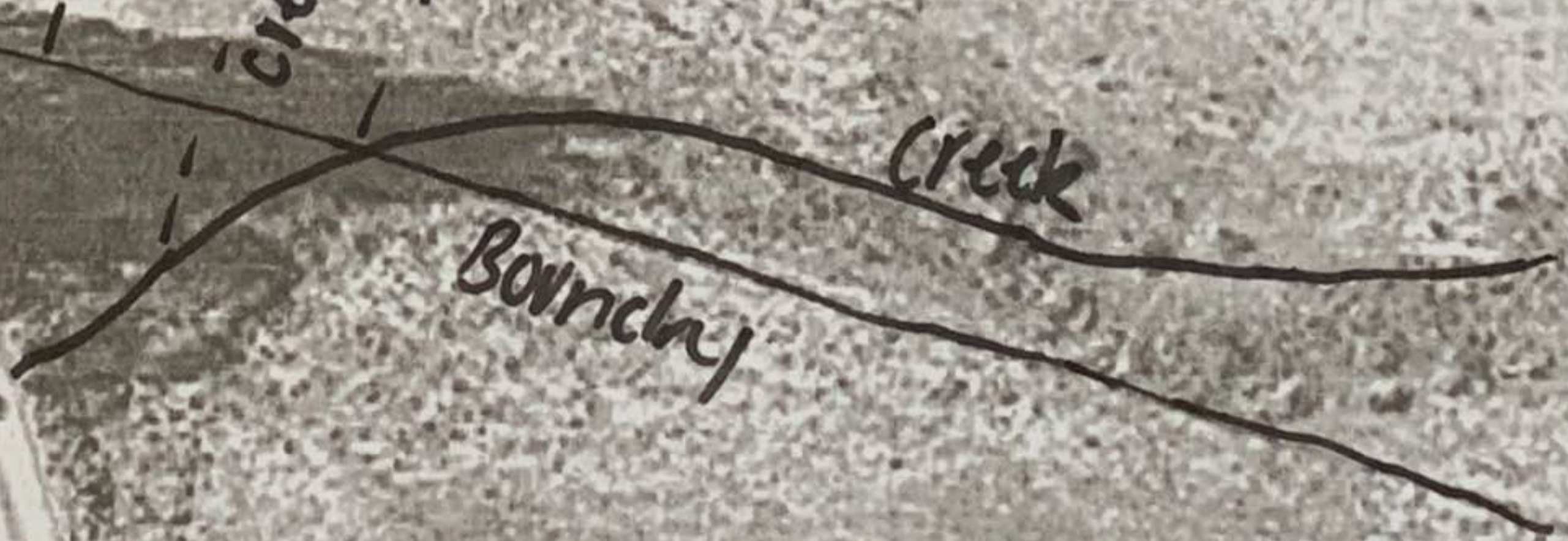
Pressure washer



Boundary approx 33 meters

Shed approx 40 meters

creek approx 60 meters



Creek

Boundary

Google

Dornauf

CONTRACTING

1. Site Plan Amended.

- i) Distance from proposed machinery shed to boundary along Griffiths road is 10.5 meters
- ii) Proposed entry and exit points noted on the site plan
- iii) Shipping container location noted
- iv) The area to be filled is noted, 1/2 foot of depth

2. Confirm what the pressure washer is used for. Do you propose to washout your livestock trailers at this location.

Our pressure washer is for personal use only, for washing our own trucks, cars and tractors. We do not washout livestock crates at the property they are washed out over in Victoria before shipping on Toll shipping or down at Powranna sale yards on rare occasions.

3. Traffic Impact Assessment is in progress.

Richard Burk from Traffic Civil Services Pty Ltd has completed a onsite inspection, he will be getting in contact with Meander Valley Council.

4. Chris and I would also like to note again that our business and purposes for a machinery shed/earthworks is for personal business use only. We also will happily screen part of the boundary with a colourbond fence at 1.8 meters high in due course when funds are available. A vegetation screening doesn't satisfy us due to the above powerlines and excess leaves/debris over trucks and machinery.

Downauf

CONTRACTING

What is generally transport and is this stored on site at all (i.e any storage of freight, potatoes, livestock)? If so how long would goods be stored at the site for?

General freight could include stockfeed, machinery and a wide variety of goods in a taut liner and Potatoes and livestock. None of the mentioned is stored at 5271 Bass Highway, they all have delivery points, i.e McCains Smithton, all livestock is delivered directly only empty trailers come to the property, rural retailers and warehouses regarding what the goods may be. Any trailers stored in the yard are only over night for early starts the next day.

If you transport livestock?

Yes from farm to shipping dock i.e Toll or Searoad shipping.

If a truck/equipment wash-down area is required? If so please show this area on the site plan, including distance from the water course to this area?

Yes- noted on the site plan.

Information about the potato contracting business and how it works.

When equipment is not in use will it be stored/parked at this property?

What type of equipment does this include? Do potatoes get stored at the property?

Potato Contracting is seasonal.

Planting of the potatoes takes place from October to early December.

Harvesting takes place from late February to June.

Planters and tractor implements are parked at the property.

Harvester from June to February seasonal.

Potato bins from June to February but we do use a couple throughout planting.

Tractors are used all year round, they will be parked more from June to October at the property.

Irrigation equipment i keep at the lease paddocks/property.

No potatoes are stored at the property.

Type/size of trucks that you have (so we can consider access to the property and turning within the site.

Two Kenworths T908 and T608. Both are b-double trucks, we don't always do b-double cartage but we do need access for 26 meter long b-doubles. That is what the yard us set up for now.

What the forklift is for?

The forklift is used for a variety of things that includes maintenance to gear, re arrange freight on trailers and some of our contracts require a forklift on their site.

Any information that will further explain what your business is and what is proposed for the site.

We are only a small operating business including two owners/director/manger and one employee, all the site is intended for is to have a place to be able park/store our own machinery, trucks and trailers with a shed to have the ability to carry out our own maintenance and store our trucks/tractors indoors. Our trucks 90% of the year leave once daily and return once daily, sometimes with our employee taking his truck home himself. We also use too bring the trucks home too the house prior too the land works taking place. All trucks traveling from the west go to Deloraine to perform a u-turn, so all heavy vehicles enter Griffins road from the east, so they do not cross the highway.

Will there be any maintenance/repair of vehicles/equipment/ machinery at the site. If so please provide details.

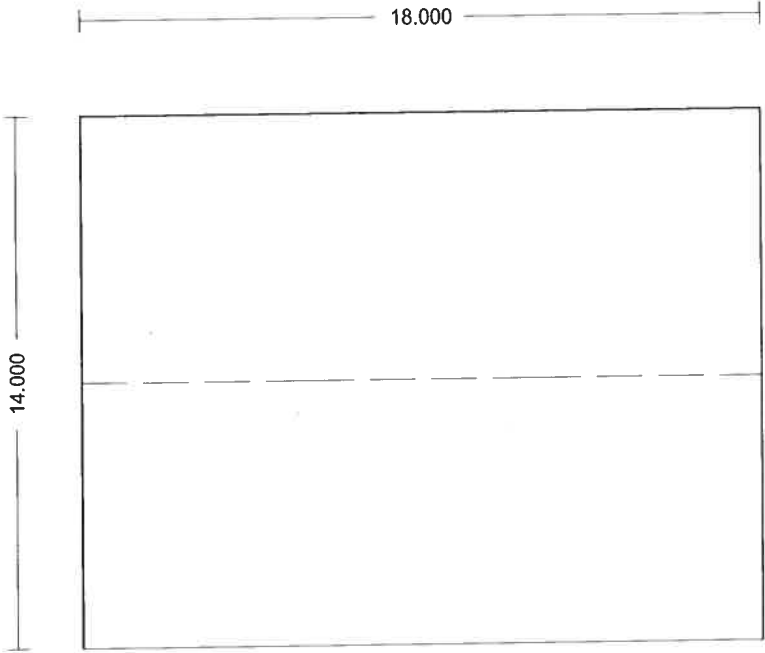
Yes, this why we are requesting for a shed for all maintenance i.e. greasing, tyre changes, general repairs maintenance. Any major maintenance will be done off site at accredited mechanics.

If you propose any signage. If so please include on the site plan, the location of any signage and include details regarding what the sign will look like and how it is to be fixed.

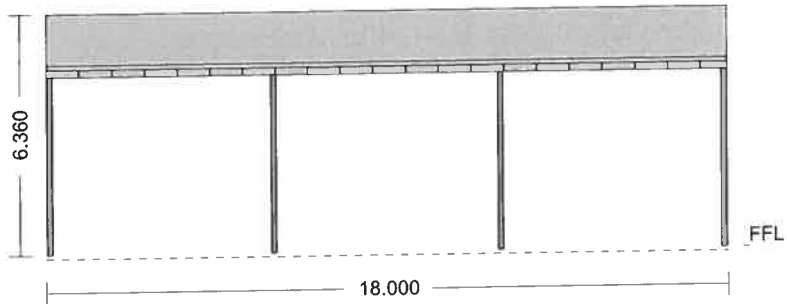
No, there is no signage, the only signage i believe we will need to have is a visitor parking sign and a speed limit sign for passing through traffic as some neighbors think there is no speed limit on Griffins road when its a public road.

Where will the stormwater from the workshop go? Will it be captured in water tanks, and if so where will the overflow go?

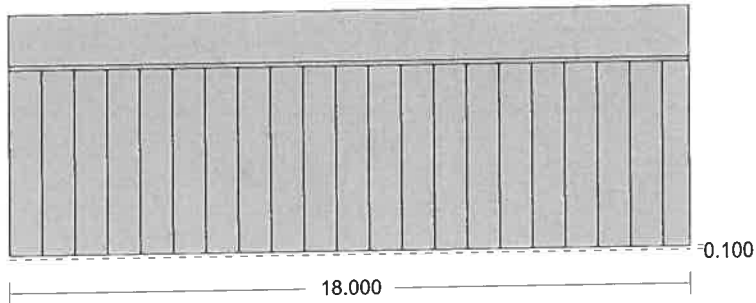
Yes a water tank and the overflow i am guessing could be okay to run into the creek?



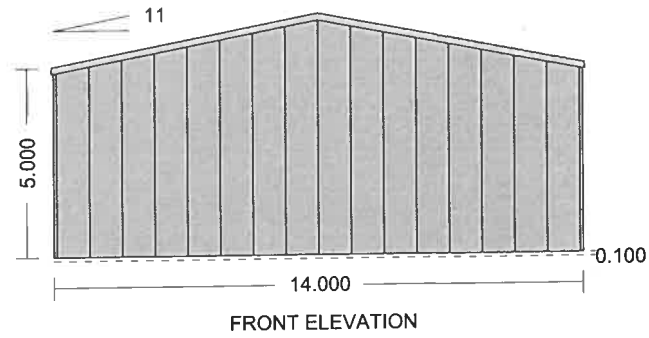
PLAN



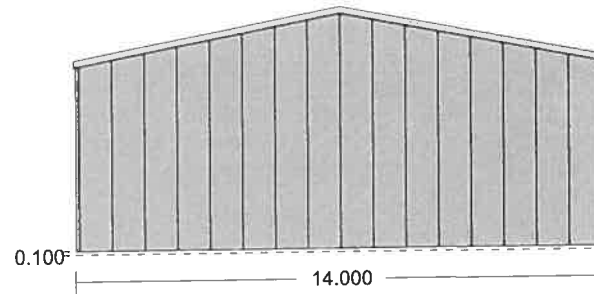
LEFT ELEVATION



RIGHT ELEVATION



FRONT ELEVATION



REAR ELEVATION

PROPOSED Shed 14.000x18.000x5.000	
At	
For	
Wall Colour - TBA	Roof colour - TBA
Barge Colour - TBA	
Job No	Quote No
	Scale 1:200
All Work To Be In Accordance With Accompanying Engineers Details	



Shipping Container - 6.1m by 2.44m by 2.93m high.



5th October 2020

Selina Scott

Dornauf Contracting

Dear Selina,

1 Cooper Crescent
Riverside TAS 7250
M: 0456 535 746
P: 03 6334 1868
E: Richard.burk@trafficandcivil.com.au

**TRAFFIC IMPACT ASSESSMENT FOR PROPOSED ADDITIONAL
ACCESSES TO 5271 BASS HIGHWAY, DELORAINE.**

This report assesses the proposed additional access points to 5271 Bass Highway via Griffins Road, some 6km north west of the Deloraine CBD. The proposal is to add left in and right out access points with Griffiths Road for the 5271 Bass Highway property. This report considers the situation in terms of traffic engineering principles, Meander Valley Council and Department of State Growth (DSG) requirements and includes:

- site inspection and review of available sight distances and the speed environment,
- consideration of property access requirements,
- consideration of traffic safety for all road users.

1. Introduction

1.1) Background

The developer proposes to add left in and right out access points with Griffiths Road for the 5271 Bass Highway property for truck access.

1.2) Site Description

The existing property has two existing accesses on Griffins Road, one for the dwelling, and the other is a two-way access to a truck turning circle. The surrounding land is cleared farmland. Figures 1 and 2 outline site location and layout.



Figure 1 – 5271 Bass Highway Location

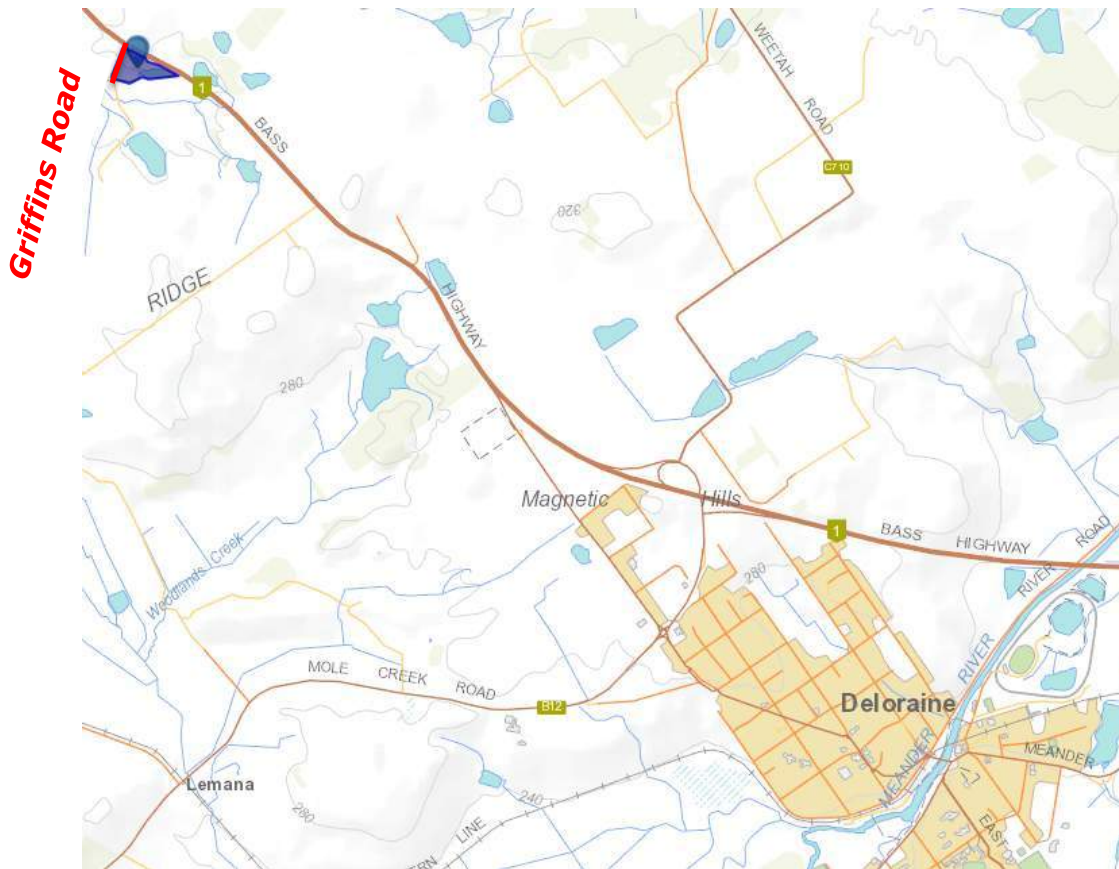
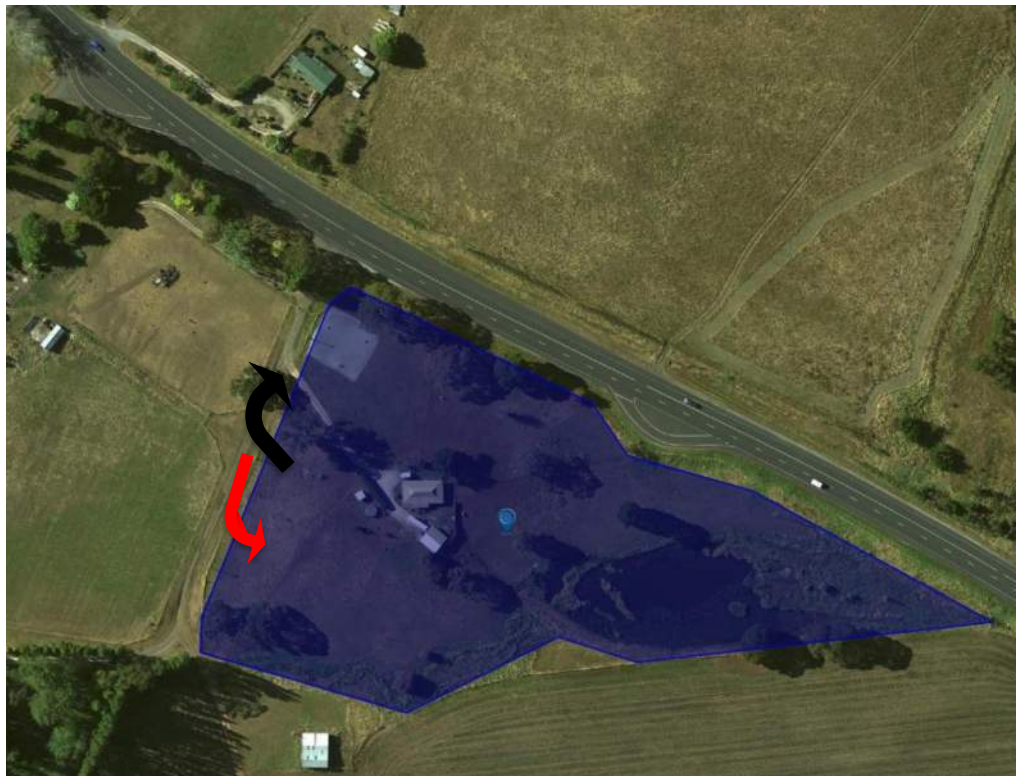


Figure 2 – 5271 Bass Highway access to Griffins Road



**Proposed
right on
access**

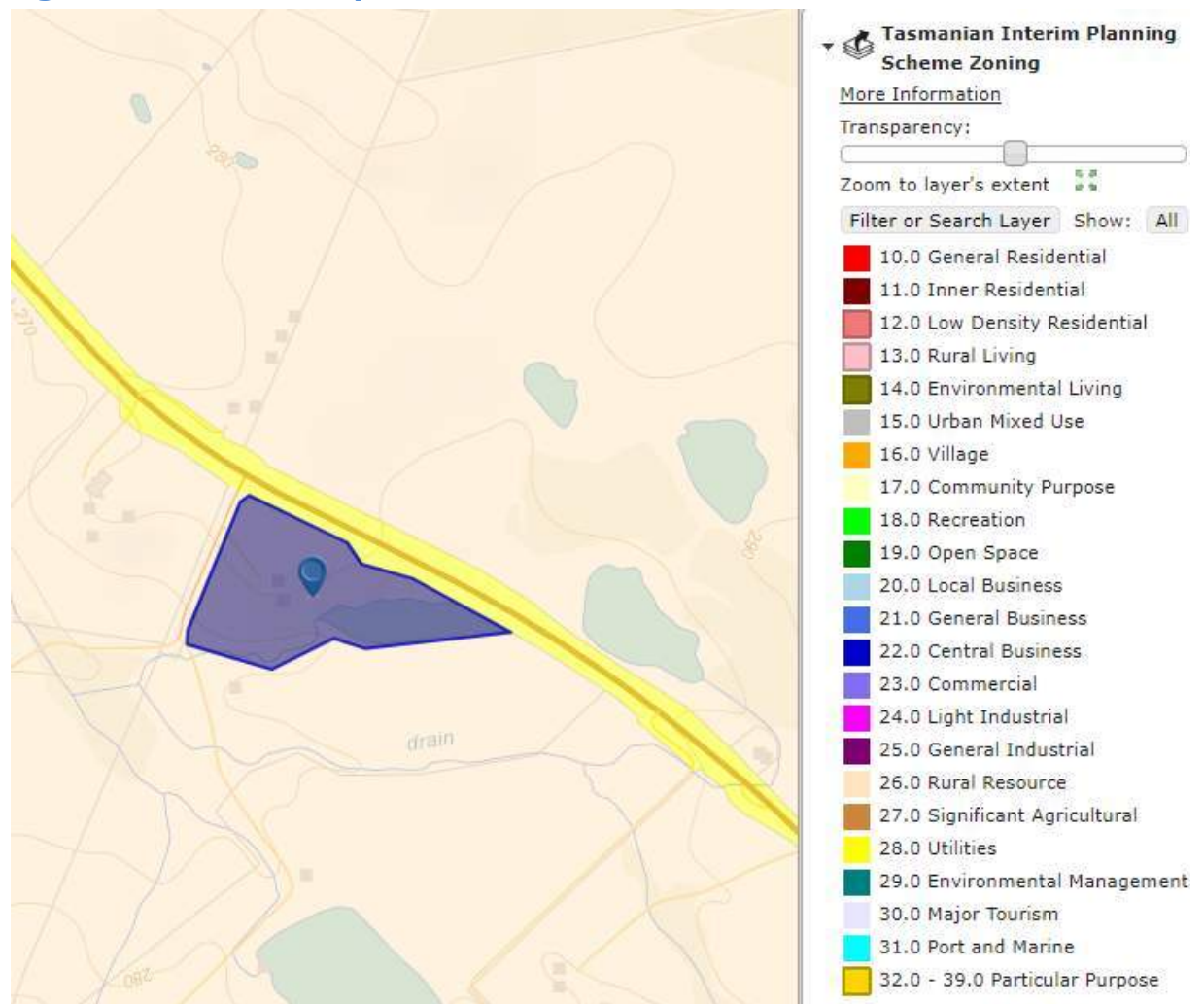
**Proposed
left off
access**



1.3) Council Planning Scheme

Figure 3 shows the Meander Valley Council Interim Planning Scheme 2013 zoning around the development site at Griffins Road.

Figure 3 – The development site is on land zoned Rural Resource



1.4) State Road Network Owner Objectives

Department of State Growth objectives for the Bass Highway are to maintain traffic safety and transport efficiency.

1.5) Council Road Network Owner Objectives

Meander Valley Council objectives for Griffins Road are to maintain traffic safety and transport efficiency.



2. Existing Conditions

2.1) Bass Highway approaches to Griffins Road

The Bass highway is a Category 1 Trunk Road in the Tasmanian State Road hierarchy. It has a trafficable sealed width at the Griffins Road junction of 18m, with 2*3.5m wide west bound traffic lanes and a 3.5m east bound lane.

There are 2m and 5.5m sealed shoulders on the southern and northern sides of the highway, see Appendix A, site photos A.14-A.18.

The Bass Highway is a part of the Tasmanian 26m B Double Network, see Appendix B. The speed environment is estimated to match the posted speed limit of 110km/h on the Bass Highway at the Griffins Road junction. The road is well delineated and built to a high standard.

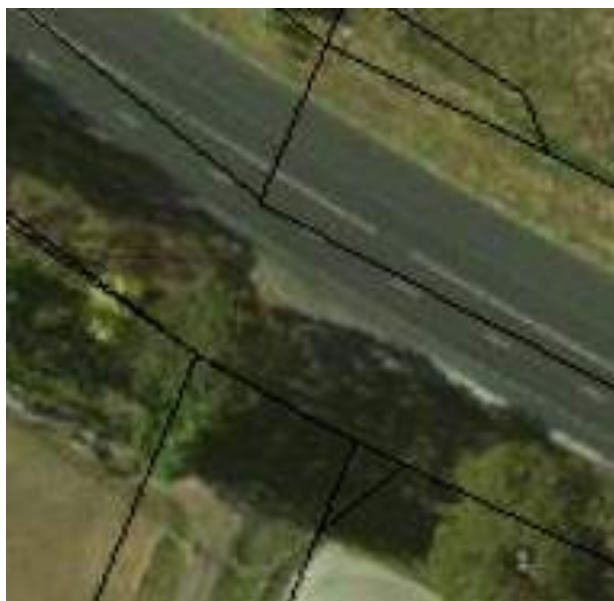
Figures 4 and 5 show the Bass Highway / Griffins Road junction layout and lane widths.

Figure 4 – Bass Highway Link 22 approaches to Griffins Road





Figure 5 – Bass Highway Link 22 approaches to Griffins Road



Eastbound

- Shoulder 5.5m
- Traffic lane 3.5m

Westbound

- Shoulder 2.0m
- 2 Traffic lanes each 3.5m

2.2) Griffins Road

The trafficable sealed width of Griffins road is 2.8m with farm fences either side. The road is not delineated, and the seal appears very old and in poor condition. Griffins Road has a grade of some 12 % but flattens to level at the approach to the Bass Highway. The road pavement depth is unknown and a stock crossing has recently been removed and backfilled with gravel and has not as yet been sealed.

Griffins Road is not a part of the Tasmanian 26m B Double Network, see Appendix B.

Technically the speed limit is the General Rural Speed Limit of 100km/h which is not sign posted. From site observations and due to the short length and low standard of the road, the speed environment is estimated at <40km/h.

2.3) Dwelling access

The existing dwelling access is with Griffins Road 55m from the Bass Highway and is unsealed, 3m wide with culvert headwalls and in good condition. The access has sight distances of 55m looking right, and 120m looking left along Griffins Road. See Appendix A, figures A.9-A.13 .



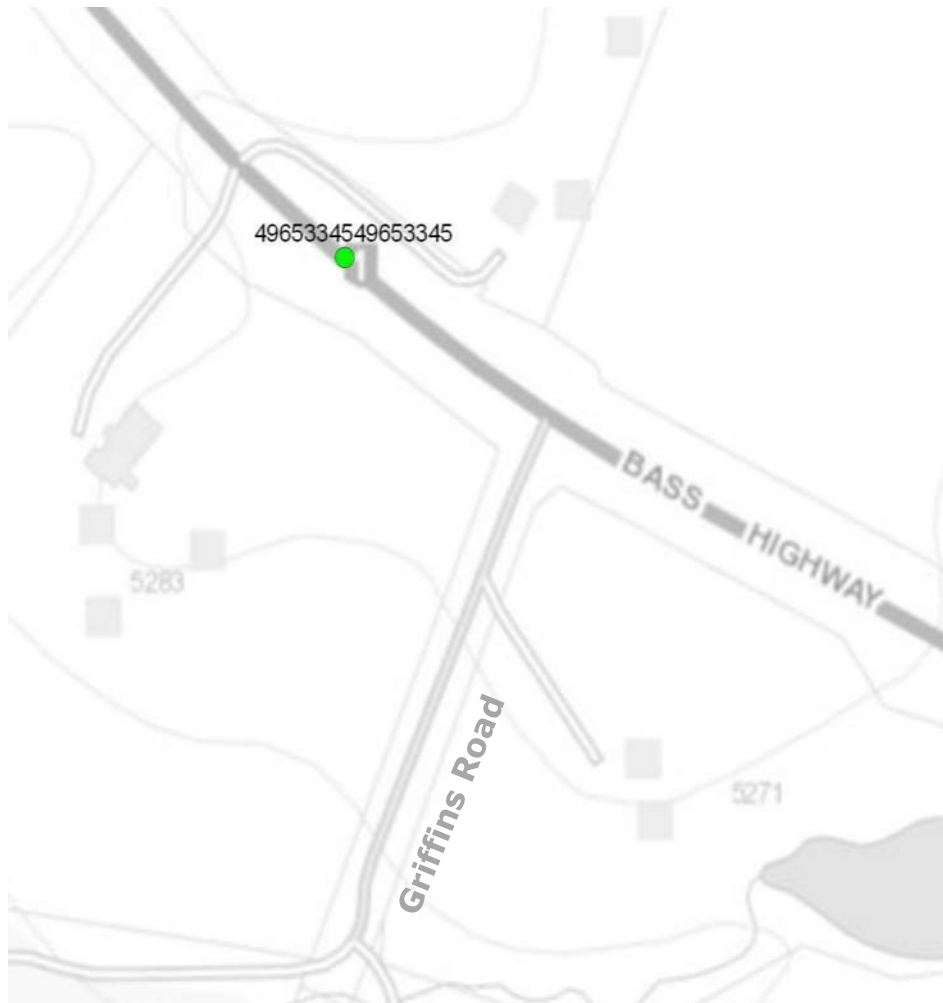
2.4) Crash Data

The Department of State Growth is supplied with reported crashes by Tasmania Police. The Department maintains a crash database from the crash reports which is used to monitor road safety, identify problem areas and develop improvement schemes. The 5-year reported crash history records 1 crash at the proposed access involving a U Turn movement on the Bass Highway, see figures 6 and 7. There is no evidence of a crash propensity on Griffins Road or at the Bass Highway junction.

Figure 6 – 5 Year reported crash history

Crash ID	Description	Date	Time	Severity	Surface	Light	Centreline	Speed	Location	Units
49653345	140 - U turn	29-Oct-2018	16:20	Serious	Sealed	Daylight	Double continuous	110	Bass Hwy, Griffins Rd	LV & LV

Figure 7 – 5 Year reported crash history locations





2.5) Current traffic activity

Bass Highway

Traffic activity from the DSG traffic counter south of Elizabeth Town provides evidence of an estimated AADT of 9637vpd (2019), with 23% heavy vehicles, see Appendix D. The peak hour rate is estimated at 900 vph.

Griffins Road

Griffins Road provides access to 3 dwellings plus farm accesses. It is estimated that Griffins Road has an AADT of 40vpd, with an estimated hourly rate of 4vph.

3. Proposal

3.1) Description

There is a second access with Griffins Road some 93m from the Bass Highway, which is unsealed, 9.8m wide without culvert headwalls and in good condition. The access has sight distances of 72m looking right and 82m looking left along Griffins Road. See Appendix A, Figures A.1-A.4 & A.8.

The proposal is to make this access a right on to Griffins Road for trucks.

The proposal includes a new left off from Griffins Road for trucks. This access location is 146m from the Bass Highway.

3.2) Expected traffic activity due to the proposal

The primary movements at the proposed access on Griffins Road will be left-off and right-on with separate ingress and egress using two separate accesses.

The proposal is expected to generate up to 4 vehicle movements per day, with 2 vehicle movements during peak hours. It is noted that the vehicle movements will be 100% large heavy vehicles including 26m B Doubles and 19.5m Triaxle Semi Trailers.



3.3) Junction Warrant

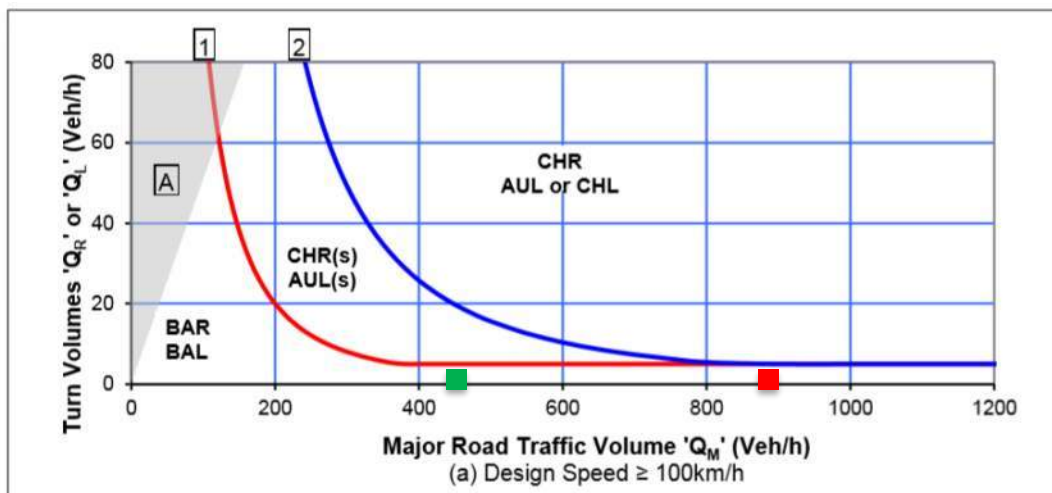
Junction layouts based on Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings – 2019, consider the standard of the road, speed limit and through & side road traffic.

Figure 8 summarises traffic activity at the Bass Highway / Griffins Road junction . Figure 9 shows the junction warrant and that the existing basic right and left junction layout is adequate.

Figure 8 – Peak hour traffic movements at the access

Peak Hour Movement Summary(vph)		
	Turns	Total Effected Flow
Left In	2	450
Right In	2	902

Figure 9 – Junction Warrant for property access



3.4) Sight Distances

Figure 10 – Sign distance criteria and availability summary

Junction Major Rd - Minor Rd	Speed Limit (km/h)	Speed Environment (km/h)	Acceptable Solution	Current Provision	Performance Criteria	Proposed Treatment	
			Road frontage sight distance			Mitigation	
			Table E4.7.4 SISD (m)	Available			AS / NZS 2890.1 (m)
			Left(m)	Right(m)		Left	Right
Bass - Griffins	110	110	290	>300m	>300m	NA	NA
Griffins - Dwelling access	100	40	80	120	55	35	
Griffins - Left off access	100	40	80	40	140	35	
Griffins - Right on access	100	40	80	82	72	35	

Compliant with Table E4.7.4

Compliant with AS / NZS 2890.1



4. Procedures and Approvals

Proposals involving a State Road reservation require DSG consideration as the road owner. The following DSG involvements may be required:

4.1) DSG review of TIA

These reviews are required to:

- consider proposals and whether the TIA prepared satisfies DSG requirements.
- resolve any issues so the TIA can be finalised
- enable the TIA endorsement provided by DSG to be communicated to Council as part of the Development application process.

These reviews are usually arranged by the TIA author. The email address for submissions is:

Development@stategrowth.tas.gov.au

4.2) Crown landowner consent

This is to provide DSG to opportunity to check alignment of proposals with DSG objectives for the road. If the proposal aligns with DSG objectives Crown Land Consent is issued by DSG. Crown Landowner Consent is required where there is a proposed change in use of property adjacent to a state road. The website for Crown Landowner Consent is:

https://www.transport.tas.gov.au/road/permits/crown_landownerconsent/

4.3) Access works permits

Developers must obtain an access works permit from DSG for proposed work within a state road reservation. Applications need to include:

- suitably design plans detailing the proposal and services affected.
- relevant design calculations for stormwater management and pavement design
- a traffic impact assessment

The website for access works permit applications is:

<https://www.transport.tas.gov.au/road/permits/road-access>

4.5) Summary of DGS requirements

For the proposal considered in this TIA, State Roads should be supplied a copy of this TIA for review.



4.6) 26m B Double access

The proponent will need to obtain a B Double permit to use Griffins Road, see Figure 12. Applications are made via the National Heavy Vehicle Regulator website:

<https://www.nhvr.gov.au/road-access/access-management/applications/b-double-permit>

Figure 12 – Extract from NHVR website

B-double permit

Do I need a B-double permit?

A B-double permit is required for travel on a road outside of the approved B-double network. Operators should check if their requested route is on an approved B-double route, as they may be able to operate under a [gazette notice](#) instead of needing a permit.

The NHVR processes **ALL** B-double permit applications for travel within and between the Australian Capital Territory, New South Wales, Queensland, South Australia, Tasmania and Victoria through the [NHVR Portal](#).

4.6) Council rural road access requirements

Proposals involving accesses within a Council Road reservation require Council consideration as the road owner. Accesses for trucks on council roads should comply with LGAT Standard Drawings TSD-R04-v1 and TSD-R05-v1, see Appendix C which are accessible online:

https://www.lgat.tas.gov.au/_data/assets/pdf_file/0021/321348/LGAT-Standard-Drawings-Release-Version-Dec-2013.pdf

For the proposed left off and right on to Griffins Road:

- Sealing of the access is not required as Griffins Road is a low volume rural road.
- Driveway culverts should be provided with driveable culvert headwalls on the inlet side to cater for left off and right on movements by heavy commercial vehicles.
- Provide suitable access width and widening to cater for the turning path of the design vehicle.
- Install property access gates on the property boundary with widening of Griffins Road to allow through traffic to pass a stopped truck.



5. Road Safety Review

5.1) Existing road safety review

The existing access (proposed as a right on to Griffins Road access) has a plastic culvert with no inlet headwall.

5.2) Safe Systems Assessment

Griffins Road has been assessed with the Austroads Safe System assessment framework. This framework involves consideration of exposure, likelihood and severity to yield a risk framework score. High risk crash types and vulnerable road user crash types are assessed for each site and aggregated to provide an overall crash risk. Crash risk is considered in terms of three components:

- Exposure (is low where low numbers of through and turning traffic) i.e. 1 out of 4
- Likelihood (is low where the infrastructure standard is high) i.e. 1 out of 4
- Severity (is low where the speed environment is low) i.e. 1 out of 4

The Austroads Safe System Assessment process enables the relative crash risk of an intersection or road link to be assessed. Road users are considered along with the most common crash types. The crash risk score is an indication of how well the infrastructure being assessed satisfies the *safe system objective which is for a forgiving road system where crashes do not result in death or serious injury.*

From safe system assessment, Griffins Road were found to be very well aligned with the safe system objective both roads assessed with a crash risk score of 31/448 which is a very low risk, see figure 12. Figure 13 summarises the SSA.

Figure 12 – Austroads SSA alignment between crash score & risk





Figure 13 - Safe System Assessment of Griffins Rd

Safe System Assessment		Existing situation - Griffins Road							
		Run-off-road	Head-on	Bass Hwy Jnc	Other	Pedestrian	Cyclist	Motorcyclist	
Exposure	Justification (AADT 40vpd)	Very Low Traffic Volume	Very Low Traffic Volume	Moderate traffic volumes at junction (9,600vpd)	High Heavy Vehicle Use - 23% Bass Hwy	Negligible Pedestrian Activity	Low volumes	Low volumes	
	Score / 4	1	1	2	1	0	1	1	
Likelihood	Justification	No delineation, very narrow road, rough surface	No delineation, very narrow road, rough surface	Good sight distance, not line marked as BAR	No delineation, very narrow road, rough surface	Grassed shoulders close to road	No specific facilities provided	Very rough and inconsistent surface, very narrow road width	
	Score / 4	3	3	2	3	3	3	3	
Severity	Justification (40km/h speed environment)	low speed environemnt	low speed environemnt	high speed environemnt	low speed environemnt	low speed for pedestrians	low speed for cyclists	low speed for motorcyclists	
	Score / 4	1	1	4	1	1	1	1	
Product	Total Score /64	3	3	16	3	0	3	3	Total /448
									31



6. Meander Valley Interim Planning Scheme 2013

The proposed access should comply with the Meander Valley Interim Planning Scheme 2013: Code E4: Road and Railway Assets Code

Road and Railway Assets Code E4

Section E4.6.1 Use and road or rail infrastructure

Acceptable Solution A3: *For roads with a speed limit of 60 km/h of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access junction by more than 10%.*

Existing traffic activity is estimated at 40vpd and the proposal is estimated to generate 4 vpd i.e an increase of 10%.

A3 is satisfied.

Section E4.7.2 – Management of Road Accesses and Junctions

Acceptable Solution A2: *For roads with a speed limit of 60km/h of more than 60km/h the development must not include a new access or junction.*

The proposal is to make a left off and right on access with 5271 Bass Highway via Griffins Road as shown in Figure 2.

A2 is not satisfied.

Performance Criteria P2: *For limited access roads and roads with a speed limit of more than 60km/h (c) an access of junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

The proposal will be designed with suitable access widths for the design vehicle and localised widening of Griffins Road for safe and efficient access.

P2 can be satisfied.



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

Acceptable Solution A1: *Sight distance at an access or junction must comply with Safe Intersection Sight Distance shown in Table E4.7.4*

A1 is satisfied, see section 3.4.

4.3) Impacts on the environment and road users

As the pavement depth on Griffins Road is unknown and narrow and the proposal is to provide for heavy commercial vehicle access (unloaded) with a wide swept path. Pavement widening will be required to cater for the turning path requirements of the heavy commercial vehicles turning off and on Griffins Road.

7. Conclusions and Recommendations

This report has been prepared to assess the proposed left off and right on access with Griffin Road for the property at 5271 Bass Highway.

The proposed accesses are to allow Dornauf Contracting to park unladen heavy commercial vehicles at the 5271 Bass Highway property.

Dornauf Contracting has two employees who would use the proposed facility to park their vehicles between loads.

The assessment has reviewed the existing road conditions, crash history, traffic safety and Austroads guidelines for any implications for the Bass Highway / Griffins Road junction and proposed accesses.

It is estimated that Dornauf Contracting would typically generate 4 vehicle movements per day consisting of two arrivals at the end of the day and two departures at the start of the day.

Traffic on the Bass Highway is some 9637vpd (2020) and the proposed operation will increase traffic on Griffins Road by 4vpd to 44 vpd.



The following issues were identified:

- Griffin Road has a sealed pavement width of 2.8m and will require widening to allow left off and right on turn movements with Griffins Road for the design vehicle i.e 26m B Double.
- The pavement depth on Griffins Road is unknown.
- The Bass Highway / Griffins Road junction layout is suitable for the proposed use. Due to the negligible increase of 4 vpd the existing arrangements on the Bass Hwy are satisfactory and it is noted there is a generous sealed shoulder space should following traffic need to pass to the left of a vehicle turning right into Griffins Road.
- Griffins Road is not part of the Tasmanian 26m B Double network.
- Meander Valley Council have advised their position with regards Griffins Road and the proposal as follows:
 - Council would undertake work to improve the existing shoulders of the road and undertake repair of the road pavement/seal, or reconstruction of the pavement into the future as required.
 - It is expected the proponent would construct the proposed accesses to the appropriate standard and width required for the design vehicle.
 - Access works would involve provision of suitable gates, driveway culverts and localised widening to allow for design vehicle turning paths. The localised widening is to allow for trucks to 'stand' while other traffic passes.

Evidence is provided to demonstrate that the Meander Valley Planning Scheme requirements can be satisfied for Road & Railway Assets Code E4.



Recommendations:

- *The proponent construct the Griffins Road left off and right on accesses to LGAT standard drawings TSD-R04 and R05 allowing for widening to suit the design vehicle. (See Appendix C)*
 - *The left off Griffins Road cater for the design vehicle turning left off.*
 - *The right on to Griffins Road cater for the design vehicle turning right on.*
 - *Sealing of the accesses is not required.*
 - *Provide driveway culverts with driveable culvert headwalls on the inlet side to assist with provision for left off and right on truck turning movements.*
 - *Provide suitable access width and widening of Griffins Road to cater for the turning path of the design vehicle.*
 - *Install property access gates on the property boundary with widening of Griffins Road to allow through traffic to pass a stopped truck.*
- *The proponent requests a permit to operate 26m B Doubles on Griffins Road via the NHVR website, see section 4.6 of this report.*

DSG has advised this TIS is acceptable, see Appendix E.

Overall, it has been concluded that the proposal is safe, will not create any traffic issues and is supported on traffic grounds subject to the above recommendations.



8. Assessor Credentials

Richard Burk is a qualified Traffic and Civil Engineer with over 33 years of experience with State and Local Government in the Roads and Traffic industry in Tasmania. Visit www.trafficandcivil.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Burk', is positioned above the printed name.

Richard Burk

Director

Traffic and Civil Services

M: 0456 535 746

P: 03 63341868

E: Richard.burk@trafficandcivil.com.au

Appendices

Appendix A: Site Photos

Appendix B: Tasmanian 26m B Double Network

Appendix C: LGAT Tasmanian Standard Drawings

Appendix D: Department of State Growth Data

Appendix E: DSG Acceptance of TIS



Appendix A: Site Photos

Accesses to 5271 Bass Highway

Figure A.1 – Proposed right on to Griffins Road



Figure A.2 – Looking right along Griffins Rd from proposed right on



**Sight distance
right is 72m**

Figure A.3 – Looking left along Griffins Rd from proposed right on



**Sight distance
left is 82m**



Figure A.4 – Looking back at proposed right on



Figure A.5 – Looking north along Griffins Rd at proposed right on



Figure A.6 – Looking right along Griffins Rd from proposed left off



Sight distance right is 140m



Figure A.7 – Looking left along Griffins Rd from proposed left off



**Sight distance
left is 40m**

Figure A.8 – Culvert inlet at proposed right on



Figure A.9 – Culvert with headwalls at dwelling access





Figure A.10 – Looking back at dwelling access driveway



Figure A.11 – Dwelling Access driveway approach to Griffins Road



Figure A.12 – Looking right along Griffins Rd from dwelling access



**Sight distance
right is 55m**



Figure A.13 – Looking left along Griffins Rd from dwelling access



**Sight distance
left is 120m**

Bass Highway / Griffins Road junction

Figure A.14 – Looking right along Bass Hwy from Griffins Rd



**Sight distance
right > 300m.**

Figure A.15 – Looking left along Bass Hwy from Griffins Rd



**Sight distance
left > 300m.**



Figure A.16 – Bass Hwy Western approach to Griffins Rd



Figure A.17 – Bass Hwy Western approach to Griffins Rd



Figure A.18 – Bass Hwy Eastern approach to Griffins Rd





Appendix B: Tasmanian 26m B Double Network

Conditions of Notice apply:

Roads

- 26m B-Double access
- Conditionally Approved 26m B-Double access
- - B-Double Routes - To Be Removed
- HML access
- Conditionally Approved HML access
- Road subject to load limit. [More details.](#)

Bridges

- Conditionally approved B-Double overpass
- Conditionally approved B-Double bridge
- Restricted Overpass
- Bridge subject to load limit. [More details.](#)

No Access Under This Notice:

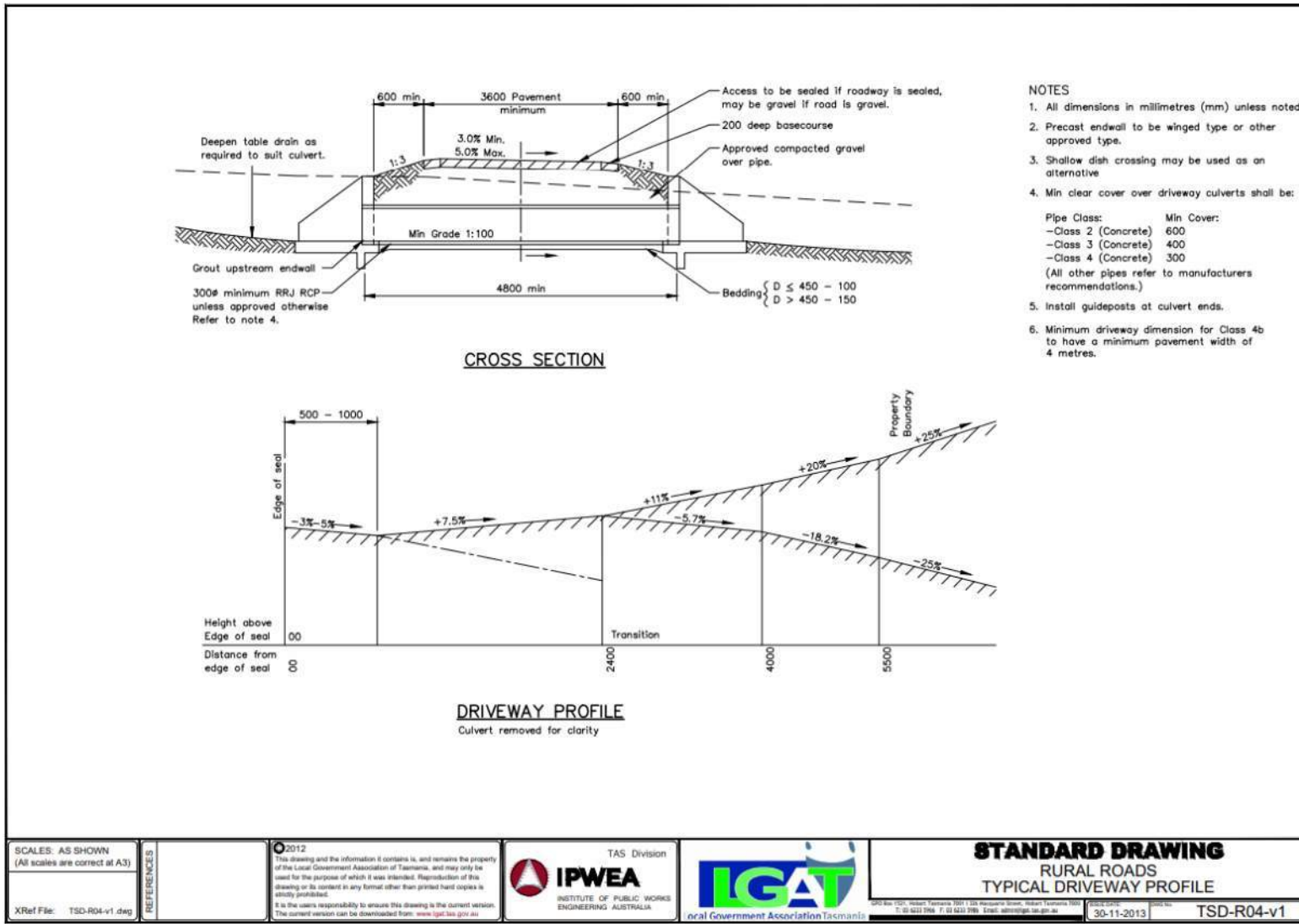
Permit required; [Contact NHVR](#)

- No access on road (assessed)
- No access on road (not assessed)
- Restricted Structure



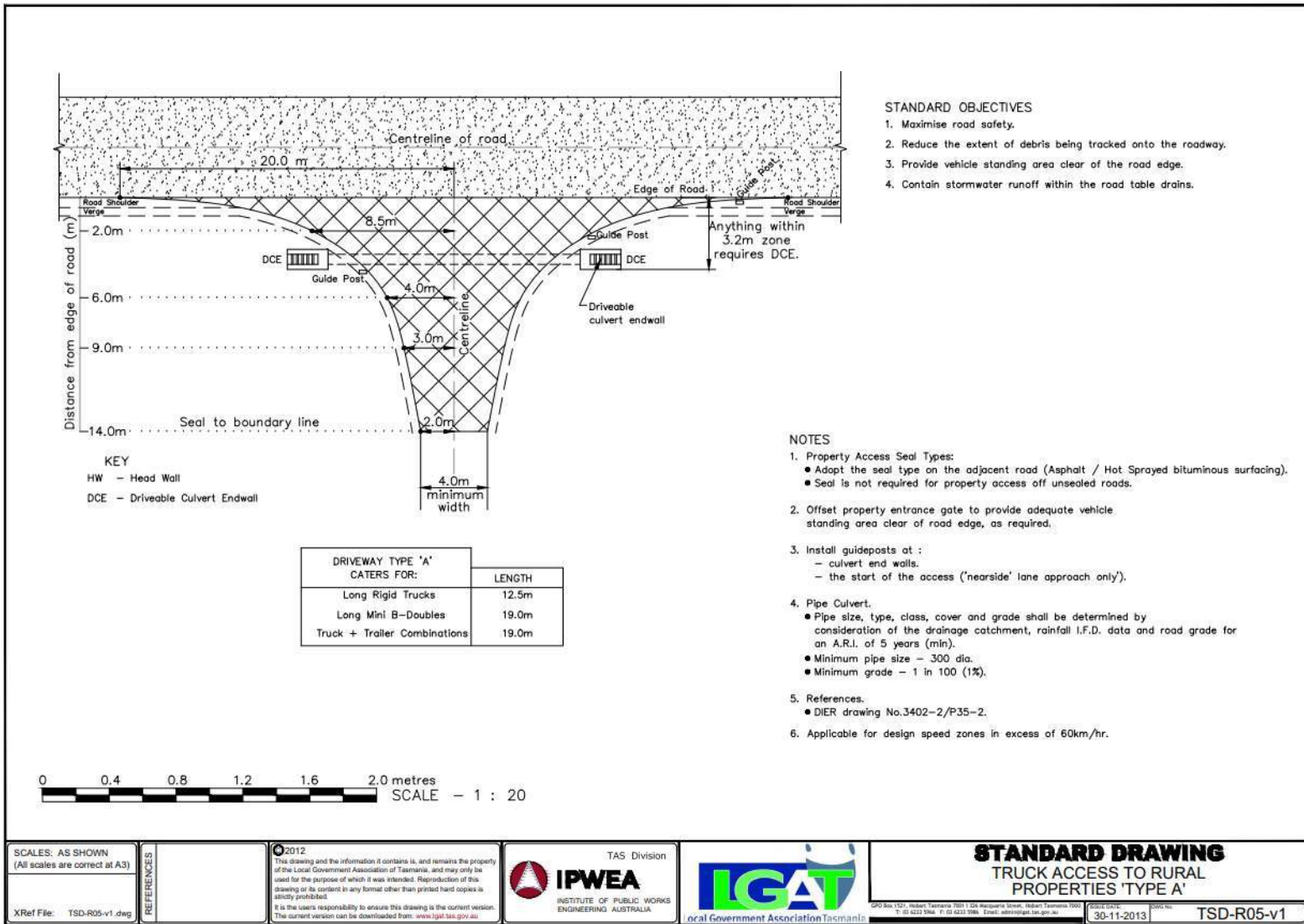


Appendix C: LGAT Tasmanian Standard Drawings
Appendix C.1 – TSD-R04.v1



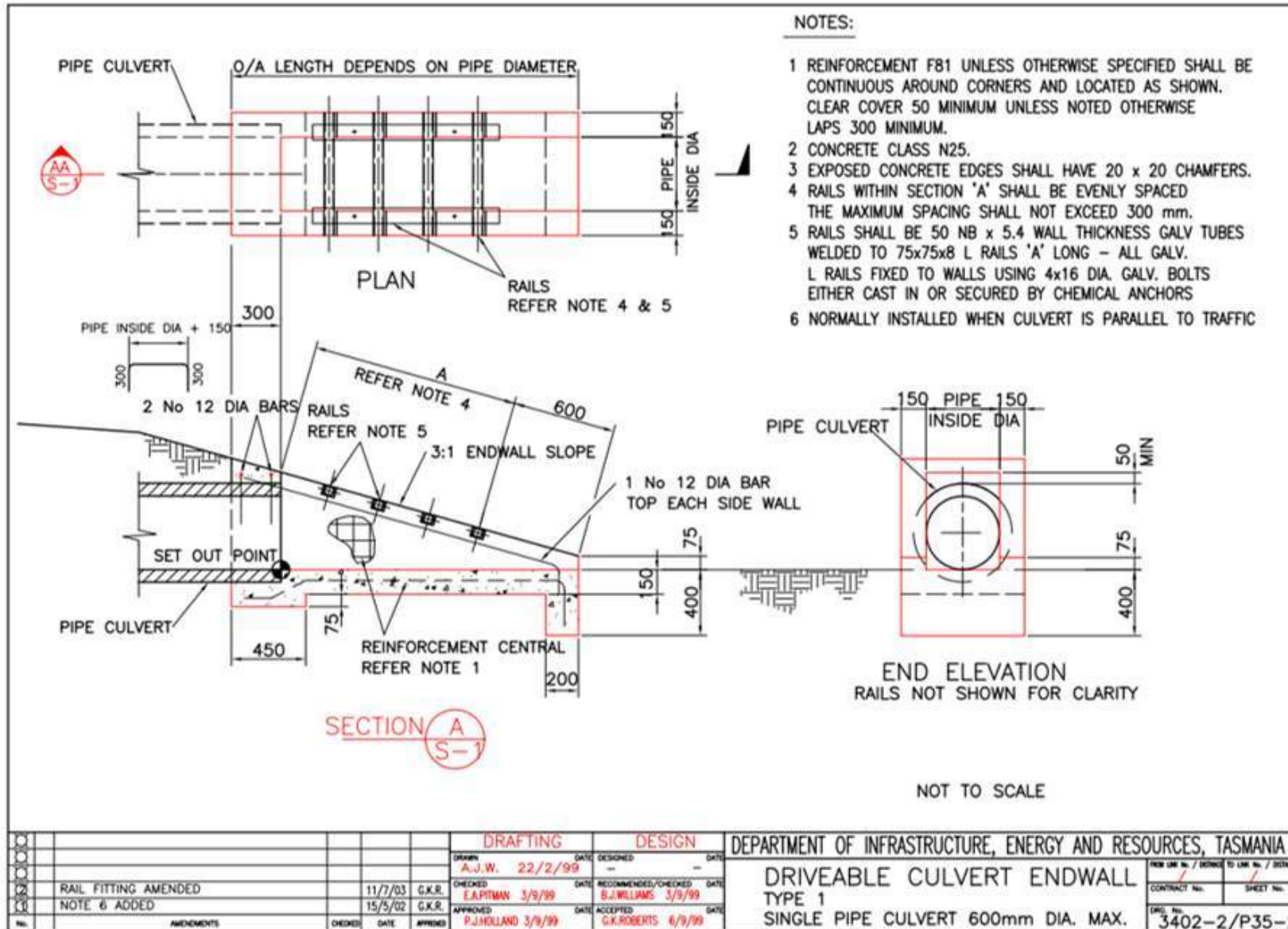


Appendix C.2 – TSD-R05.v1



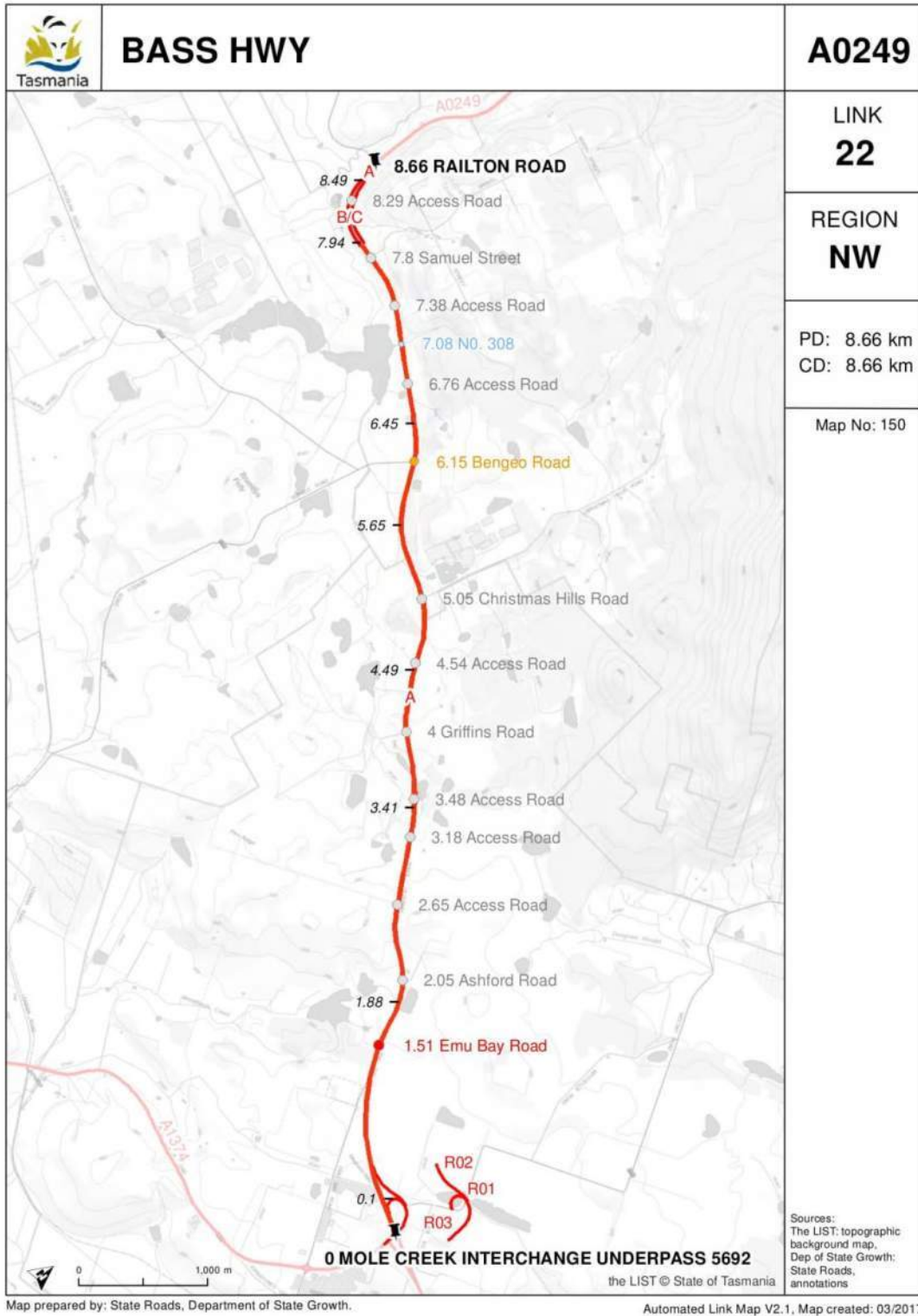


Appendix C.3 – Driveable Culvert Headwalls



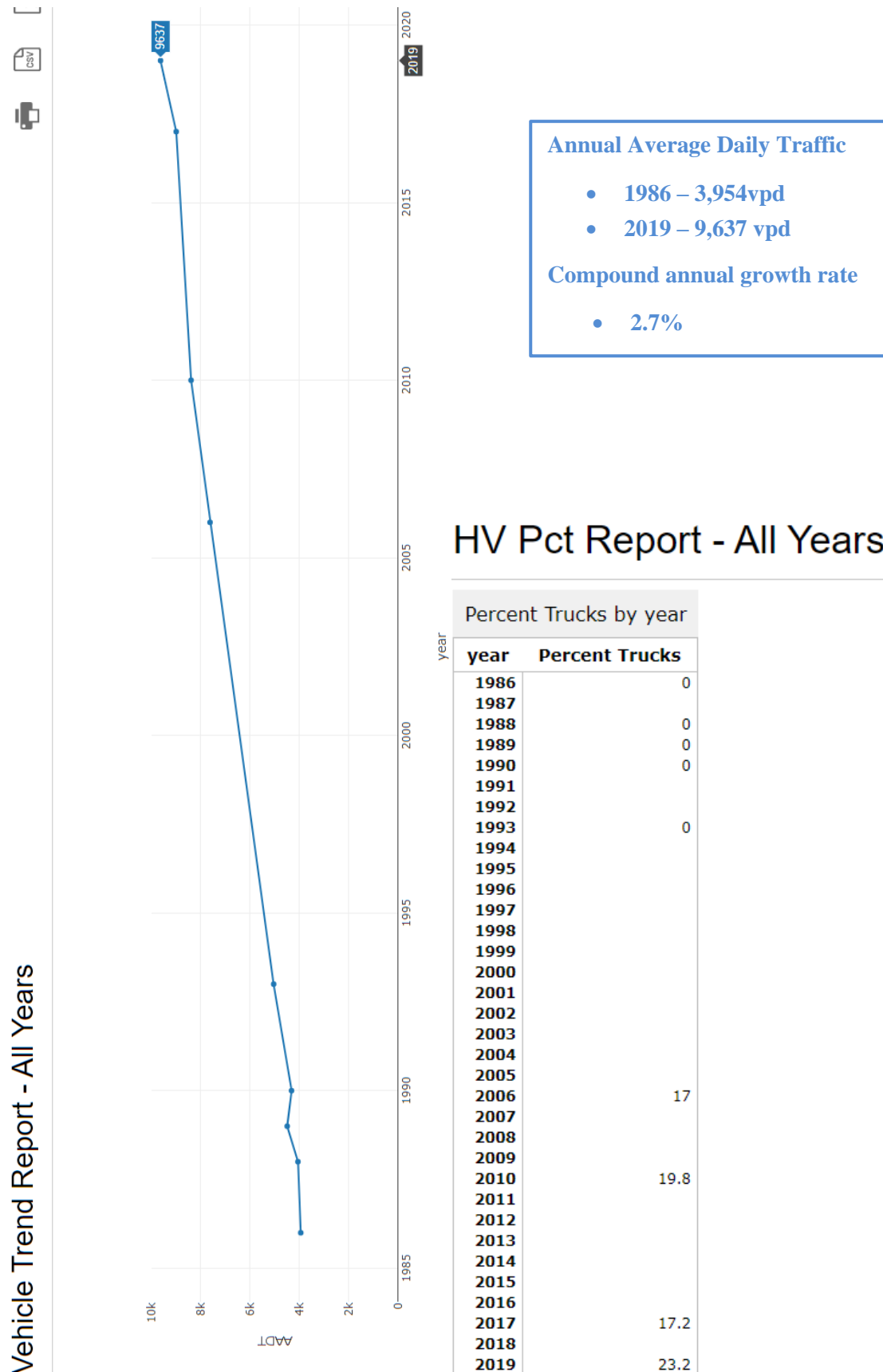


Appendix D: Department of State Growth Data
Appendix D.1 – Bass Highway Link Map





Appendix D.2 – Bass Hwy Traffic Data – Elizabeth Town - AADT



HV Pct Report - All Years

Percent Trucks by year	
year	Percent Trucks
1986	0
1987	
1988	0
1989	0
1990	0
1991	
1992	
1993	0
1994	
1995	
1996	
1997	
1998	
1999	
2000	
2001	
2002	
2003	
2004	
2005	
2006	17
2007	
2008	
2009	
2010	19.8
2011	
2012	
2013	
2014	
2015	
2016	
2017	17.2
2018	
2019	23.2

Vehicle Trend Report - All Years



Appendix E – DSG Acceptance of TIS advised by email 5th Oct.2020

RE: 5271 Bass Highway - Deloraine - Griffins Road TIS



Hills, Garry <Garry.Hills@stategrowth.tas.gov.au>
To Richard Burk

Our Ref: D20/231291

Hello Richard

Confirming that the Traffic Impact Assessment for the above address dated 5 October 2020 is acceptable to the Department.

Cheers, Garry

Garry Hills | Principal Analyst Traffic Engineering
State Roads Division | Department of State Growth
GPO Box 536, Hobart TAS 7001
Phone: (03) 6777 1940
www.stategrowth.tas.gov.au



From: Richard Burk [<mailto:richard.burk@trafficandcivil.com.au>]
Sent: Monday, 5 October 2020 3:08 PM
To: Hills, Garry <Garry.Hills@stategrowth.tas.gov.au>
Subject: Griffins Road

Hello Garry,

Please review latest revised Traffic Impact Statement for acceptability to DSG.

Regards

RICHARD BURK
BE(civil) MTraffic Dip. Man. MIE Aust CPEng
DIRECTOR
Traffic and Civil Services Pty Ltd

0456 535 746
03 6334 1868
richard.burk@trafficandcivil.com.au
www.trafficandcivil.com.au



Natasha Whiteley

From: Duncan Mayne
Sent: Monday, 12 October 2020 2:06 PM
To: Natasha Whiteley
Cc: Jarred Aller; Dino De Paoli
Subject: RE: PA.20.153 - S54 - Request for Additional Information - 5271 Bass Highway, Elizabeth Town - Transport Depot

Hi Tash,

The Infrastructure Department has reviewed the draft TIA provided for the above planning application and has no requests for further amendment to the document. The TIA addresses the requirements of the planning scheme and the conclusions are considered acceptable.

The landowner will need to construct the proposed access in accordance with TSD-R04 and R05 and the road widening in accordance with the recommendations of the TIA. I will add these conditions to the Engineering Referral.

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

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Meander Valley Council
26 Lyall Street
Westbury Tas 7303

26th October 2020

Re: Application Planning Approval Pa\20\0153
5271 Bass Highway Deloraine

Index No. 19620			
Doc No.			
RCVD	29 OCT 2020	MVC	
Action Officer	MW	Dept.	CDS
EO		OD	✓

Dear Madam/Sir

Firstly let me say that we, as owners of 5273 Bass Highway, are amazed that after our original letter of 2/8/2019 (early stage of cut/fill excavation) to 5271 Bass Highway, advising Council of a non-conforming use of the land, Council has allowed the Applicant to operate the business for over twelve months without a permit.

The business is now well established and has caused us much annoyance and unnecessary stress.

We totally reject the present application because of the following Issues:

1) Inappropriate use of the intended site.

We consider the area currently used by the Applicant is far too small for the business operations to allow for a new shed, car-parking, storage of large Prime Mover/b-double units, plus numerous farm equipment and also damaged trucks.

We have noted that on several occasions semi-trailers have been parked within the Griffins Road Reservation area due to insufficient space within the defined business section of 5271 Bass Highway.

This particular section of Deloraine is a very well established rural area and should remain as such with Heritage Homes on adjoining properties.

Suitable areas within the township of Deloraine offer more appropriate zoning requirements for granting a permit for the present applicant and business operations of Dornauf Contracting.

2) Road unsuitable for b-double trucks

The intent of Griffins Road is to provide small vehicle access to 5271, 5273, 5275 Bass highway for private access to dwellings, plus also access to the larger rural property at the rear of the applicant's property. Two families from 5273 Bass Highway use Griffins Road as the only access to Bass Highway.

It is now proposed to increase further restrictions to adjoining owners with two proposed access points off Griffins Road by the Applicant

Griffins Road is in poor condition due to increased traffic with heavy trucks and farm machinery. It forms a narrow carriage-way of only 2.8 metres.

Any increase in traffic movements to the access points is not acceptable.

We also note that the Traffic Report states "Griffins Road is not part of the Tasmanian 26m Double Network" **It is now proposed to use this roadway for 26m b-double units**

We refer Council to Figures A.5 & A.6 photographs of the Planning Application showing single lane access of Griffins Road and general poor condition of the carriage-way.

3) Dangerous Access

With some 9637 vpd daily traffic movements along Bass Highway and at permitted speed of 110 kmph for b-double trucks, caravans, cars and motor cycles is very dangerous for persons utilising Griffins Road.

We note the report from Richard Burk (Figure A.18) shows a low volume traffic period and also note the on-oncoming car and difficulty in having visual sight to any further approaching traffic.

4) Environmental Issues

We are also concerned about the storage of oils, diesel fuel, agricultural sprays with spillage of such which will eventually enter the Creek at the rear of the Applicants property.

We are also concerned with the storage of oils ,diesel fuel, agricultural sprays with possible spillage issues. These will eventually enter the Creek at the rear of the Applicant's property.

Natural storm water soakage from such and now also from the proposed shed construction will also eventually enter this Creek which we understand is an early source of water flow to the Rubicon River System.

We also believe that this Creek provides a natural habitat for Fresh Water Crayfish.

This particular section of the Creek forms a wetland habitat for native birds such a Pink Galahs, Black Cockatoos, Quolls, Rosella Parrots native Ducks, Bandicoots. Wedge tail Eagles have also been noted within this area. Creek is also home to Platypus. Further noise disturbance pollution will adversely affect this natural environment.

We request that Council consider these matters with due-diligence and have a sensible approach to the general understanding of this objection to the Planning Application.

More appropriate areas are available within the township area of Deloralne within existing zoning requirements.

Should Council approve the Planning Application WE REQUEST THE FOLLOWING ISSUES BE DEALT WITH accordingly.

Griffins Road be constructed to B-double standards with sufficient passing laneways formed within.

Pollution impact issues addressed to protect natural habitat and water source to Rubicon River.

Suitable screening of area-preferably natural vegetation of height not to affect Power Supply Line

Limit future use of the site to NO MORE than TWO Prime Mover b-double units

NO FURTHER expansion of business land area in future years.

In conclusion we ask Council to seriously consider our valid objections and necessary road constructions costs to ratepayers.

We do respect initiative enterprise and the promotion of private business and wish the Applicant's all the best with their expanding business.

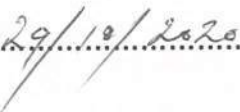
However, we strongly recommend and that they seek a more suitable location in an Industrial Zone which will allow for further expansion of their business and return this picturesque environmentally sensitive area to rural pursuits.

Signed..........

B.J. Reynolds

Signed..........

J.A. Reynolds

Dated: .....

5273 Bass Highway, Deloraine

Email: guambybvp@gmail.com Phone: 0438663023

2nd November 2020

Index No. PA/20/0153			
Doc No.			
RCVD	-9 NOV 2020		MVC
Act	55	Dept.	G
		OD	✓

To the General Manager, Mr John Jordan

We are writing with reference to the planning application by S. Scott (PA/20/0153) regarding the proposed development of a transport depot and machinery yard at 5271 Bass Highway, Deloraine (CT: 156209/1).

We object to this proposal for the following reasons:

- 1 Safety Concerns
- 2 Financial Cost to the Meander Valley Council/Meander Valley Ratepayers
- 3 Lack of Space
- 4 Environmental Impact
- 5 Neighbouring Heritage and Rural Properties

Safety Concerns

The applicant's Traffic Impact Statement lists 1 serious crash in the last five years at the intersection of Griffins Road and the Bass Highway. We are also personally aware of 2 further car crashes at this intersection involving family members and visitors to our property at 5273 Bass Highway. According to the Department of State Growth's crash database, there have also been 6 crashes (including fatalities) since 2009 at the intersection of the Bass Highway and Christmas Hills Road which is in very close proximity to the afore-mentioned intersection. We are very concerned about the safety of 26m B-Doubles and large farm machinery including 19.5m Triaxle Semi Trailers (page 7 of the applicant's Traffic Impact Statement) turning into Griffins Road from the Bass Highway in a 110km zone. The applicant has admitted that this is an issue. In their application they have stated, "All trucks travelling from the west go to Deloraine to perform a u-turn, so all heavy vehicles enter Griffins Road from the east, so they do not cross the highway." We do not believe that this arrangement is a feasible or logical one for a busy, growing business. The applicant's Traffic Impact Statement states that Section E4.7.2-Management of Road Accesses and Junctions (A2) is not satisfied.

1.4) State Road Network Owner Objectives

Department of State Growth objectives for the Bass Highway are to maintain traffic safety and transport efficiency.

1.5) Council Road Network Owner Objectives

Meander Valley Council objectives for Griffins Road are to maintain traffic safety and transport efficiency.

Financial Cost to the Meander Valley Council/Meander Valley Ratepayers

According to the applicant's Traffic Impact Statement the following issues have been identified:

- 1 Griffins Road is not a part of the Tasmanian 26m B Double network.
- 2 Griffins Road will require widening to allow for turn movements of 26m B-doubles and to allow through traffic to pass a stopped truck. 4.3) "Pavement widening will be required to cater for the turning path requirements of the heavy commercial vehicles turning off and on Griffins Road."
- 3 The pavement depth of Griffins Road is unknown.
- 4 Griffins Road is not delineated and the seal appears to be very old and in poor condition.

According to the applicant's Traffic Impact Statement, Council have advised their position with regards to Griffins Road, "Council would undertake work to improve the existing shoulders of the road and undertake repair of the road pavement/seal, or reconstruction of the pavement into the future as required." (page 15 Traffic Impact Statement)

We are concerned that these issues would incur a considerable financial cost to the Meander Valley Council and Meander Valley ratepayers for a growing business that will soon require larger premises than the proposed site.

Lack of Suitable Space

The applicant has stated in their application that Dornauf Contracting has grown from a local transport freight company in their first year of operation in 2014 to an interstate freight company by 2015. The business has surely expanded further since 2015. The proposed site for the development is already crowded and there is no room for further expansion of the business. Please refer to the photographs attached. There have already been numerous occasions when B-doubles have been parked on the verge of Griffins Road. It is naïve to believe that the business will not outgrow the proposed transport depot and machinery yard in the short term. The applicant also has a seasonal potato contracting business that has "grown successfully since 2015" and this will further impact on the available space at the proposed site.

Section E4.6.1 Use and road or rail infrastructure

According to the applicant's Traffic Impact Statement the proposal is "estimated to generate 4vpd, ie, an increase of %10." This is the upper limit allowed for the annual average daily traffic (AADT) movements and, therefore does not consider future growth of the business.

Environmental Impact

We wish to make Council aware that land and earth works and a new entrance from Griffins Road has already been constructed by the applicant without any Council approval or notice made to the neighbouring families who also use Griffins Road to access their properties. Two letters have been submitted to Council regarding this matter, dated 2nd August 2019 and 18th May 2020. (attached) The applicant has answered question vii (Has anything been installed to stop sediment loss into the creek associated with the earth works), "No, nothing we have installed has affected the creek." The

applicant also has a pressure washer and has stated that, "Our pressure washer is for personal use only, for washing our own trucks, cars and tractors." The applicant has also stated that they will "carry out our own maintenance (greasing, tyre changes, general repairs, maintenance)." We are concerned about fuel, oils and residual chemicals being washed down-hill from the proposed pressure washer site into the creek which runs into our property. We have also been advised, following an environmental survey of our property, that there are protected freshwater crayfish in this creek.

Neighbouring listed and rural properties

We have concerns about the aesthetic impact of the proposed transport depot and machinery yard on the surrounding rural landscape and the adjoining historic properties, Hill Top (18) and Mount Pleasant (1800). These two historical Victorian era homesteads and properties are mentioned in numerous publications about the early history of the area. "Mr Bramich named his place, Hill Top, after a place of that name in near Birmingham, England." (p 63, Deloraine Early History, Meredith & D. Griffin). "He (Mr Griffin) gave such a glowing account of the fertility of the land." (p 62, Deloraine Early History, Meredith & D. Griffin). In more recent times, Mount Pleasant became a pacing breeding and training property, and was re-named, Thorate Lodge, to commemorate the 1990 win of the Globe Derby in South Australia by one of its horses. This historic rural area containing some of the best agricultural land in Tasmania should remain as such. The aesthetic impact of this proposal is of concern for us personally and for the growing number of tourists to our beautiful Meander Valley.

In Conclusion

We support the growth of businesses in the Meander Valley but ask that Council carefully consider the reasons for our objection to this proposal. We believe that the applicant should consider a more suitable site for their expanding commercial business.

We look forward to speaking with you at the public meeting.

Sincerely,

Amelia Reynolds



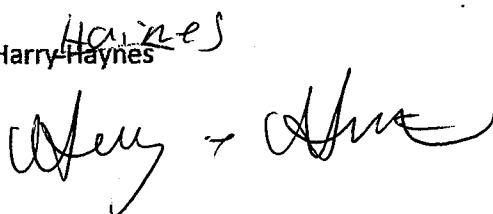
Darren Rumble



Mark Wadley



Harry Haynes

Haynes




Meander Valley Council
Working Together

Our ref: 19619

16 June 2020

Barry Reynolds
PO Box 402
Deloraine

Dear Mr Reynolds,

Re: 5271 Bass Highway Deloraine

Thank you for your letter dated 18 May 2020 in which you raise concerns about the road access to your property. Please accept my apologies for the delay in responding to you.

I can advise that the road is the responsibility of Council. This includes the cattle grate. This has been inspected in May, following receipt of your correspondence and whilst it is acknowledged it is in reduced condition, it is in stable condition.

I also advise that Council has received a development application from the owners of 5271 Bass Highway. When we have received all the necessary information for this application, it will be reviewed and is also likely to be advertised and referred to neighbours for consideration. We will consider landscaping as part of the review of the application.

Once again, thank you for your patience whilst waiting for this response.

Yours sincerely

Lynette White

DIRECTOR OF COMMUNITY AND DEVELOPMENT SERVICES

1

Clr John Temple
Council Chambers
Westbury,
Tasmania
7303

2/8/2019

Dear Sir,

RE 5271 BASS HIGHWAY, Christmas Hills

As owners to property 5273, Bass Highway we are very concerned about the recent excavation/change of use of the above property.

A cut/fill excavation area is being utilised as a "Commercial Depot" for heavy Prime Mover/Semi-trailer vehicles.

We are concerned that the small Public Access Roadway, which provides access to our property and also to the rear of 5271 (leased land for agricultural cropping purposes), now creates a major problem with ingress/egress movements to Bass Highway.

This juncture is subject to all traffic to and from Devonport, and during peak periods with traffic from the "Spirit of Tas" this very busy highway is now subject to further traffic movements, particularly for long truck/semi-trailer vehicles forming a serious traffic point for all the above properties.

It is always difficult to gain access to the highway and with heavy Prime Mover/Semi-trailer vehicles now also using this juncture it creates a situation whereby a serious accident is just waiting to happen at some time in the future.

The heavy vehicles are also damaging the "Cattle-Grid" entry point and we request that Council inspect the property and formulate a solution to these issues.

We are also concerned that the development of the "Depot" may well have **been not formally approved by Council** and also that as adjoining users of the access roadway were not informed of such development at 5271 Bass Highway.

We ask that Council up-grade this narrow access roadway which is in very poor condition and "Cattle-Grid" with a suitable width carriage-way for all vehicles to pass. Should this development have not be formally approved by Council as a permitted use of the property at 5271 Bass Highway, then further matters should be enforced by Council.

Suitable natural screening is also requested

Sincerely, Barry & Jacqueline Reynolds

Photographs included

Natasha Whiteley

From: Hills, Garry <Garry.Hills@stategrowth.tas.gov.au>
Sent: Thursday, 22 October 2020 5:41 PM
To: Planning @ Meander Valley Council
Subject: Notice of Application for Planning Approval - PA\20\0153 - 5271 Bass Highway Deloraine

Our Ref: D20/273297

Hello Sandi, thanks for your referral letter dated 16 October 2020 regarding the above.

I advise that the Department have no comment to make noting that we have previously reviewed and accepted the Traffic Impact Assessment.

Cheers, Garry

Garry Hills | Principal Analyst Traffic Engineering
State Roads Division | Department of State Growth
GPO Box 536, Hobart TAS 7001
Phone: (03) 6777 1940
www.stategrowth.tas.gov.au

DEPARTMENT OF STATE GROWTH COURAGE TO MAKE A DIFFERENCE THROUGH:



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PLANNING AUTHORITY 2

Reference No. 239/2020

239 WADLEYS ROAD, REEDY MARSH

Planning Application: PA\21\0047

Proposal: Subdivision (3 Lots)

Author: Jo Oliver
Senior Strategic Planner

1) Proposal

Application

Council has received an application for the subdivision of land at 239 Wadleys Road, Reedy Marsh.

Applicant:	PDA Surveyors
Owner:	P & S Heathcote
Property:	239 Wadleys Road REEDY MARSH (CT: 227697/1)
Zoning:	Rural Living Zone
Existing Land Use:	Residential
Representations:	Two (2)
Decision Due:	10 November 2020
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

If approved, the application will result in three lots being created:

- Lot 1 (5.1 hectares) will be a vacant title;
- Lot 2 (4.7 hectares) will be a vacant title; and
- Lot 3 (15.7 hectares) contains the existing dwelling.

The subdivision plan is shown below. Please refer to the attachment for the full application details.



Figure 1: Proposed plan of subdivision. (Source: Application documents)

Standards Requiring Discretion

The application relies on the following Performance Criteria:

- 13.4.2.1 General Suitability - P1
- 12.4.2.2 Lot Area, Building Envelopes and Frontage - P1
- E4.6.1 Use and Road or Rail Infrastructure - P3
- E4.7.2 Management of Road Accesses and Junctions - P2

2) Summary of Assessment

The application proposes the use and development of land at 239 Wadleys Road, Reedy Marsh for a residential subdivision.

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 Planning Scheme Assessment in Section 6.

Overview:

- The subdivision proposes to create two (2) additional lots for a future residential use. Residential use is a permitted use in the Rural Living Zone.
- The development relies on Performance Criteria in relation to the general suitability of the proposed subdivision, the size of the lots and the construction of new accesses for Lots 1 and 2.
- Two (2) representations were received during the advertising period objecting to the proposed subdivision. The representations raise concerns regarding:
 - lot sizes being a significant departure from the 15 hectare minimum area and is not sustainable development;
 - adverse impacts on natural values and the habitat of threatened species; and
 - adverse impacts on visual character and the objectives of the Rural Living Zone at Reedy Marsh.
- The application included a bushfire hazard assessment which identifies hazard management areas and access requirements for future dwellings.
- The application included a natural values report which identifies an area of threatened native vegetation community of Eucalyptus ovata forest along the creek line that borders Lots 2 and 3, with the balance of the lots being a combination of Dry Eucalypt Forest and Woodland, Non-eucalypt Forest and Woodland, Eucalyptus amygdalina - Eucalyptus obliqua damp sclerophyll forest, Acacia dealbata forest, Bursaria-Acacia

woodland and scrub and cleared/agricultural land. The report identifies that potential foraging habitat is present for wide ranging species such as devils and quolls, but there is limited potential for denning habitat for these species.

- The subject lot is 25.3 hectares in size and the proposed configuration includes two lots that are substantially below the minimum lot size of 15 hectares, with Lot 1 being 5.1 hectares and Lot 2 being 4.7 hectares in size.
- The balance lot (Lot 3) with an area of 15.7 hectares complies with the minimum lot size and contains the existing dwelling.
- The particular topographical circumstances of proposed Lot 2 results in outcomes that are not consistent with the Local Area Objectives and Desired Future Character Statements and there is no ability to provide mitigation of the impacts through permit conditions.
- In conclusion, the proposed configuration of the subdivision does not meet the performance criteria for subdivision and cannot be conditioned to meet the performance criteria. The particular topographical characteristics of the land and each of the proposed lots is discussed in detail in Section 6 Scheme Assessment.
- The application is recommended for refusal.

3) Recommendation

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

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

4) Representations

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

Two (2) 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.

Representation 1:

- Proposed lot sizes are a significant departure from the 15 hectare minimum area and is not sustainable development;
- Submits that a two lot subdivision be submitted instead, with vegetation protection for important habitat included in a Part 5 Agreement;
- The subdivision is a poor design and the sub-minimum lot sizes are unnecessarily small and contain significant remnant vegetation of E Ovata which is a nationally listed ecological community and habitat for the critically endangered Swift Parrot. The boundary between lots 1 and 3 bisects the E Ovata community, risking clearance;
- The nature and intensity of development and impacts on existing character, amenity and natural values are the relevant considerations and need to be carefully considered;
- The configuration of the subdivision ensures that land clearance will need to occur;
- The 15 hectare lot size was designated under Amendment 4/2015 to set a modern and responsible standard based on a range of issues, concerns and the overall existing amenity as well as environmental matters such as listed threatened vegetation and the presence of threatened fauna;
- Objects to the application proposition that other titles of similar size in the zone provide the basis for a sub-minimum subdivision and that this application is consistent with surrounding land use pattern. Strongly disagrees with applicant's submission that the proposal complies with the performance criteria. The consideration relates to the expectation of the overall pattern of land use and intensity, with the average lot size being 15.7 hectares. The application is basing its justification on outdated subdivision precedents;
- The local area and land in proximity must be considered, which has lot sizes that are larger than the subject lot. Smaller titles do not form the dominant character of the immediate area; and
- Potential risk of two very small titles in bushfire prone land, near the end of a dead end road that has two flood prone bridges to cross.

Natural Values:

- Queries the accuracy of the natural values report identification of E ovata forest. Submits that area should be assessed by a botanist and refers to recent assessments submitted to the Local provisions Schedule process. The scheme currently provides for the identification of unmapped vegetation, however this will be lost under the Tasmanian Planning Scheme. The proposed subdivision will have the effect of reducing the viability of Priority Habitat;
- Despite adjoining agricultural land, this area of Wadleys Road has high environmental value;

- Priority habitat in the area is not fully mapped; deficiencies in State Government mapping of vegetation and policy, risk of further clearance of *E ovata*, particularly for fencing between Lots 1 and 3 and access to Lot 1. Clearance of *E ovata* is a controlled action;
- Lack of pristine forest condition is not relevant, the land supports survival of listed species, at the edge of Key Fauna Habitat as identified in RFA Comprehensive Regional Assessment; and
- Subject land is habitat for listed species, notably: Spotted Tail Quoll, Tasmanian Devil, Masked Owl, Eastern Barred Bandicoot, Grey Goshawk, Swift Parrot, Green & Gold Frog.

Future Local Provisions Schedule (LPS)

- The imminent provisions of the Local Provisions Schedule which will likely prohibit lots below 12 hectares in size, and will definitely prohibit the proposed subdivision, should be a consideration;
- The application seeks to avoid the future provisions; and
- The land should be mapped as Priority Vegetation Area in the LPS.

Rural Resource Zone Setback

- Site adjoins cropping land. Unnecessarily high level of subdivision may fetter adjoining agricultural use.

Zone Purpose Statements

- All three lots should be considered. Two of the three lots are not large lots.
- The clear intent of the Reedy Marsh Rural Living Zone provisions was to ensure that very small lots would be avoided, which is why it has the largest Rural Living Zone lot size at 15 hectares. The consideration of 'small' and 'large' should be in comparison to the acceptable solution; and
- Contrary to the objective to not adversely impact on residential amenity, degrades the amenity of the Wadleys Road area, existing development is discreet.

Local Area Objectives

- Proposal does not meet Local Area Objectives for Reedy Marsh;
- Subdivision is not a low impact increase in housing density and doubles the potential for land clearance;
- Subdivision does not maintain bushland amenity and natural values through careful subdivision design as lots are too small, design is contrary to the objectives;
- Subdivision does not minimise removal of standing vegetation due to need for bushfire hazard management areas. The two small lots are covered to a substantial extent with standing vegetation and represents a significant portion of the whole of Lots 1 and 2, including *E ovata* forest on Lot 1; and

- Appears there may have already been unauthorised removal of vegetation for a new access. Was permission obtained for the vegetation removal? Calls for roadside to be rehabilitated.

Desired Future Character Statements

- Proposal does not meet Desired Future Character Statements for Reedy Marsh;
- Houses would be unavoidably visible. Past development has been respectful, private and secluded however all future dwellings on new lots will be highly visible which will diminish the amenity and character of this location;
- Lower densities must be considered in the context of the 15 hectare standard, proposed lots are 33% of the acceptable minimum lot area; and
- Extracts the description of the area and the rationale for the 15 hectare lot size from Council's Amendment 4/2015, which is the basis for the subdivision standards and objectives for the area. The accepted development yield was based on new lots being discreet and maintaining character. The proposal represents a far higher density and level of habitation than Council had planned. Concerns regarding precedent if small lots become the "new norm".

Bushfire Concerns

- Concerns regarding putting more houses in the middle of remnant forest, with little water resources.

Traffic Impacts

- Notes error in TIA regarding River Road and 'through road' status; and
- Agrees with TIA assessment of deficiencies at Wadleys Road & River Road junction as well as signage deficiencies for the bridge over Dungiven Rivulet. Deficiencies are another reason to refuse additional development at this end of Wadley's Road.

Representation 2:

- Objects to subdivision lots being less than 15 hectares; and
- Reference to another application in Reedy Marsh.

Comment:

The representations raise points that are valid considerations in regard to the applicable performance criteria for the Rural Living Zone at Reedy Marsh. Particularly, compliance with the Local Area Objectives and Desired Future Character Statements are discussed below. The representors highlight that the lot size set for Reedy Marsh for the Interim Planning Scheme was for a

particularly low density outcome for this area with the unique residential and natural environment in mind.

The assessment below details specific aspects of the proposed subdivision that are different in the way compliance is, or is not, achieved with applicable performance criteria. The proposition that the subdivision is not compliant purely because of the sub-minimum lot size is not supported in general, however the sub-minimum nature of Lots 1 and 2, together with their particular physical characteristics, create different outcomes in regard to their ability to meet the Local Area Objectives and Desired Future Character Statements for Reedy Marsh.

The potential impacts on natural values are noted and considered in regard to compliance with the objectives for the minimisation of vegetation removal. It is generally agreed that the land could support an alternative approach that achieves compliance with the performance criteria.

It is noted that mapping undertaken for the future Tasmanian Planning Scheme and the future standards of the Meander Valley Local Provisions Schedule is not a matter that can be taken into consideration for the assessment of this subdivision. Irrespective, the Natural Values Report provides a good understanding of the land conditions and areas of high natural value. Similarly, works undertaken prior to the lodgement of the application cannot be considered in the assessment of the subdivision, save for any potential conditions that may require vegetation planting in order to comply with the performance criteria. This is not the case in regard to the assessment of this subdivision.

The subdivision complies with planning scheme requirements for the siting of future dwellings in proximity to agricultural land and standards for bushfire prone areas.

The error in the Traffic Impact Assessment in regard to the 'through road' status of River Road is noted. However, the error is inconsequential to assessment of traffic impact and does not affect the Planning Authority's consideration of traffic issues under the performance criteria of the Road and railway Assets Code.

The assessment against the applicable performance criteria below reflects some of the concerns raised in the representations.

5) Consultation with State Government and other Authorities

Not applicable

6) Scheme Assessment

Use Class: Residential

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.

Rural Living Zone
13.4.2.1 General Suitability
Objective <i>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Rural Living Zone.</i>
Performance Criteria 1 <i>Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</i> <i>a) slope, shape, orientation and topography of land;</i> <i>b) any established pattern of use and development;</i> <i>c) connection to the road network;</i> <i>d) availability of or likely requirements for utilities;</i> <i>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values;</i> <i>and</i> <i>f) potential exposure to natural hazards.</i>
Response The Performance Criteria requires Council to determine if each lot on the plan of subdivision is suitable for use and development in an arrangement that is consistent with the Purpose of the Rural Living Zone. In this instance the Performance Criteria elevates the Zone Purpose to a standard which must be met. The Purpose of the zone is as follows: <i>13.1 Zone Purpose</i> <i>13.1.1 Zone Purpose Statements</i> <i>13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.</i>

13.1.1.2 *To provide for compatible use and development that does not adversely impact on residential amenity.*

13.1.1.3 *To provide for rural lifestyle opportunities in strategic locations to maximise efficiencies for services and infrastructure.*

13.1.1.4 *To provide for a mix of residential and low impact rural uses.*

13.1.2 Local Area Objectives

Reedy Marsh

a) *Provide for a low impact increase in housing density in support of housing choice close to Deloraine, whilst maintaining the bushland amenity and natural values of the area through careful subdivision design.*

b) *Subdivision is to be configured to provide for bushfire hazard management areas and accesses that minimize the removal of standing vegetation and provide for substantial separation distances between building areas.*

c) *The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.*

a) *Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, natural values and potential for conflict with adjoining land uses.*

13.1.3 Desired Future Character Statements

Reedy Marsh

a) *Reedy Marsh is characterized by predominantly forested hills with some cleared areas of pasture and a dispersed pattern of residential development with low levels of development visibility.*

b) *The character of the locality is to be maintained through retention of vegetation and lower densities to integrate and screen development and to reduce the visibility of buildings and access driveways from roads and neighbouring properties.*

c) *Where located on slopes or at higher elevations, the configuration of subdivision and the location of buildings and accesses are to minimize the impacts of vegetation clearance on the landscape. The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.*

d) *Where located in a more open landscape, subdivision is to be configured with*

dimensions to reflect requirements for a low density and provide for development areas that accommodate appropriate separation between buildings, separation between buildings and adjoining access ways or roads and to accommodate bushfire hazard management areas within each lot.

- e) *Where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape.*

The suitability of the land for subdivision and future development must be considered in the context of the arrangement of the lots, the combination of which must be consistent with the Local Area Objectives and Desired Future Character Statements for Reedy Marsh.

The Local Area Objectives are largely focussed on leveraging opportunities for additional rural residential lots in the context of maintaining the degree of visual amenity that exists in Reedy Marsh. In particular, the objectives recognise that it is the combination of factors including the need to clear vegetation for hazard management areas and access, together with substantial separation distances between building areas (*note: not 'buildings'*) and the retention of standing vegetation in between, that results in the most appropriate outcomes for the integration of new development. In varying the minimum lot size, subdivision design is required to carefully consider the configuration to maintain the current 'bushland amenity', which can be interpreted as very low levels of visibility of development amongst native vegetation, as this is the prevailing 'bushland' character of the Reedy Marsh area.

The Reedy Marsh Rural Living Zone area is a variable landscape with a complex mixture of both residential environments and natural values associated with vegetation communities and fauna habitat. The very low density of development and the degree of intactness of the native vegetation and watercourse environments are the reasons the area is known as important habitat for numerous threatened species. It is one of the rare circumstances in Tasmania where a substantial number of residential properties co-exist with important natural values. The expectation inherent in the Local Area Objectives is that subdivision design is to ensure that this continues in a manner that also protects local amenity by maintaining the visual values associated with this landscape.



Figure 2: Aerial photo of subject site and surrounding properties (Source: www.thelist.tas.gov.au)

The design of the proposed subdivision is not consistent with the Local Area Objectives.

The subject lot is a larger title with a complex topography that includes cleared areas of pasture, various forest communities and is bisected by a watercourse. The existing dwelling was constructed in 2018 and is located with a substantial setback to Wadleys Road, from which it is largely concealed from view. The elevation of the land varies by 30 metres from its lowest point to the highest.

Lot 1(5.1 hectares) is located on the flatter land in the southern portion of the title, which slopes gently toward the creek. The creek crosses the property from the south-west, near the base of the adjoining dam at the western boundary, to the north-east, crossing Wadleys Road and traversing the property at 260 Wadleys Road opposite. The Natural Values Report (p.10) submitted with the application has identified a tract of *Eucalyptus ovata*, a Threatened Native Vegetation Community under the *Nature Conservation Act 2002* and an *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* listed community, along the line of the creek, which continues to the north of Wadley's Road. The application proposes to establish the boundary between Lots 1 and 3 at a 20 metre offset to the creek on the southern side. The owner seeks to retain the creek on Lot 3 for maintenance purposes, however this necessitates that the boundary is drawn through the *E Ovata* community at the western edge of the title. It is unclear whether the 20 metre offset will encompass the extent of the *E ovata*

community that follows the creek line. Photos 1 to 3 below show the terrain and vegetation of Lot 1 and the creek line vegetation where it meets Wadleys Road.



Photo 1: View of flat area on Lot 1 looking west, approximately 30 metres from the access point on Wadleys Road.



Photo 2: View north-east on proposed Lot 1, looking back toward access point on Wadleys Road.



Photo 3: View of creek line, looking west from Wadleys Road.

The creek is far less defined in the western part of the site, with the source springing from the base of the dam across a flat area, before it channels downstream closer to Wadleys Road. This area is traversed by a powerline that services the pump house for the adjoining agricultural property.



Photo 4: View of creek headwaters near the western boundary with adjoining property dam wall and pump shed in the background.



Photo 5: View south from existing dwelling driveway toward western boundary and creek headwaters, showing dam wall, pump shed and power line.

The natural values report prepared by Livingston Natural Resources Services more accurately identifies the type of forest communities and habitat characteristics than is identified in State datasets. The report makes reference to the Forest Practices Biodiversity database and the current exemptions for the clearance of native vegetation under forestry legislation.

Subdivision must achieve a degree of sophistication in the design, whereby it is the combination of low levels of visibility and the minimisation of native vegetation clearance that achieves the intended outcomes. One aspect does not counteract the other if it cannot be achieved i.e. if development sites are available that minimise vegetation clearance, this does not then promote a high degree of visibility and higher density as acceptable, nor does it diminish the stated values of the locality to maintain low levels of development visibility. The planning scheme expects outcomes that achieve both objectives. This issue particularly acute when there is land area available on the property that can achieve both outcomes, as there are existing cleared areas for the siting of a future dwelling that are not visible from public roads or adjoining properties.

Similarly, the consideration of the impact on natural values is not relegated to the broad spectrum thresholds in the Tasmanian Forest Practices System, as this system was designed for a landscape scale purpose. Whilst this may provide useful context, it is

not a measure that reflects the original setting of the standards for the Reedy Marsh zone in the Interim Planning Scheme. For example, references to land clearing of up to 20 hectares in any 5 year period under the Permanent Forest Estate Policy, is not a useful consideration when considering that most existing titles in the Reedy Marsh are less than 20 hectares in size. The Local Area Objectives and Desired Future Character Statements for Reedy Marsh do not contemplate the complete clearance of properties as an acceptable outcome.

The consideration of the degree of vegetation clearance on proposed lots to accommodate future development is a nuanced assessment that will vary with each property depending on the circumstances and is not a matter that can be readily measured, or should be measured, against industry standards that do not take into account the setting of objectives for particular rural-residential environments.

In this instance, Lot 1 has the potential to meet the Local Area Objectives for Reedy Marsh, however in its current configuration, the subdivision design does not. As can be seen in Photos 1 and 2, there is potential to locate a future dwelling at a setback of approximately 30 metres to Wadleys Road and retain substantive vegetation screening to the road and adjoining land, whilst still complying with bushfire protection standards. The flat area shown in Photos 1 and 2 has been previously cleared and although there is regenerating forest, the degree of removal of standing vegetation required for this part of the site is minimised in comparison to other areas of the land, which has mature forest that should not be disturbed or is a protected community. The Natural Values Report and site assessment undertaken by Livingstone Natural Resource Services classifies this land as a type of forest that is not a Threatened Native Vegetation Community.

The difficulty with the proposed Lot 1/Lot 3 boundary is that the 20 metre offset does not ensure that the threatened E Ovata community is protected from pressure for clearance that is inevitable when future owners wish to establish boundary fencing. However, any future permit can be conditioned to include protective measures that ensure a better outcome that can reasonably meet the objectives.

Such measures would include:

- Locating the boundary between Lots 1 and 3 with the assistance of the qualified vegetation identification expert that prepared the natural values report, to ensure that the majority of the alignment was located outside the extent of the E ovata community instead of a nominal offset to the creek;
- Where the boundary between Lots 1 and 3 must bisect the E ovata community at the western edge, the boundary line is plotted to ensure that the installation of a fence does not require the removal of standing vegetation (i.e plot the alignment through understorey only);
- Requiring the installation of the boundary fence prior to sealing the subdivision to

ensure the outcomes above;

- Including vegetation protections in a Part 5 Agreement that designates the development area and vegetation that cannot be removed, similar to the terms of a conservation covenant.



Figure 3: Aerial photo of proposed Lot 1 showing 2 metre contours and relationship of future likely location of dwelling and access to Wadleys Road and surrounding landscape.

The particular topographical circumstances of proposed Lot 2 results in outcomes that are not consistent with the Local Area Objectives. Proposed Lot 2 takes in the extent of a hillock at the highest elevation on the site that is highly visible from Wadleys Road. As the terrain is steeper, any future dwelling would likely be located on the flatter land at the crest of the hill and would require the clearance of an area of approximately 5000m². The access is proposed to be taken from the corner of Wadleys Road and would likely be located in a direct route to the top of the slope along the eastern boundary. The existing driveway that hugs the base of the hill generally following the

contours of the land is proposed to be retained in Lot 3 with the existing dwelling and is to provide access to the cleared land in the northern section of Lot 3. Photos 6 to 12 below show the distinctive topography of proposed Lot 2 and surrounding land.



Photo 6: View of access point to Lot 2 from Wadleys Road, looking north-west along the eastern boundary of the site and proposed Lot 2.



Photo 7: View of existing access to Lot 3 and the existing dwelling, showing driveway that follows the contour to the northern section of the property at left of photo.



Photo 8: View from crest of hill at the eastern boundary of proposed Lot 2, looking south-east along Wadleys Road.



Photo 9: View of vegetation at the crest of hill on proposed Lot 2 looking southwest. The roof of the existing dwelling can be seen in the background at right of photo.



Photo 10: View east from central location, toward the hillock of proposed Lot 2. The driveway on Lot 3 that follows the contour can be seen in the mid-ground of the photo.



Photo 11: View north from central location over cleared land. Vegetation in the northern section of proposed Lot 2 is seen at right of photo.



Photo 12: View south from cleared land toward existing dwelling which is screened by topography and patches of vegetation.

Figure 4 below shows the approximate extent of clearing that would eventuate with a dwelling located on proposed Lot 2.

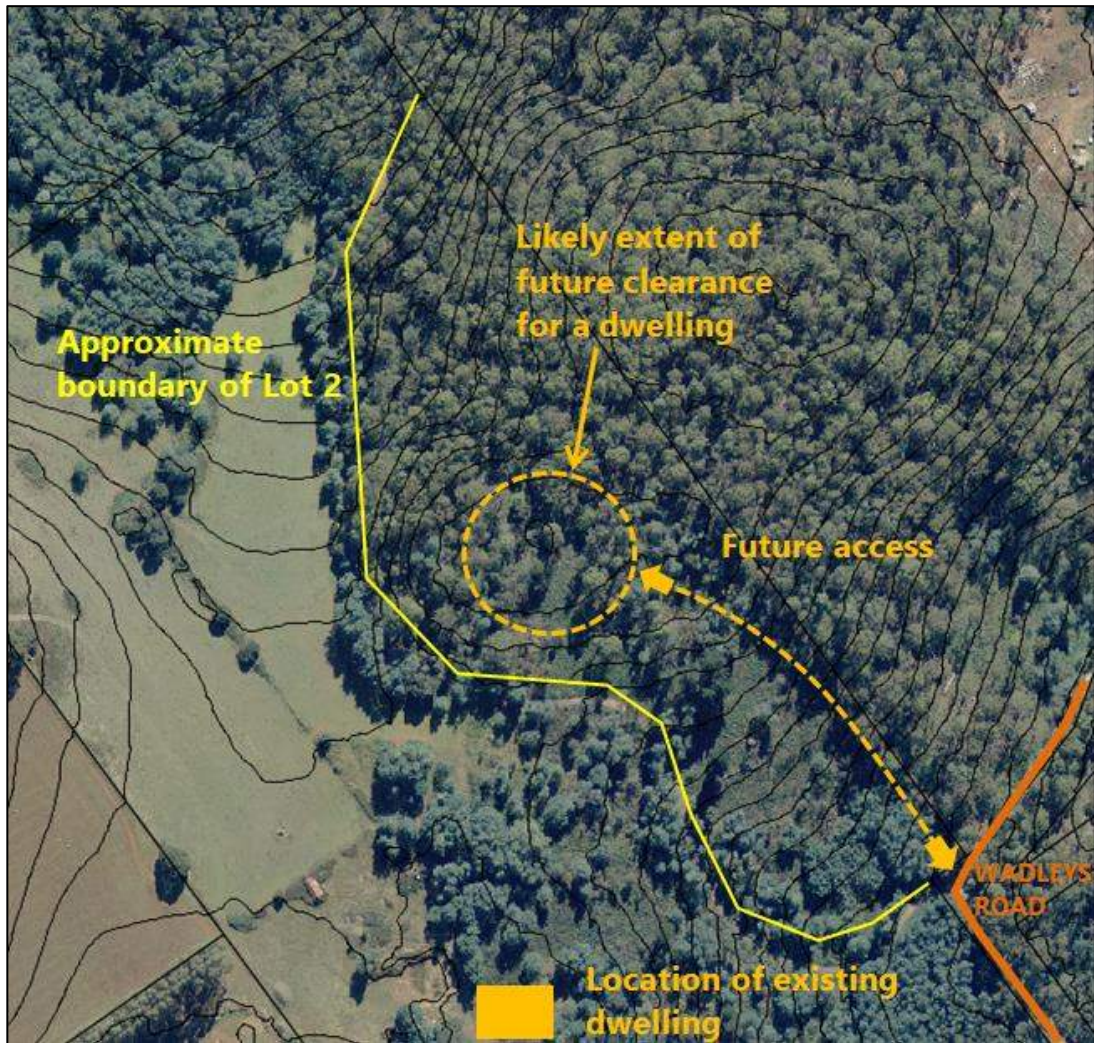


Figure 4: Aerial photo of proposed Lot 2 showing 2 metre contours and relationship of future likely location of dwelling and access to the existing dwelling and surrounding landscape.

The configuration of the subdivision for Lot 2 results in an outcome that creates a highly visible dwelling site and clears a prominent hill top when viewed from Wadleys Road and some of the surrounding landscape. The hill top bushland contains mature damp sclerophyll forest. Local Area Objectives require that subdivision be configured to provide for dwelling areas and accesses that minimise the removal of standing vegetation and that vegetation retention is a preferred means to integrate development.

It is a sound principle in designing subdivisions to configure lots in a way that enables vegetated hill tops or ridges to act as a screen to development, in effect 'tucking' development in amongst topographic features and bushland such that it is not readily visible from roads, adjoining land or the broader landscape. This is particular feature of Reedy Marsh and is the reason that there is very little visible development despite the substantial number of dwellings in the area.

In this instance, the design of the subdivision has not utilised the land forms available across a larger site area to discreetly locate a building area and access for proposed Lot 2 in a way that minimises the removal of standing vegetation. The inevitable outcome of the creation of Lot 2 would be the removal of good quality, remnant forest in a prominent location. This is considered unnecessary in the context of this particular site, with other options available that can meet the Local Area Objectives by locating building areas on land that is cleared and is screened from public and neighbour views by topography and retention of vegetation.

The land owner's reasons for the retention of the bulk of the land and cleared pastures with the existing dwelling in a large balance lot of 15.7 hectares are acknowledged. The property was one of the earliest settled in the area and the remains of the settler's cottage and stone walls can be seen and are being maintained by the land owner (Refer photo 12). The land has suffered neglect previously and the ongoing rejuvenation of the property pastures and removal of large areas of invasive weeds has required, and will continue to require, substantial resources. However, the substantial attention that the property requires is not a matter that negates compliance with the specific Local Area Objectives.

The Desired Future Character Statements for Reedy Marsh are:

- a) *Reedy Marsh is characterized by predominantly forested hills with some cleared areas of pasture and a dispersed pattern of residential development with low levels of development visibility.*
- b) *The character of the locality is to be maintained through retention of vegetation and lower densities to integrate and screen development and to reduce the visibility of buildings and access driveways from roads and neighbouring properties.*
- c) *Where located on slopes or at higher elevations, the configuration of subdivision and the location of buildings and accesses are to minimize the impacts of vegetation clearance on the landscape. The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.*
- d) *Where located in a more open landscape, subdivision is to be configured with dimensions to reflect requirements for a low density and provide for development areas that accommodate appropriate separation between buildings, separation between buildings and adjoining access ways or roads and to accommodate bushfire hazard management areas within each lot.*
- e) *Where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape.*

The Desired Future Character Statements (DFCS's) reinforce the intention that future development maintains the current, very low level of visibility of development throughout the area, through the dispersal of dwellings in a manner that mitigates the appearance of increased density with substantive tracts of vegetation between.

Proposed Lot 1 can reasonably comply with the DFCS's as it has the ability to site a dwelling at a large setback with vegetation retention between the dwelling area and Wadleys Road and also adjoining properties. A future dwelling can be discreetly located along with vegetation protection measures as discussed above.

As discussed above, proposed Lot 2 cannot achieve outcomes that meet the DFCS's. In particular, proposed Lot 2 is contrary to DFCS c) where the configuration of subdivision and location of buildings on slopes and higher elevations is to minimise the impacts of vegetation clearance on the landscape. As discussed above, the hilltop and slope clearance will be highly visible from Wadley's Road and the surrounding landscape and there is no ability to apply conditions that will achieve compliance, due to the particular configuration proposed in the application.

The context of each individual site that is subject to a proposal for subdivision must be considered when determining compliance with the DFCS's. Whilst there are some circumstances of lots with an area in the order of 5 hectares in Reedy Marsh, these are in the minority and do not constitute the prevailing character of the area.

Properties within the visual context of the area that surrounds the subject site are larger in size, in the order of 10 to 20 hectares, with dwellings in the immediate vicinity of the subject lot discreetly located at a substantial distance from the road where they cannot be seen at all from the road due to vegetation screening or are dispersed along the road such that the combination of topography, vegetation and distance reinforces the very low density character.

There are two exceptions further to the south along Wadleys Road with older style dwellings close to the road, however these do not have a visual relationship to the subject lot. Some of the dwellings in Reedy Marsh that are located close to the road are historic cottages from the early settlement of the area, however these physical circumstances do not validate the visible intensification of dwellings in contravention of the priority objective, which is to maintain low levels of visibility from both public and private vantage points and lower densities to protect the prevailing character.

The particular topographical circumstances of this site result in outcomes for Lot 2 that are not consistent with the Local Area Objectives and Desired Future Character Statements and there is no ability to provide mitigation of the visual impacts of future development through conditions on a permit. There is potential for Lot 1 to achieve compliance subject to the measures described above.

In conclusion, it is considered that the proposed arrangement of lots in this location does not meet the performance criteria and the proposal cannot be conditioned to meet the performance criteria. The application is therefore recommended for refusal.

Rural Living Zone

13.4.2.2 Lot Area, Building Envelopes and Frontage

Objective

To ensure that subdivision:

- a) Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and
- b) Provides area and dimensions of lots that are appropriate for the zone; and
- c) Provides frontage to a road at a standard appropriate for the use; and

Further the local area objectives and desired future character statements for the area, if any.

Performance Criteria 1

Each lot must:

- a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or
- b) provide for each lot, sufficient useable area and dimensions to allow for:
 - i) a dwelling to be erected in a convenient, appropriate and hazard free location; and
 - ii) appropriate disposal of wastewater and stormwater; and
 - iii) on-site parking and manoeuvrability; and
 - iv) adequate private open space; and
 - v) vehicular access from the carriageway of the road to a building area on the lot, if any; and
- c) be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:
 - i) the topographical or natural features of the site within the context of the area; and
 - ii) the ability of vegetation to provide buffering; and
 - iii) any features of natural or cultural significance; and
 - iv) the presence of any natural hazards; and
- d) not create additional lots at Kimberley, Red Hills, Ugbrook, Upper Golden Valley, Weegen and Western Creek; and
- e) not be located on land with frontage to Parkham Road.

Response

P1a) is not relevant to the proposed subdivision.

P1b):

At 5.1 and 4.7 hectares in size, Lots 1 and 2 provide sufficient useable area and dimensions for a dwelling to be erected that can achieve on-site wastewater and stormwater disposal without impacting beyond the boundaries of each lot. Lot 3 contains the existing dwelling which is already served by a vehicular access.

Each lot contains sufficient area and dimensions to provide for parking and manoeuvrability and private open space associated with a dwelling.

P1c)

The subdivision relies on the Performance Criteria in this standard as Lots 1 and 2 do not meet the minimum lot area of 15 hectares. Performance Criteria c) requires that lots must be consistent with the Local Area Objectives and Desired Future Character Statements having regard to topography and natural features, buffering by vegetation, features of natural or cultural significance and natural hazards.

Consistency with the Local Area Objectives and Desired Future Character Statements is discussed above in regard to the general suitability of the subdivision. In relation to the specific sizes of the lots, the minimum lot area of 15 hectares in the Acceptable Solution is relevant. Whilst each subdivision circumstance is unique, the combination of factors including the need to clear vegetation for hazard management areas and access, together with the requirement to maintain substantial separation distances between building areas and low levels of visibility, is considered to be readily achievable at a lot size of 15 hectares, whilst still maintaining natural values.

However compliance with the Local Area Objectives and Desired Future Character Statements becomes more challenging the more a lot size reduces below the acceptable solution. As described above, the proposed configuration of lot 2 does not utilise available land area and topographical features that mitigate the visual impacts of future development without the need to clear to standing forest for bushfire hazard protection.

In conclusion, the proposed significant departure from the minimum lot area standard for lot 2 does not meet the performance criteria for subdivision and cannot be conditioned to meet the performance criteria. The application is therefore recommended for refusal.

E4 Road and Rail Access Code

E4.6.1 Use and road or rail infrastructure

Objective

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

Performance Criteria P3

For limited access roads and roads with a speed limit of more than 60km/h:

- a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and*
- b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

Response

The application included a Traffic Impact Assessment (TIA) by Richard Burk of Traffic and Civil Services. The TIA concludes that the traffic impact generated by the proposal is negligible and that accesses to each lot can be constructed to the appropriate Council rural road standard.

The TIA identifies some current deficiencies in road signage that are Council's responsibility to rectify to improve safety, however this does not affect the assessment of the application. Council officers will investigate.

E4.7.2 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.

Performance Criteria P2

For limited access roads and roads with a speed limit of more than 60km/h:

- a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and*
- b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.*

Response

The TIA confirms that the location of the accesses maintains an adequate level of safety as it complies with safe sight distance requirements and the terrain is such that a new crossover can be constructed in accordance with Council's standards.

Wadleys Road is of an appropriate standard to accommodate the anticipated increase in traffic without comprising the efficiency of the road.

E4.7.4 Sight Distances 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

It is noted that application was notified on the basis of a discretion for deficient sight distance. The TIA describes that this deficiency exists at the junction of Wadley's Road with River Road which is 2.4 kilometres from the subject site.

The standard relates to only those junctions that are adjacent to development sites. The deficient sight distance at the Wadleys Road and River Road junction is not adjacent to the subject site and as such the standard does not apply to this location. Council officers will investigate.

Acceptable Solutions

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

Rural Living Zone		
Scheme Standard	Comment	Assessment
13.3.1 Amenity		
A1	Residential use	Complies
A2		Not Applicable
13.3.2 Rural Living Character		
A1	Residential use	Not Applicable
A2		Not Applicable
A3		Not Applicable
13.4.1 Building Design and Siting		
A1	Site coverage	Not Applicable
A2	Building height	Not Applicable
A3	Frontage setback	Not Applicable
A4	Side and rear boundary setback	Not Applicable
A5	Residential use	Not Applicable
A6	Removal of standing vegetation	Not Applicable
12.4.3.1 Subdivision - General Suitability		
A1	No Acceptable Solutions	Relies on Performance Criteria
12.4.3.2 Lot Area, Building Envelopes and Frontage		
A1	Lot 1 – 5.1Ha Lot 2 – 4.7Ha Lot sizes do not comply with the 15Ha standard for Reedy Marsh Rural Living Zone.	Relies on Performance Criteria
A1.2	New boundaries meet the setbacks to existing buildings.	Complies
A2	All lots have greater than 15 metres frontage.	Complies

E1 Bushfire-Prone Areas Code		
Scheme Standard	Comment	Assessment
E1.6.1 Subdivision: Provision of hazard management areas		
A1(b)	Certified as providing Bal 19 for all lots	Complies
E1.6.2 Subdivision: Public Access		
A1(b)	Certified as being consistent with Tables E1, E2 and E3	Complies
E1.6.3 Subdivision: Provision of water supply for fire fighting purposes		
A2(b)	Certified as being compliant with Table E5.	Complies

E4 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
E4.6.1 Use and road or rail infrastructure		
A1	Sensitive use	Not Applicable
A2	Roads with a speed limit of 60kph or less	Not Applicable
A3	New access	Relies on Performance Criteria
E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways		
A1		NA
E4.7.2 Management of Road and Accesses and Junctions		
A1	Each lot has only one access	Complies
A2	New access to a road with a speed limit greater than 60kph	Relies on Performance Criteria
E4.7.3 Management of Rail Level Crossings		
A1		Not Applicable
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings		
A1	Sight distance adequate: Lot 1 60kph design speed Lots 2 and 3 design speed 50kph	Complies

Conclusion

It is considered that the application for Use and Development for a Subdivision (3 lots) – requiring discretion for general suitability, lot area and a new access, does not meet the Interim Planning Scheme provisions for the Rural Living Zone at Reedy Marsh and is recommended for refusal.

DECISION:

PLAN OF SUBDIVISION



PDA Surveyors
 Surveying, Engineering & Planning

ABN 71 217 806 325

3/23 Brisbane Street,
 Launceston, Tasmania, 7250
 www.pda.com.au Also at: Hobart,
 Burnie, Devonport
 & Kingston

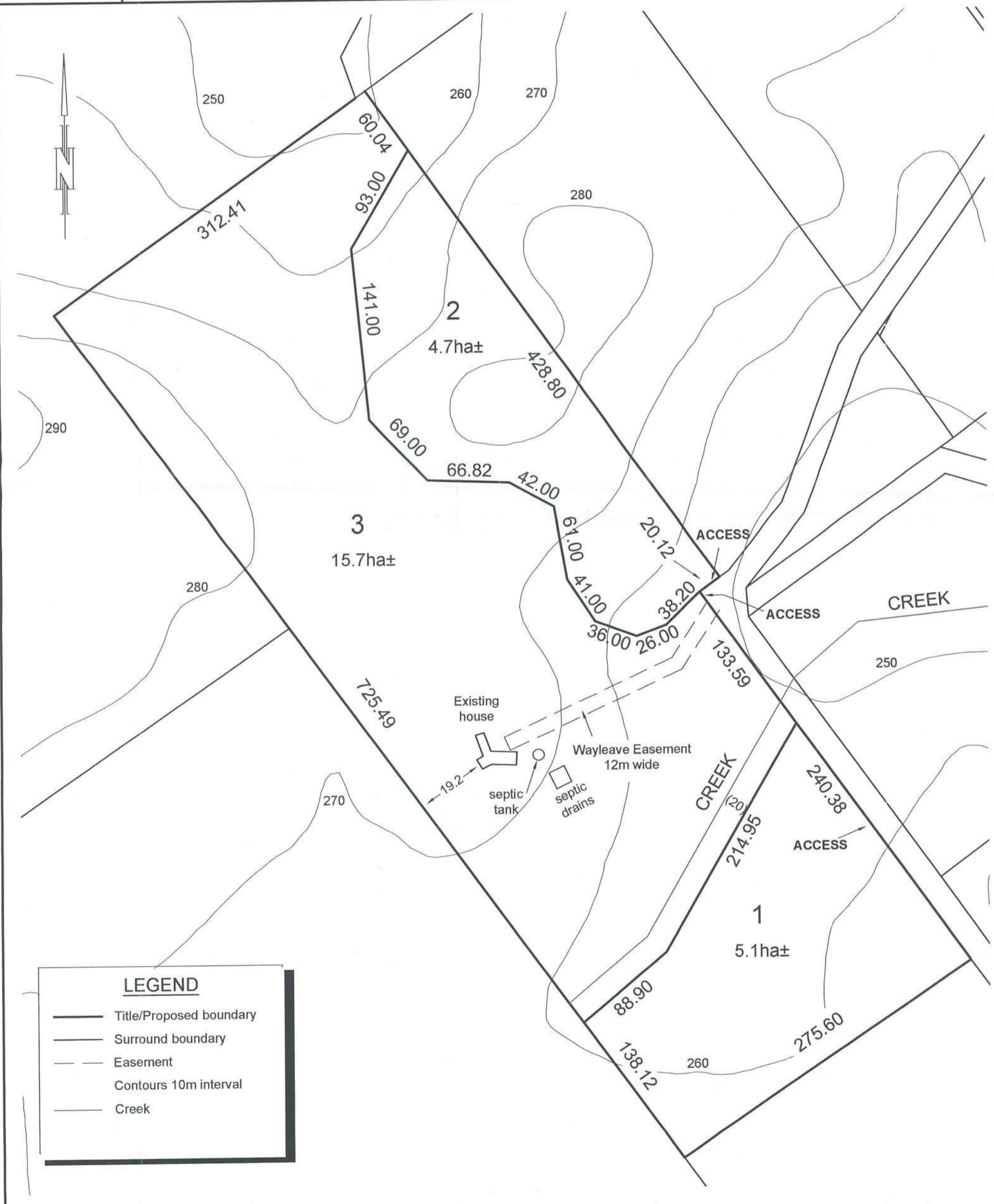
Incorporating
**WALTER
 SURVEYS**

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Owners	PAUL JOHN HEATHCOTE SAMANTHA KAY HEATHCOTE	Address	239 Wadleys Rd Reedy Marsh TAS 7304
	Title References	Council	Meander Valley Council
		FR 227697/1	Planning Scheme
Schedule Of Easements	As shown.	Zone	13.0 Rural Living

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

Scale	1:3000	Date	10/08/2020	PDA Reference	45963 - P01	PID	3427640	Point of Interest GDA94 MGA55	472 128 E, 5 407 178 N
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LEGEND	
	Title/Proposed boundary
	Surround boundary
	Easement
	Contours 10m interval
	Creek

LAUNCESTON

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

HOBART

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

KINGSTON

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

BURNIE/DEVONPORT

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



PDA Surveyors

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Our Ref: 45963J

19 August, 2020

Meander Valley Council
PO Box 102
WESTBURY TAS 7303

Attention: Ms J Richardson

Dear Jan

RE: 3 LOT SUBDIVISION- 239 WADLEY'S ROAD, REEDY MARSH

We submit herewith an application on behalf of Mr Paul Heathcote to subdivide his existing title into three separate lots. Lot 3, around the existing house, is just over 15ha in size and the two smaller lots are around 5ha in size.

We will now address the provisions of the planning scheme as it relates to this application:

13.4.2.1 General Suitability

The lots on the plan are of similar size to other lots within this area, and can easily connect to the road network and have no particular constraints on their ability to be able to be used for residential purposes.

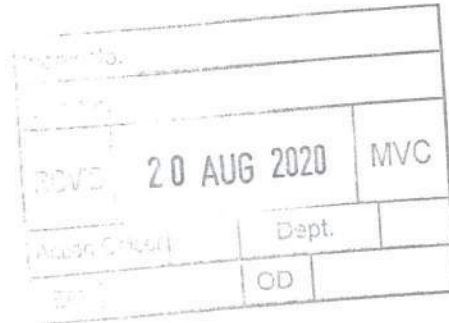
13.4.2.2 Lot area, building envelopes and frontage

The Performance Criteria P1 is met in that for lots 1 & 2 there is sufficient area on each lot for a dwelling to be erected in a hazard free location and to enable the appropriate disposal of waste water on the lot. There is adequate room for onsite parking and private open space and vehicular access can be provided to each block from safe access points as shown on the plan of subdivision. The lots are separated from the main lot 3 by physical features on the ground, namely a creek for lot 1 and an existing access track for lot 2. These features will assist in providing adequate separation and opportunities for vegetation buffering. They follow natural features on the ground, which meets Criteria C III. Lot 3 can meet the Acceptable Solution A1.

Acceptable Solution A2 is met in that each lot has a frontage to a road of at least 15m.

We are currently obtaining a bushfire report and a natural values report for this subdivision, and we will forward these to you in the near future, as soon as we have obtained them.

.../2



OFFICES ALSO AT:

- 16 Emu Bay Road, Deloraine, 7304 (03) 6362 2993
- 6 Queen Street, Burnie, 7330 (03) 6423 6875
- 77 Queen Street, Devonport, 7310 (03) 6423 6875
- 127 Bathurst Street, Hobart, 7000 (03) 6234 3217
- 111 Heron Street, Kingston, 7050 (03) 6229 2131
- 8/16 Main Road, Huonville, 7109 (03) 6264 1277

The access points on to Wadley's Road have adequate sight distance, with the access for lot 1 being on a long, straight road, with good sight distance in each direction and lots 2 & 3 being at the existing access point, on a bend on Wadley's Road, providing good sight distance in both directions.

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

- Three copies of the proposal plan
- Completed application form
- Copy of title

Could you please send an invoice for your fees to Mr Paul Heathcote, care of john.dent@pda.com.au and we will arrange payment.

Please advise us if you require anything further to enable the application to be assessed.

Yours faithfully
PDA Surveyors

Per: 
JOHN DENT

PLAN OF SUBDIVISION



PDA Surveyors
 Surveying, Engineering & Planning

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Owners	PAUL JOHN HEATHCOTE SAMANTHA KAY HEATHCOTE	Address	239 Wadleys Rd Reedy Marsh TAS 7304	This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.					
		Council	Meander Valley Council						
Title References	FR 227697/1	Planning Scheme	Meander Valley Interim Planning Scheme 2013						
Schedule Of Easements	As shown.	Zone	13.0 Rural Living						
Scale	1:3000	Date	10/08/2020		PDA Reference	45963 - P01	PID	3427640	Point of Interest



LEGEND	
	Title/Proposed boundary
	Surround boundary
	Easement
	Contours 10m interval
	Creek

From: John Dent
Sent: 12 Sep 2020 05:47:18 +0000
To: Planning @ Meander Valley Council
Cc: Leanne Rabjohns
Subject: Subdivision 239 Wadleys Road, Reedy ,Marsh, PA\21\0047
Attachments: 239 Wadleys Road TIA draft.pdf, Nat Values_239 Wadleys Road subdivision.pdf, Bushfire Hazard Management Plan CT 227697-1 239 Wadleys Road Reedy Marsh.pdf

Hi Leanne,

Please find attached the following reports to satisfy your request dated 28th August;

- Traffic report
- Bushfire report
- Natural values report

Please advise if you need anything else. Can you please confirm you have received this and please let me know if you want me to post you a paper copy of these reports.

Regards,

John Dent

Director and Registered Land Surveyor
PDA Surveyors
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239 WADLEYS ROAD, REEDY MARSH

3 LOT SUBDIVISION

**TRAFFIC IMPACT ASSESSMENT
SEPTEMBER 2020**





239 Wadleys Road, Reedy Marsh

TRAFFIC IMPACT ASSESSMENT

- Draft
- Sept 2020

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1. Introduction

1.1 Background

The proposal is to subdivide 239 Wadleys Road, Reedy Marsh into 3 lots, each accessing Wadleys Road. A development permit is required from Meander Valley Council and this TIA has been prepared to assess the impact of the proposal with recommendations where necessary.

This Traffic Impact Assessment (TIA) must be submitted with the development application and provide the following details:

- The significance of the impact of these movements on the existing road network.
- Any changes required to accommodate the additional traffic.

The TIA has been prepared based on Department of State Growth guidelines.

1.2 Objectives

A Traffic Impact Assessment is a means for assisting in the planning and design of sustainable development that considers:

- Safety and capacity
- Equity and social justice
- Economic efficiency
- The environment and future development.

This TIA considers the impact of the proposal on projected traffic volumes expected by 2029.

1.3 Scope of Traffic Impact Assessment (TIA)

This TIA considers in detail the impact of the proposal on the local road network which includes Wadleys Road and the junction with River Road, Reedy Marsh.

1.4 References

- RTA Guide to Traffic Generating Developments - 2002
- Meander Valley Interim Planning Scheme 2013
- Austroads Guide to Road Design: Part 4A: Unsignalised and Signalised Intersections - 2017
- Austroads Guide to Traffic Management: Part 6: Intersections, Interchanges and Crossings – 2019



1.5 Statement of Qualifications and Experience

This TIA has been prepared by Richard Burk, an experienced and qualified traffic engineer in accordance with the requirements of the Department of State Growth's guidelines and Council's requirements. Richard's experience and qualifications include:

- 32 years professional experience in road and traffic engineering industry
 - Manager Traffic Engineering at the Department of State Growth until May 2017.
 - National committee membership with Austroads Traffic Management Working Group and State Road Authorities Pavement Marking Working Group
- Master of Traffic, Monash University, 2004
- Post Graduate Diploma in Management, Deakin University, 1995
- Bachelor of Civil Engineering, University of Tasmania, 1987

A handwritten signature in blue ink, appearing to read 'Richard Burk', is positioned above the printed name.

Richard Burk

BE (Civil) M Traffic Dip Man. MIE Aust CPEng

Director Traffic and Civil Services Pty Ltd



1.6 Glossary of Terms

AADT	Annual Average Daily Traffic - The total number of vehicles travelling in both directions passing a point in a year divided by the number of days in a year.
Acceleration Lane	An auxiliary lane used to allow vehicles to increase speed without interfering with the main traffic stream. It is often used on the departure side of intersections.
Access	The driveway by which vehicles and/or pedestrians enter and/or leave the property adjacent to a road.
ADT	Average Daily Traffic – The average 24-hour volume being the total number of vehicles travelling in both directions passing a point in a stated period divided by the stated number of days in that period.
Austroads	The Association of Australian and New Zealand road transport and traffic authorities and includes the Australian Local Government Association.
Delay	The additional travel time experienced by a vehicle or pedestrian with reference to a base travel time (e.g. the free flow travel time).
DSG	Department of State Growth – The Tasmanian Government Department which manages the State Road Network.
GFA	Gross Floor Area
Intersection Kerb	The place at which two or more roads meet or cross. A raised border of rigid material formed at the edge of a carriageway, pavement or bridge.
km/h	Kilometres per hour
Level of Service	An index of the operational performance of traffic on a given traffic lane, carriageway or road when accommodating various traffic volumes under different combinations of operating conditions. It is usually defined in terms of the convenience of travel and safety performance.
m	Metres
Median	A strip of road, not normally intended for use by traffic, which separates carriageways for traffic in opposite directions. Usually formed by painted lines, kerbed and paved areas grassed areas, etc.
Movement	A stream of vehicles that enters from the same approach and departs from the same exit (i.e. with the same origin and destination).
Phase	The part of a signal cycle during which one or more movements receive right-of-way subject to resolution of any vehicle or pedestrian conflicts by priority rules. A phase is identified by at least one movement gaining right-of-way at the start of it and at least one movement losing right-of-way at the end of it.



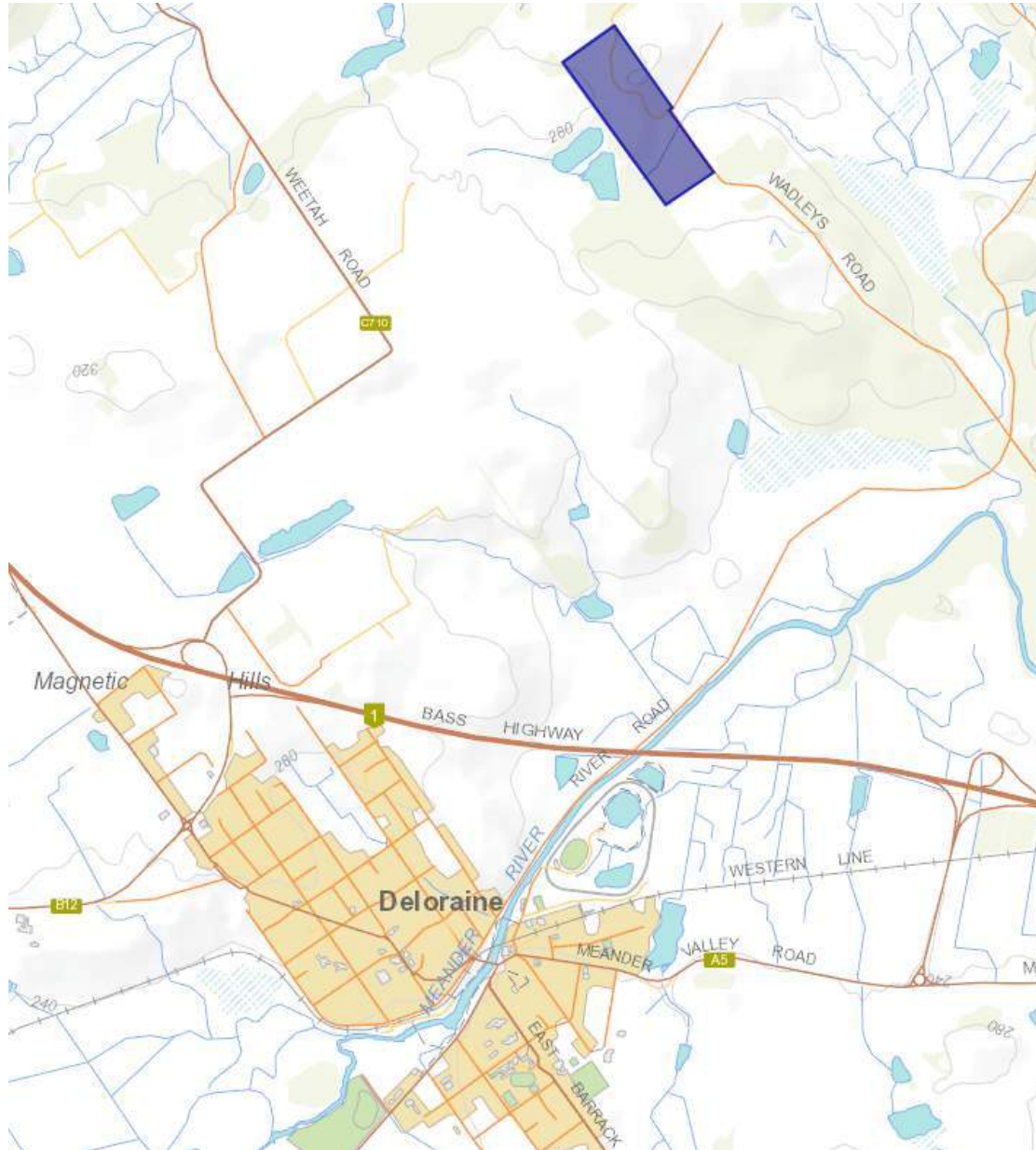
Sight Distance	The distance, measured along the road over which visibility occurs between a driver and an object or between two drivers at specific heights above the carriageway in their lane of travel.
Signal Phasing	Sequential arrangement of separately controlled groups of vehicle and pedestrian movements within a signal cycle to allow all vehicle and pedestrian movements to proceed.
SISD	Safe Intersection Sight Distance – The sight distance provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation and to decelerate to a stop before reaching the collision point.
Speed	Distance travelled per unit time.
85th Percentile	The speed at which 85% of car drivers will travel slower and 15% will travel faster. A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic-actuated Control	A control method that allows a variable sequence and variable duration of signal displays depending on vehicle and pedestrian traffic demands.
Traffic Growth Factor	A factor used to estimate the percentage annual increase in traffic volume.
Trip	A one-way vehicular movement from one point to another excluding the return journey. Therefore, a vehicle entering and leaving a land use is counted as two trips. (RTA Guide to Traffic generating Developments).
Turning Movement	The number of vehicles observed to make a particular turning movement (left or right turn, or through movement) at an intersection over a specified period.
Turning Movement Count	A traffic count at an intersection during which all turning movements are recorded.
Vehicle Actuated Traffic Signals	Traffic signals in which the phasing varies in accordance with the detected presence of vehicles on the signal approaches.
vpd	vehicles per day – The number of vehicles travelling in both directions passing a point during a day from midnight to midnight.
vph	vehicles per hour – The number of vehicles travelling in both directions passing a point during an hour.



2. Site Description

Figure 1 shows the proposed subdivision site with respect to Deloraine. 239 Wadleys Road, Reedy Marsh is partly cleared of trees and currently has 1 dwelling house which will remain a part of lot 3. The setting is rural, and the default unsealed rural speed limit of 80km/hr applies on Wadleys Road.

Figure 1 - Proposed development site



Source: LISTmap



3. Proposal, Planning Scheme and Road Owner objectives

3.1 Description of Proposed Development

The proposal is to subdivide 239 Wadleys Road into 3 lots , see figure 2.

Figure 2 – Subdivision Proposal

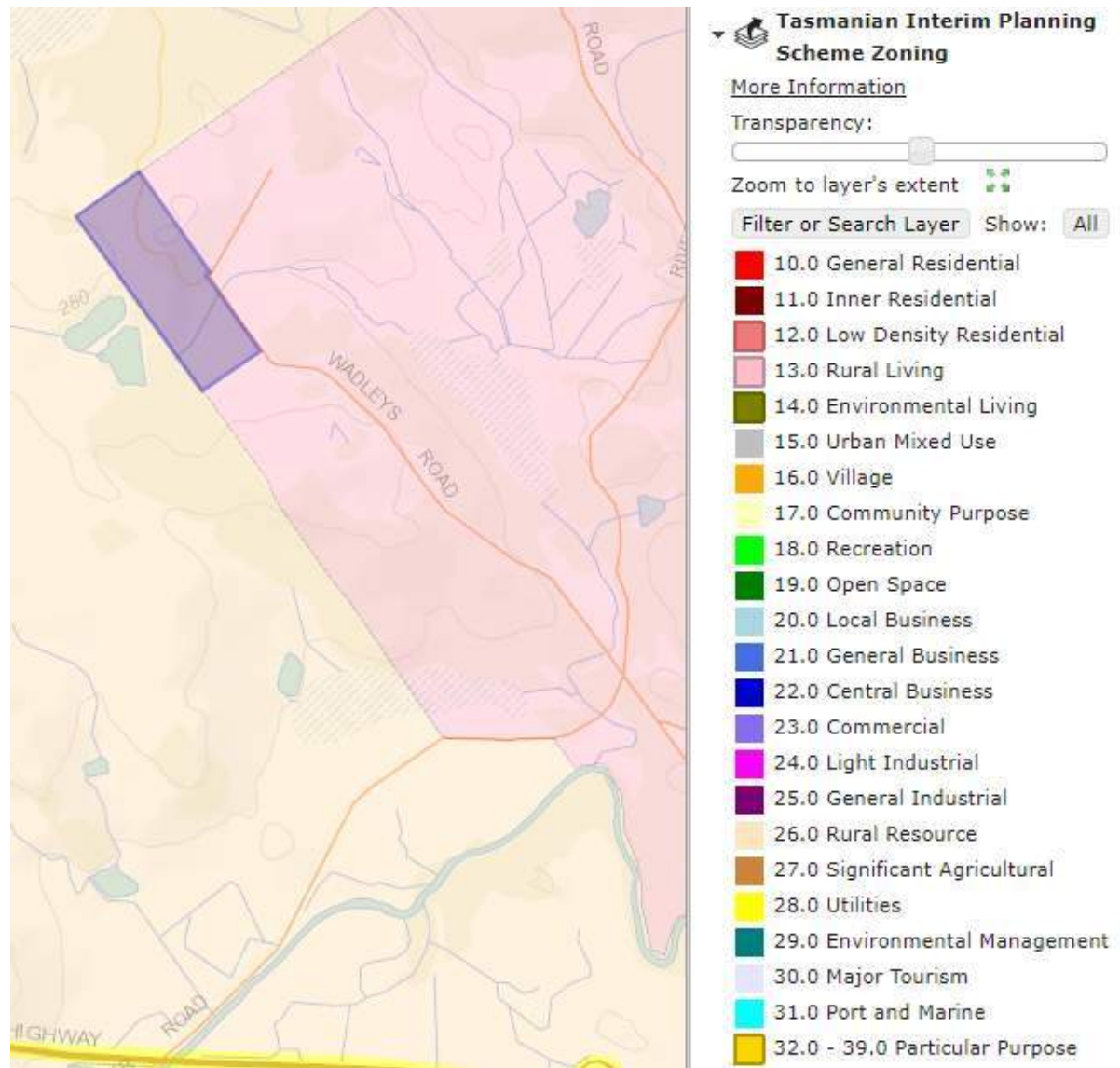




3.2 Council Planning Scheme

The proposal involves land currently zoned Rural Living in accordance with the Meander Valley Interim Planning Scheme 2013 shown in Figure 3.

Figure 3 – Development site is zoned Rural Living



Source: LISTmap

3.3 Local Road Network Objectives

To maintain safe and efficient operation of the Council road network.



4. Existing Conditions

4.1 Transport Network

The adjacent road network consists of River Road and Wadleys Road, both Council roads.

4.1.1 River Road

River Road is a no through sealed road with a minor rural collector function and connects Reedy Marsh with Deloraine. The road is in fair condition.

River Road has a varying traffic activity along its length and at the Wadleys Road junction has an estimated annual average daily traffic of some 320 vehicles from traffic survey data. The road has a 5.5m wide seal and is delineated with guideposts. The posted speed limit is 100km/h as shown in figure 4.

Figure 4 – Leaving Deloraine on River Road



4.1.2 River Road / Wadleys Road intersection

River Road and Wadleys Road form a cross intersection without turning lanes and a very low traffic activity. Give Way signage and line marking are provided however Wadleys Road is unsealed. The intersection does not satisfy Safe Intersection Sight Distance (SISD) requirements. The intersection layout is simple and reasonable given the low through and turning traffic volumes. Figures 5-8 show the key features of the intersection



Figure 5 – River Road / Wadleys Road intersection



Source: LISTmap

Figure 6 – Wadleys Road Northern approach to River Road intersection



>80m of approach sight distance is available.

Figure 7 – Looking west along River Road from Wadleys Road northern approach



Available sight distance is 110m



Figure 8 – Looking east along River Road from Wadleys Road northern approach



Available sight distance is 160m and could easily be extended with tree trimming and / or removal

4.1.3 Wadleys Road

Wadleys Road is an unsealed rural access road and a no through road.

Wadleys Road, north of River Road has low traffic activity estimated at <50 vpd from traffic survey data. The road has a typical trafficable width of 4.5m. There is some delineation with guideposts and the General Unsealed Default Speed Limit of 80km/h applies. The road is in good condition. Figures 9-10 show key features of the road.

Figure 9 – Looking north along Wadleys Road from River Road





Figure 10 – Looking south along Wadleys Road towards River Road



4.1.4 Access to Lot 1 via Wadleys Road

Access to lot 1 is 2.2km from the River Road intersection, see Figures 11-13.

Figure 11 – Looking right from Lot 1 access



Available sight distance is 120m

Figure 12 – Looking left from Lot 1 access



Available sight distance is 120m



Figure 13 – Elevation view of the Lot 1 access



4.1.5 Access to Lot 2&3 via Wadleys Road

Access to lots 2 and 3 is 2.4km from the River Road intersection, see Figures 14-16.

Figure 14 – Looking right from Lot 2&3 access



Available sight distance is >200m

Figure 15 – Looking left from Lot 2&3 access



Available sight distance is >200m



Figure 16 – Elevation view of the Lot 2 and 3 access location



4.1.6 Sight Distance Summary

Sight distance requirements are summarised in figure 17. The proposed accesses to lots 2 & 3 are on a bend in Wadleys Rd where the approach speed environment is assessed as 50 km/h. The River Road / Wadleys Road junction sight distance deficiencies can be mitigated with tree removal and installation of a Cross intersection warning signage on both River Road approaches, see Figure 18.

Figure 17 – Summary of sight distance requirements

Junction Major Rd - Minor Rd	Speed Limit (km/h)	Speed Environment (km/h)	Acceptable Solution	Current Provision		Proposed Treatment	
			Table E4.7.4 SISD (m)	Road frontage sight distance Available		Mitigation	
				Left(m)	Right(m)	Left	Right
River Road - Wadleys Road	100	80	175	160	110	T/S	W
Wadleys Road - Access to lot #1	80	60	115	120	120		
Wadleys Road - Access to lot #2&3	80	50	90	>200	>200		

Compliant

Non Compliant

Marginal

Tree/Shrub Removal (T/S)

Intersection Warning Signage (W)

Figure 18 – Wadleys Road / River Road intersection signage.



W2-1 B

W8-5(150) B



4.2 Traffic Activity

4.2.1 River Road / Wadleys Road Intersection

From a traffic survey conducted at the intersection on Friday 14th June 2019, see Appendix A, the following daily traffic is estimated:

- River Road - 320 vpd.
- Wadleys Road, south of River Road - 100 vpd.
- Wadleys Road, north of River Road - 100 vpd and 50 vpd at the proposed accesses.

4.3 Crash History

The Department of State Growth is supplied with reported crashes by Tasmania Police. The Department maintains a crash database from the crash reports which is used to monitor road safety, identify problem areas and develop improvement schemes.

The 5-year crash history records no reported crashes on Wadleys Road or on River Road approaches to the Wadleys Road intersection.

4.4 Services

Overhead power supply poles are located on the west side of Wadleys Road as shown in figure 19. These poles are considered a low risk hazard as they are reasonably separated from the road.

Figure19 – Looking south along Wadleys Road with power poles on the western side.





4.5 Road Safety Review

A road safety review was conducted of Wadleys Road including the intersection with River Road. Safety issues identified were:

- Limited sight distance at Wadleys/River Road intersection, see figures 7&8.
- Lack of intersection warning signage on River Road approaches to Wadleys Road.
- No barrier fence on the Wadleys Road bridge and Width Markers that are too small.

4.6 Austroads Safe System Assessment

Wadleys Road , north of River Road, has been assessed in accordance with the Austroads Safe System assessment framework. This framework involves consideration of exposure, likelihood and severity to yield a risk framework score. High risk crash types and vulnerable road user crash types are assessed for each site and aggregated to provide an overall crash risk. Crash risk is considered in terms of three components:

- Exposure (is low where low numbers of through and turning traffic) i.e.1 out of 4
- Likelihood (is low where the infrastructure standard is high) i.e. 1 out of 4
- Severity (is low where the speed environment is low) i.e. 1 out of 4

The Austroads Safe System Assessment process enables the relative crash risk of an intersection or road link to be assessed. Vulnerable Road users are considered along with the most common crash types.

The crash risk score indicates how well the infrastructure satisfies the *safe system objective which is for a forgiving road system where crashes do not result in death or serious injury.*

From safe system assessment, Wadleys Road has been determined to be well aligned with the safe system objective with a crash risk score of 39/448, see figures 20 and 21.

Figure 20 – Austroads Safe System Assessment alignment between crash score and risk





Figure 21 – Wadley Road Safe System Assessment

Safe System Assessment

Existing situation Wadleys Road

		Run-off-road	Head-on	Intersection	Other	Pedestrian	Cyclist	Motorcyclist	
Exposure	Justification (AADT 50 vpd)	Low traffic volume and no reported crashes.	Low traffic volume and no reported crashes.	Low traffic volume on major Road (320vpd) and minor road (100vpd) and no reported crashes, cross intersection layout. School bus stops at cross intersection.	School bus route	Very low traffic volume and negligible pedestrian activity	Low volumes	Low volumes	
	Score / 4	1	1	2	1	1	1	1	
Likelihood	Justification	4.5m wide gravel road in fair condition, some delineation with guideposts, roadside hazards i.e trees within the clear zone and narrow bridge close to the road edge.	4.5m wide gravel road in fair condition, some delineation with guideposts, roadside hazards i.e trees within the clear zone and narrow bridge close to the road edge.	Cross intersection with gravel minor road approaches and limited sight distance with no warning signage.	No bus stop provided for bus stopping at the River Road junction, limited sight distance.	Road sides variable and uneven for pedestrians to access to avoid traffic, no bus stop warning signs.	No specific facilities provided	Variable gravel road surface for motorcyclists and unforgiving roadsides.	
	Score / 4	2	2	2	2	2	1	2	
Severity	Justification (50 - 60km/h speed environment)	Roadside trees have a diameter consistently > 100mm along roadsides, moderate speed environment (60 km/h)	Moderate speed environment (60km/h).	Moderate to high speed environment (80km/h on major road).	Moderate speed environment.	high speed for pedestrians	high speed for cyclists	High speed for motorcyclists	
	Score / 4	2	2	3	2	3	3	3	Total /448
Product	Total Score /64	4	4	12	4	6	3	6	39



5. Traffic Generation and Assignment

This section of the report is to determine how traffic generated by the proposal is distributed within the adjacent road network now and ten years future.

5.1 Traffic Growth

Background traffic compound annual growth of 1% on River Road and Wadleys Road.

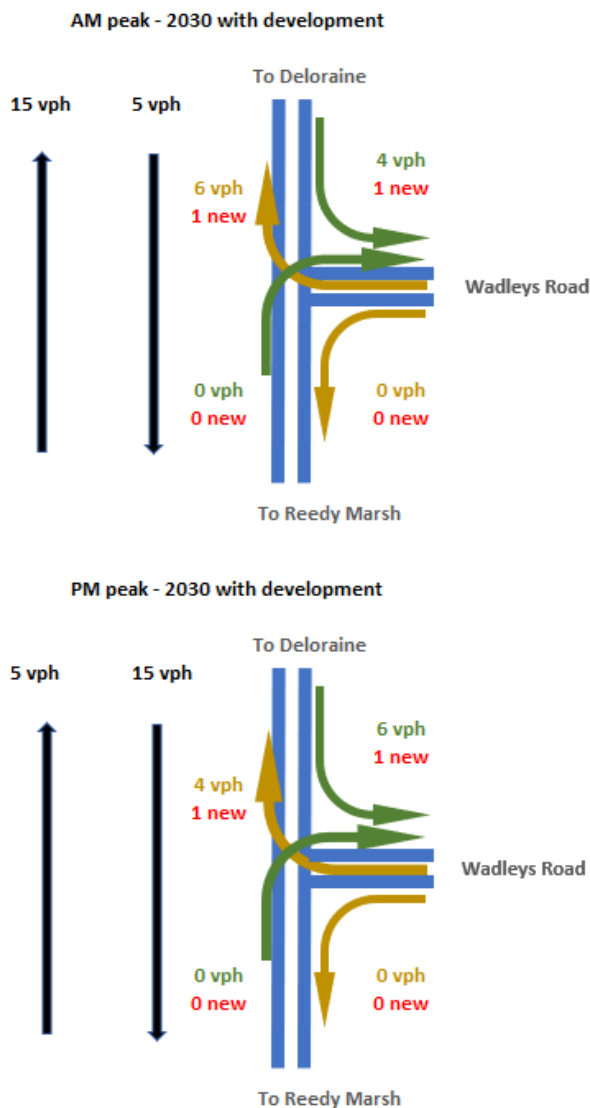
5.2 Trip Generation

3 lots zoned Rural Living at 6vpd and 0.6vph during peak times /lot from RTA guidelines. On this basis the proposal will generate 18 vpd and up to 2 vph at peak times.

5.3 Trip Assignment

Projected traffic flow for 2030 is shown in Figure 22.

Figure 22 – Projections for River Road / Wadleys Road junction





6. Impact on Road Network

6.1 Impact of traffic generated by the proposal

Traffic projections indicate the traffic impact of the proposal on the Wadleys Road/River Road intersection will be negligible.

6.2 Signage

Cross intersection warning signage on both River Road approaches to the intersection with Wadleys Road is recommended, see figure 18.

Council consider installing R4-1(40)(B) speed limit signs with G9-49 (B) On Bridge guidance signs, see figure 23, to mitigate the lack of barrier fence on the Wadleys Road bridge approaches.

Figure 23 – Suggested Wadleys Road Bridge speed limit.



6.3 Council rural access requirements

Proposals involving accesses within a Council Road should satisfy Council requirements. Rural property accesses on council roads should comply with LGAT Standard Drawings TSD-R03-v1 and TSD-R04-v1, which are attached in Appendix C and are accessible at:

https://www.lgat.tas.gov.au/_data/assets/pdf_file/0021/321348/LGAT-Standard-Drawings-Release-Version-Dec-2013.pdf

For the proposed accesses with Wadleys Road:

- Sealing of the accesses is not required as Wadleys Road is a low volume rural road.
- Driveway culverts should be provided with standard headwalls.
- Construct with suitable access width for the turning path of the design vehicle.
- Install property access gates offset sufficient from the property boundary to allow the design vehicle to stop on the driveway clear of Wadleys Road.



6.4 Impacts on road users

6.4.1 Public Transport

Negligible impact.

6.4.2 Delivery Vehicles

No impact.

6.4.3 Pedestrians and Cyclists

Negligible impact

6.4.4 Motorcyclists

Negligible impact.

6.5 Other impacts

6.5.1 Environmental

No applicable environmental impacts were identified in relation to:

- Noise, vibration or visual impact
- Community severance, pedestrian amenity
- Hazardous loads, air pollution or ecological impacts
- Heritage and Conservation

6.5.2 Street Lighting and Furniture

The proposal does not justify street lighting or other roadside furniture.



6.6 Meander Valley Interim Planning Scheme 2013

6.6.1 Road and Railway Assets Code E4 requirements

Section E4.6.1 Use and road or rail infrastructure

Acceptable solution A3

For roads with a speed limit of more than 60km/hr the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10 %.

Current traffic volume on Wadleys Road at the proposed accesses is estimated at 50vpd
Proposed development will yield up to 18 vpd i.e. a 36% increase.

A3 is not satisfied.

Performance criteria P3

For limited access roads and roads with a speed limit of more than 60km/hr an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

- The existing and estimated future traffic activity is very low,
- There are no traffic safety or capacity issues with the proposal.
- The existing River Road/Wadleys Road junction is considered fit for purpose subject to the sight distance mitigation recommended in this report.
- From Austroads Safe System Assessment Wadleys Road has a very low crash risk and is considered safe and fit for purpose.

P3 is satisfied.

Section E4.7.2 Management of Road Accesses and Junctions

Acceptable solution A2

For roads with a speed limit of more than 60km/h the development must not include a new access or junction.

The proposal involves 3 new access within an 80km/h speed limit (General Rural Speed Limit for Unsealed Roads).

A2 is not achieved.

Performance criteria P2

For limited access roads and roads with a speed limit of more than 60km/hr an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

Wadleys Road functions as a rural access road to some 18 titles. The gravel road is 4m wide with suitable horizontal and vertical alignment for an access road, is in fair condition and is maintained by Council. Wadleys Road is considered suitable for use as an access road.



Traffic activity on Wadleys Road is estimated to increase from 50 to 68 vpd due to the proposal. This level of traffic activity is considered normal for unsealed rural council roads and well within the capacity of Wadleys Road.

From Austroads Safe Systems Assessment Wadleys Road is considered to have a low crash risk with a score of 39/448 which is a low risk score.

Accordingly, in terms of safety, efficiency and road standard Wadleys Road is considered fit for purpose as a rural access road and able to accommodate the proposed accesses.

P2 is satisfied.

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

Acceptable solution A1 a)

An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4.

Section 4.1.6 and Figure 17 summarise sight distance requirements and availability and shows that SISD requirements of Table E4.7.4 are not satisfied for the River Road / Wadleys Road intersection. The proposed accesses meet the requirements.

A1a) is not satisfied.

Performance criteria P2

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.

River Road / Wadleys Road junction

Adequate sight distance can be achieved with removal of trees and shrubs to increase sight distance and with installation of Cross Intersection warning signs and distance plate to alert approaching drivers, see figure 18.

P1 is satisfied.



7. Recommendations and Conclusions

This traffic impact assessment has been prepared to assess the proposed 3 lot subdivision of 239 Wadleys Road, Reedy Marsh. Traffic projections for 2030 show an increase in peak hour traffic activity from 5vph to 7vph due to the proposal. Though the traffic activity increases by 40%, the increase is from a very low base so the impact on traffic safety and capacity is negligible.

From review of the planning scheme, existing roads, crash history, proposed access locations and road safety the following recommendations and suggestions are made:

Recommendations:

Construct proposed accesses in accordance with MVC rural access standards i.e LGAT Standard Drawings TSD-R03-v1 and TSD-R04-v1 with:

- sealing of the accesses not required as Wadleys Road is a low volume rural road.
- driveway culverts and standard headwalls.
- suitable access width for the turning path of the design vehicle.
- property access gates offset sufficient from the property boundary to allow the design vehicle to stop on the driveway clear of Wadleys Road.

This recommendation is a developer responsibility.

Suggestions for Meander Valley Council:

Mitigate sight distance deficiency at the Wadleys /River Road intersection

- *Install Cross Intersection warning sign W2-1(B) and Distance plate W8-5(B) (150m) on both River Road approaches to the intersection, see figure 18.*
- *Remove trees and shrubs within the River Road reservation to maximise sight distance available from the Wadleys Road northern approach, see figure 8.*

Mitigate the lack of barrier fence on the Wadleys Road bridge approaches

- *Install R4-1(40)(B) speed limit signs with G9-49 (B) On Bridge guidance signs , see figure 23.*

In summary this report demonstrates that the proposal can satisfy the Meander Valley Interim Planning Scheme 2013 requirements of Road and Railway Assets Code E4.

Overall, it has been concluded that the proposed development should not create any traffic capacity or traffic safety issues for road users. Based on the finding of this report and subject to the recommendations above, the proposed development is supported on traffic grounds.



Appendices



Appendix A – Turning count 14th June 2019

River Road / Wadleys Road Junction

Turn Count Summary

Location: River Road at Wadleys Road, Deloraine
 GPS Coordinates: Lat=-41.501343, Lon=146.688970
 Date: 2019-06-14
 Day of week: Friday
 Weather:
 Analyst: R Burk

Total vehicle traffic

Interval starts	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
15:37	0	0	0	0	0	0	0	0	0	0	0	0	0
15:40	0	1	0	2	0	0	0	1	1	0	0	0	5
15:45	0	0	0	1	0	0	0	1	0	0	0	0	2
15:50	0	0	0	0	0	0	0	0	0	0	0	0	0
15:55	0	1	0	2	0	0	0	2	1	0	0	0	6
16:00	0	0	0	0	0	0	0	2	0	0	0	1	3
16:05	0	0	0	0	0	0	1	1	0	0	0	0	2
16:10	0	1	0	0	0	0	0	1	0	0	0	0	2
16:15	0	0	0	0	0	0	0	1	0	0	0	0	1

Car traffic

Interval starts	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
15:37	0	0	0	0	0	0	0	0	0	0	0	0	0
15:40	0	0	0	2	0	0	0	1	1	0	0	0	4
15:45	0	0	0	1	0	0	0	1	0	0	0	0	2
15:50	0	0	0	0	0	0	0	0	0	0	0	0	0
15:55	0	0	0	2	0	0	0	2	1	0	0	0	5
16:00	0	0	0	0	0	0	0	2	0	0	0	1	3
16:05	0	0	0	0	0	0	1	1	0	0	0	0	2
16:10	0	1	0	0	0	0	0	1	0	0	0	0	2
16:15	0	0	0	0	0	0	0	1	0	0	0	0	1

Truck traffic

Interval starts	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
15:37	0	0	0	0	0	0	0	0	0	0	0	0	0
15:40	0	1	0	0	0	0	0	0	0	0	0	0	1
15:45	0	0	0	0	0	0	0	0	0	0	0	0	0
15:50	0	0	0	0	0	0	0	0	0	0	0	0	0
15:55	0	1	0	0	0	0	0	0	0	0	0	0	1
16:00	0	0	0	0	0	0	0	0	0	0	0	0	0
16:05	0	0	0	0	0	0	0	0	0	0	0	0	0
16:10	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15	0	0	0	0	0	0	0	0	0	0	0	0	0



Intersection Count Summary

15:37 - 16:17

	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
Vehicle Total	0	3	0	5	0	0	1	9	2	0	0	1	21

Vehicle Summary

Vehicle	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
Car	0	1	0	5	0	0	1	9	2	0	0	1	19
Truck	0	2	0	0	0	0	0	0	0	0	0	0	2
Bicycle	0	0	0	0	0	0	0	0	0	0	0	0	0

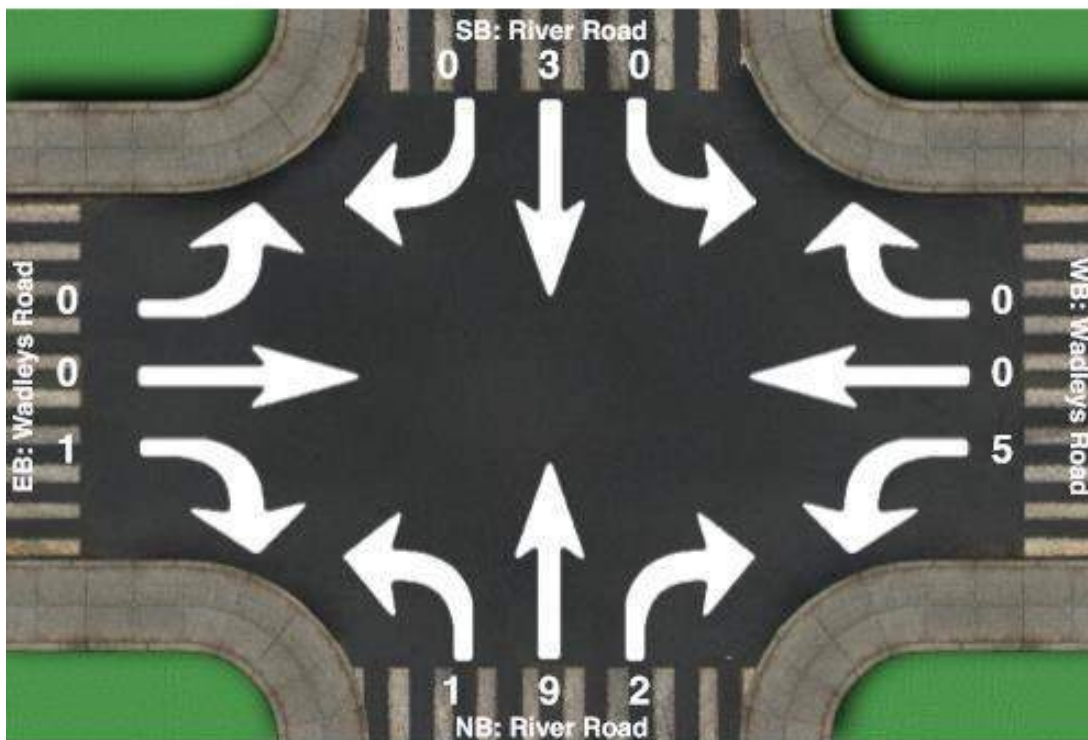
Pedestrians Summary

	NE			NW			SW			SE			Total
	Left	Right	Total	Left	Right	Total	Left	Right	Total	Left	Right	Total	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0



Intersection Count Summary

Location: River Road at Wadleys Road, Deloraine
GPS Coordinates: Lat=-41.501343, Lon=146.688970
Date: 2019-06-14
Day of week: Friday
Weather:
Analyst: R Burk



Intersection Count Summary

15:37 - 16:17

	Southbound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
Vehicle Total	0	3	0	5	0	0	1	9	2	0	0	1	21

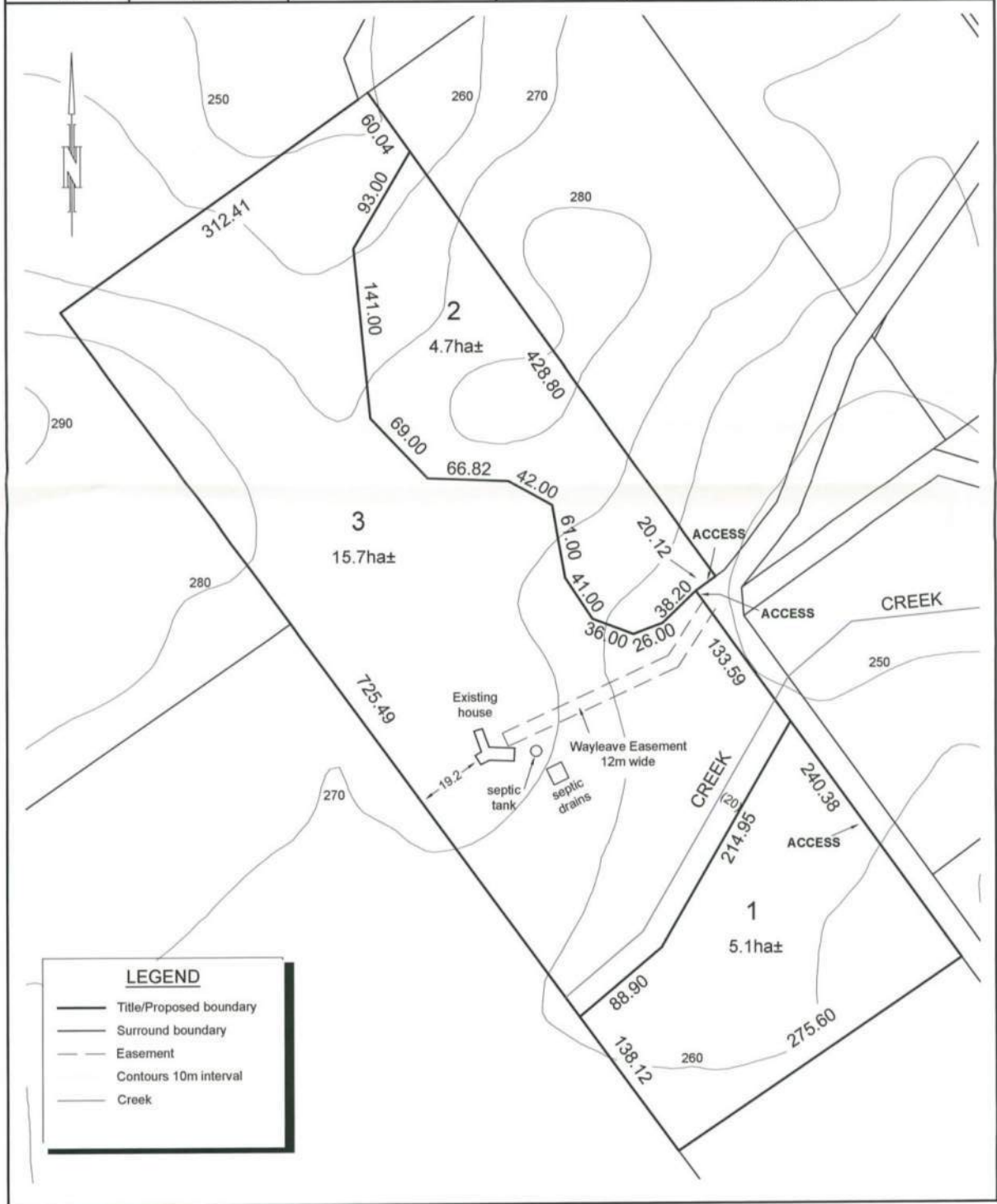


Appendix B – Subdivision Plan





<h1>PLAN OF SUBDIVISION</h1>		PDA Surveyors Surveying, Engineering & Planning <small>WALTER SURVEYS</small> 3/23 Brisbane Street, Launceston, Tasmania, 7250 www.pda.com.au Also at: Hobart, Burnie, Devonport & Kingston PHONE: +61 03 6331 4099 FAX: +61 03 6334 3098 EMAIL: pda.ln@pda.com.au							
Owners	PAUL JOHN HEATHCOTE SAMANTHA KAY HEATHCOTE	Address	239 Wadleys Rd Reedy Marsh TAS 7304	This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.					
		Council	Meander Valley Council						
Title References	FR 227697/1	Planning Scheme	Meander Valley Interim Planning Scheme 2013						
		Zone	13.0 Rural Living						
Schedule Of Easements	As shown.								
Scale	1:3000	Date	10/08/2020	PDA Reference	45963 - P01	PID	3427640	Point of Interest	472 128 E, 5 407 178 N



Appendix C – Access Standard Drawings

TYPE HW
SCALE 1: 10

TYPE DCE
SCALE 1: 10

TABLE 1

Vehicle Standing (V.S)	* 'L' m
Car	6.0
Truck / Car + Trailer	V.S Length + 1.0

* Increase 'L' as required to suit outward swinging gates.

NOTES

- Property Access Seal Types:
 - Adopt the seal type on the adjacent road (Asphalt / hot Sprayed bituminous surfacing).
 - Seal is not required for property access off unsealed roads.
- Offset property entrance gate to provide adequate vehicle standing area clear of road edge, as required.
- Install guideposts at :
 - culvert end walls.
 - the start of the access ('nearside' lane approach only).
- Pipe Culvert.
 - Pipe size, type, class, cover and grade shall be determined by consideration of the drainage catchment, rainfall I.F.D. data and road grade for an A.R.I. of 5 years (min).
 - Minimum pipe size – 300 dia.
 - Minimum grade – 1 in 100 (1%).
- Shallow dish crossing may be used as an alternative.
- Applicable for design speed zones in excess of 60km/hr.

KEY
HW – Head Wall
DCE – Driveable Culvert Endwall

0 0.2 0.4 0.6 0.8 1.0 metres
SCALE – 1 : 10

REFERENCES
XRef File: TSD-R03-v1.dwg

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It is the users responsibility to ensure this drawing is the current version. The current version can be downloaded from: www.lgat.tas.gov.au

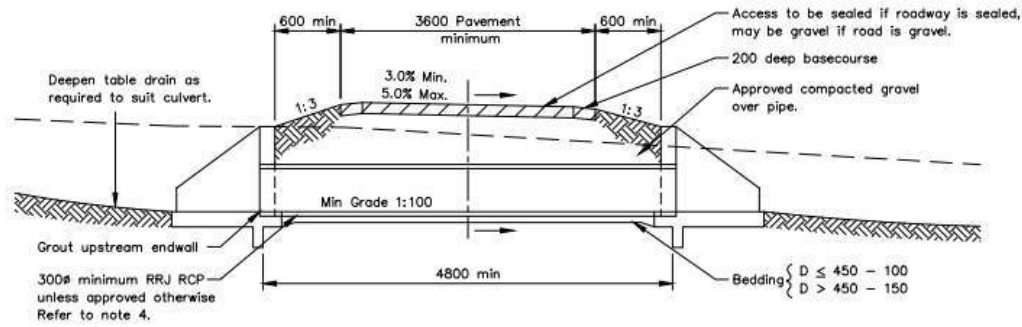
TAS Division
IPWEA
INSTITUTE OF PUBLIC WORKS
ENGINEERING AUSTRALIA

LGAT
Local Government Association Tasmania

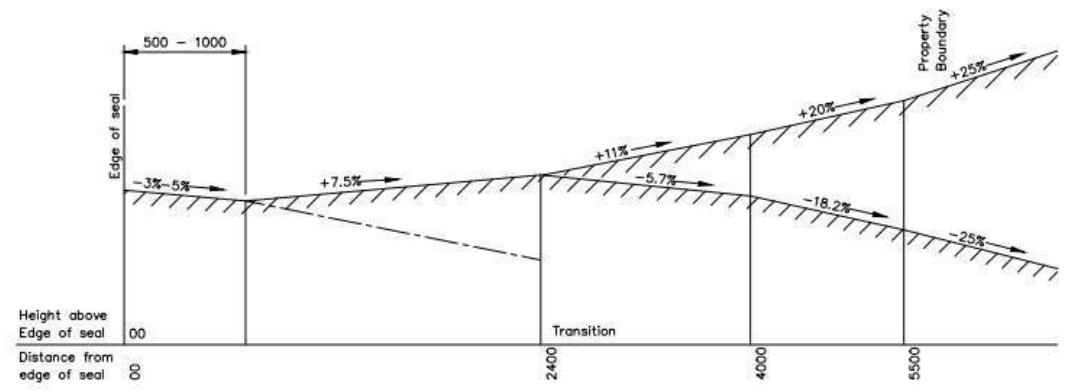
STANDARD DRAWING
RURAL ROADS
TYPICAL PROPERTY ACCESS

GPO Box 1502, Hobart Tasmania 7001 | 224 Macquarie Street, Hobart Tasmania 7000
T: 03 6233 3966 F: 03 6233 9986 Email: admin@ipwa.tas.gov.au

30-11-2013 TSD-R03-v1



CROSS SECTION



DRIVEWAY PROFILE

Culvert removed for clarity

NOTES

- All dimensions in millimetres (mm) unless noted
- Precast endwall to be winged type or other approved type.
- Shallow dish crossing may be used as an alternative
- Min clear cover over driveway culverts shall be:

Pipe Class:	Min Cover:
-Class 2 (Concrete)	600
-Class 3 (Concrete)	400
-Class 4 (Concrete)	300

 (All other pipes refer to manufacturers recommendations.)
- Install guideposts at culvert ends.
- Minimum driveway dimension for Class 4b to have a minimum pavement width of 4 metres.

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<p>SCALES: AS SHOWN (All scales are correct at A3)</p>	<p>REFERENCES</p>	<p>© 2012 This drawing and the information it contains is, and remains the property of the Local Government Association of Tasmania, and may only be used for the purpose of which it was intended. Reproduction of this drawing or its content in any format other than printed hard copies is strictly prohibited. It is the users responsibility to ensure this drawing is the current version. The current version can be downloaded from: www.lgat.tas.gov.au</p>	<p>TAS Division IPWEA INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA</p>	<p>LGAT Local Government Association Tasmania</p>	<p>STANDARD DRAWING RURAL ROADS TYPICAL DRIVEWAY PROFILE</p>	<p>PROJ. NO.: GPO Box 1021, Hobart Tasmania 7001 525 Macquarie Street, Hobart Tasmania 7001 P: 03 6232 9966 F: 03 6232 9988 Email: admin@lgat.tas.gov.au</p>	<p>ISSUE DATE: 30-11-2013 DRAWING NO.: TSD-R04-v1</p>
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Natural Values Report

Report for: PDA Surveyors

Property Location: 239 Wadleys Road, Reedy Marsh

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

Date: 8th September 2020



Client:	PDA Surveyors
Property identification	The property is located at 239 Wadleys Road, Reedy Marsh. Current zoning is Rural Living, Meander Valley Interim Planning Scheme 2013. CT 227697/1, PID 34277640.
Proposal:	A 3 lot subdivision from 1 existing title at 239 Wadleys Road, Reedy Marsh.
Assessment comments:	Under the Meander Valley Interim Planning Scheme 2013, consideration of the impact on natural values is required. Impacts of the development proposal on watercourses is also assessed under the Water Quality Code. A field inspection was conducted on the 25/8/2020. This field assessments were used to confirm or otherwise the desktop study findings. This report summarises the findings of the desktop and field assessment.

Assessment by:
Scott Livingston,

Master Environmental Management,
Forest Practices Officer (Planning)
Natural Resource Management Consultant.



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INTRODUCTION

The study area (CT 227697/1, PID 34277640) is located at 239 Wadleys Road, Reedy Marsh. The property is zoned Rural Living and no planning scheme overlays apply.

An initial desktop assessment was undertaken followed by a field inspection on the 25/8/2020 to confirm or otherwise the desktop study findings.

METHODS

A Natural Values report was accessed from the DPIWE website on 24/8/2020, The Forest Practices Authority Biodiversity Values database was also accessed on 24/8/2020 to assess eagle nest probability and mature habitat classes. These reports cover known sightings within 5km and fauna species whose predicted range boundaries overlay the site.

A site visit on 25/8/2020 was undertaken by Scott Livingston. All areas of the proposed subdivision were assessed. The assessment the site was inspected with a spaced wandering meander technique, with all areas of variation within the site vegetation inspected.

The survey was conducted in August, which is outside the flowering period of many flora species. No survey can guarantee that all flora will be recorded in a single site visit due to limitations on seasonal and annual variation in abundance and the presence of material for identification. While all significant species known to occur in the area were considered, species such as spring or autumn flowering flora may have been overlooked. A sample of all vegetation communities, aspects and variations in topographic location was achieved.

All mapping and Grid References in this report use GDA 94, Zone 55, with eastings and northings expressed as 6 & 7 digits respectively.

Flora taxonomy nomenclature used is consistent with Census of Vascular Plants of Tasmania, Tasmanian Herbarium 2015, From Forest to Fjaeldmark, Descriptions of Tasmania's Vegetation (Edition 2) Harris & Kitchener, 2005, Little Book of Common Names for Tasmanian Plants, Wapstra et al.

DESCRIPTION

The property is a mix of native forest and cleared land. Lot 3 contains an existing dwelling. Land in the locality is a similar mix of forest, grassland and dwellings with irrigated agricultural land to the west. The property has frontage to Wadleys Road and slopes from approximately 280m ASL on the northern boundary to 250m on the eastern boundary. A tributary of Dungiven Rivulet crosses the property from west to east. Near the boundary between proposed lots 1 & 3.

NATURAL VALUES

VEGETATION

TASVEG 4.0 mapping shows the majority of the property to be damp sclerophyll forest and Bursaria – Acacia woodland, with around 30% cleared agricultural land. The site visit confirmed the majority of the eucalypt forest to be *Eucalyptus amygdalina*–*Eucalyptus obliqua* damp sclerophyll forest (DSC), with 2.1 ha of the wetter sites along the watercourse dominated by *E. ovata* and remapped to *Eucalyptus ovata* forest and woodland (DOV). The Bursaria – Acacia woodland on previously cleared areas was considered better attributed to *Acacia dealbata* forest (NAD) and the Agricultural land slightly remapped.

GROUP	Vegetation Community	TasVeg 4	Remapped
		Area (ha)	
Dry eucalypt forest and woodland	(DSC) <i>Eucalyptus amygdalina</i> - <i>Eucalyptus obliqua</i> damp sclerophyll forest	6.2	12.1
	(DOV) <i>Eucalyptus ovata</i> forest and woodland	0.0	2.1
Non eucalypt forest and woodland	(NBA) Bursaria - Acacia woodland	10.4	0.0
	(NAD) <i>Acacia dealbata</i> forest	0.0	4.0
Modified land	(FAG) Agricultural land	8.6	7.3
	(FPH) Plantations for silviculture - hardwood	0.3	0.0
Total		25.5	25.5

FLORA

The Natural Values Atlas (Department of Primary Industries, (accessed 24/8/2020) has no threatened flora observations within 500m of the proposed lots, 10 threatened flora species have been recorded within 5 km. An assessment of the proposed lots was undertaken, and no threatened flora species were identified. An assessment conducted during flowering (late spring/ autumn) may identify further threatened flora species. Of the 10 threatened species known from within 5km of the site, 7 are considered unlikely to occur with no or very marginal suitable habitat. 3 species with potential habitat are all reasonably distinctive and unlikely to have been missed during the survey.

Appendix 5 provides habitat descriptions and habitat suitability for threatened flora species known within 5km of the property.

FAUNA

The Natural Values Atlas has no records of threatened fauna within 500m of the proposed lots. Appendix 6 provides habitat descriptions and habitat suitability for threatened fauna species within 5km of the development area (based on range boundaries and observations). Potential foraging habitat is present for wide ranging species such as devils and quolls, there is limited potential for denning habitat for these species on the site.

The watercourse and associated wet areas contain occasional crayfish burrows, however the site is 4km east of the mapped potential range and 11km from the mapped core range of central north

burrowing crayfish, the site is not within a catchment that flows to the range of the species. There are 15 species of burrowing crayfish found in Tasmania, with 5 being listed as threatened, it is highly likely the species on site is not one of those listed, however the species was not determined.

Five *Aquila audax* (wedge-tailed eagle) nests have been reported within 5km of the site, all are greater than 1km from the site. The property has a low (0-2/10) probability for Eagle Nest (FPA Model), no suitable nest trees occur within the development site.

The property has a mature habitat rating of nil in the Forest Practices Biodiversity Database, indicating that the regrowth trees are unlikely to have significant hollows development. No evidence of existing nests or suitably sized hollows for masked owl was found on title.

HABITAT CONTEXT

Mature habitat availability map version: March 2016

GDA Easting (6 digits) 472206

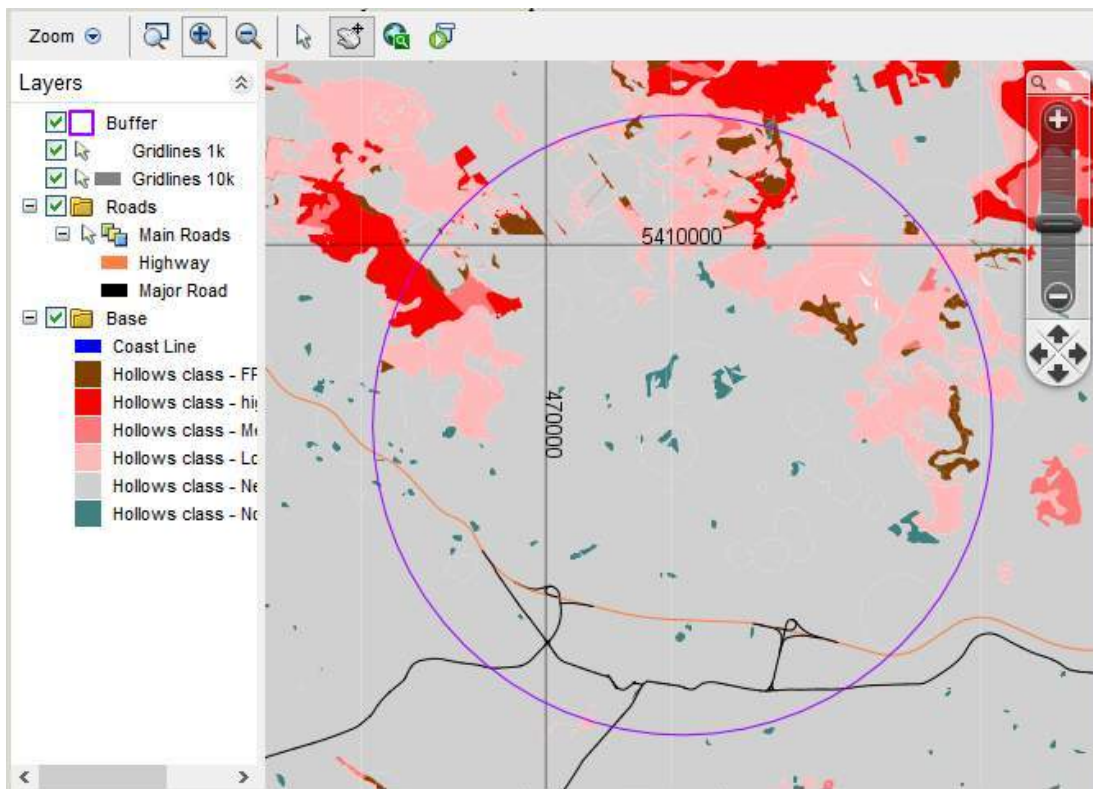
GDA Northing (7digits) 5407096

Search radius in km

1	2	5	10
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Land cover composition within the specified area

Area of high mature habitat availability	0	0	168.75	2734.86
Area of medium mature habitat availability	0	0	100.36	517.63
Area of low mature habitat availability	0	0	1104.67	3196.12
Area of negligible mature habitat availability	290.27	1216.29	6384.28	24641.76
Area of non-forest vegetation	24.91	41.39	95.61	344.09
Total search area	314.16	1256.64	7853.98	31415.93
Total applicable area	290.27	1216.29	7758.06	31090.38
Percentage of the applicable land area classified as high or medium mature habitat availability	0%	0%	3.5%	10.5%



Water Courses

The water quality code applies to any development within 50m of a wetland or watercourse. A tributary of Dungiven Rivulet crosses the property. The tributary has an Integrated Conservation Value and Conservation Management Priority of Low in Conservation of Freshwater Ecosystems (CFEV) dataset. The tributary is dammed both up and down stream and also flows through agricultural land and Wadleys Road crosses the watercourse on the downstream boundary. The lot boundary for Lots 1 & 3 is around 30m south of the watercourse.

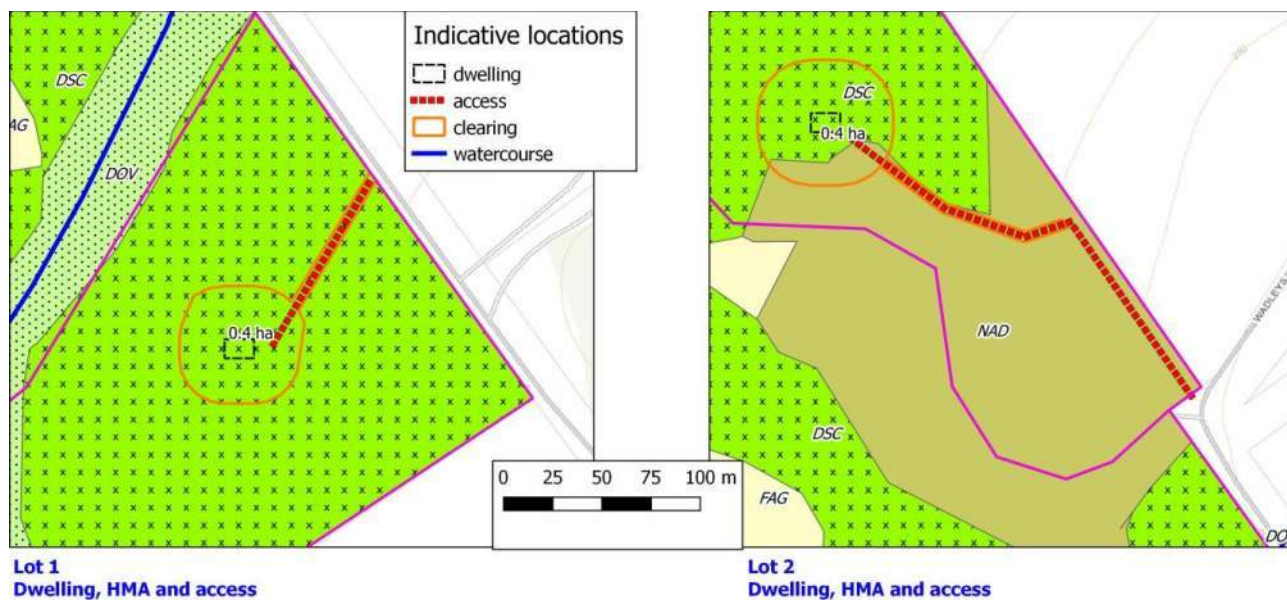
Existing Disturbance

The mapped area of agricultural land has exotic grasses and occasional thistles. Blackberry, gorse and spanish heath are widespread but occasional across the property., generally associated with past disturbance including tracks within native forest.

Proposed Development- Clearing of Vegetation

Future dwellings and access on proposed lot 1 and 2 will require clearing of native vegetation for buildings, infrastructure and hazard management areas, indicative dwelling locations, Hazard Management areas and access for BAL19 Construction require a minimum area of 0.4ha of native vegetation communities which equates to less than 10% of the native vegetation areas of Lots 1 & 2.

Clearing for residential development is exempt from the Forest Practices Code, where the clearing is approved under LUPA. Where not approved under LUPA for residential use or development, clearing in excess of 1ha in a twelve-month period on any property or any clearing within the threatened vegetation community (WVI) or stream side reserve (vulnerable land), no matter the extent, will require a Forest Practices Plan. Under the Permanent Forest Estate Policy, no more than 20ha can be cleared on a property in any 5-year period where that land is zoned other than Rural Resource.



Proposed Development- Water Quality

At least 25m either side of the watercourse is within the threatened vegetation community. If the Lot 1/3 boundary were cleared/fenced this would be around 30m from the watercourse and also cross the western section of the threatened community.

No development is likely to be required within 50m of any watercourse to allow residential associated infrastructure development and bushfire management requirements. Therefore, water quality is unlikely to be impacted unless extensive clearing of lot boundaries occurs.

Conclusions

The likely development areas for future dwellings supports native vegetation and clearing will be required. The property (Lot 1&3) supports a threatened vegetation community *Eucalyptus ovata* forest, along the watercourse. The majority of the threatened vegetation is on lot 1 which has an existing dwelling and the area is unlikely to be impacted by the subdivision. Clearing for fencing of the Lot 1/3 boundary would require works within 40m of the watercourse and also cross the threatened vegetation community. The threatened vegetation community should be excluded from any clearing for infrastructure including fencing of boundaries. There is ample area outside the threatened vegetation and riparian area on Lot 1 for dwelling, hazard management and access to avoid disturbance of the threatened community and watercourse. Lot 2 supports non threatened vegetation and clearing within that lot should have minor impact on natural values.

The title has suitable habitat for threatened flora however none were identified on the site visit and those considered to have suitable habitat are unlikely to have been missed. It is considered to be unlikely there will be any impact on threatened flora by further development.

The title has suitable habitat for several threatened fauna species, vegetation clearance for infrastructure or bushfire hazard management, may have a minor impact on foraging habitat for wide ranging species such as devils and quolls. The subdivision will have potential impact on the identified natural values including threatened fauna species, however retained vegetation on the majority of the lots and regenerating & cleared land on the property and will provide alternate habitat and therefore the impact is expected to be minimal.

REFERENCES

- Bushfire Hazard Mangement Report CT 227697-1 239 Wadleys Road Reedy Marsh (8/9/20),
Livingston Natural Resource Services
Department of Primary Industry Parks Water and Environment (DPIPWE). (accessed 24/8/2020).
Natural Values Report, Derived from the Natural Values Atlas, online database.
- DPIPWE. Thelist.tas.gov.au , spatial datasets
- DPIPWE. Tasmanian Vegetation Monitoring and Mapping Program TASVEG 3.0. Department of
Primary Industries, Parks, Water and Environment.
- Forest Practices Authority, (accessed 24/8/2020). Biodiversity *Values Database, online database.*
- Meander Valley Council. (2013). Meander Valley Council Interim Planning Scheme and overlays.

APPENDIX 1 – MAPS

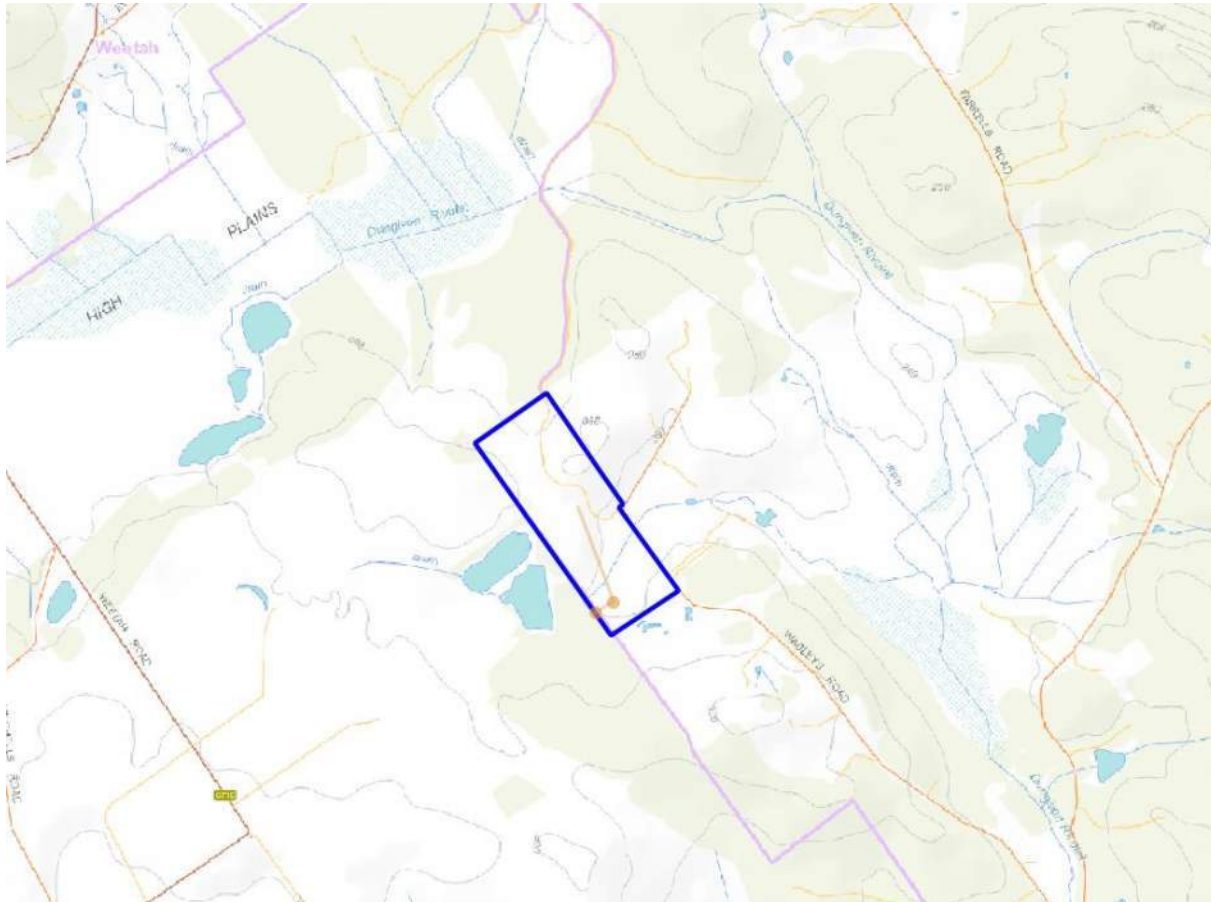
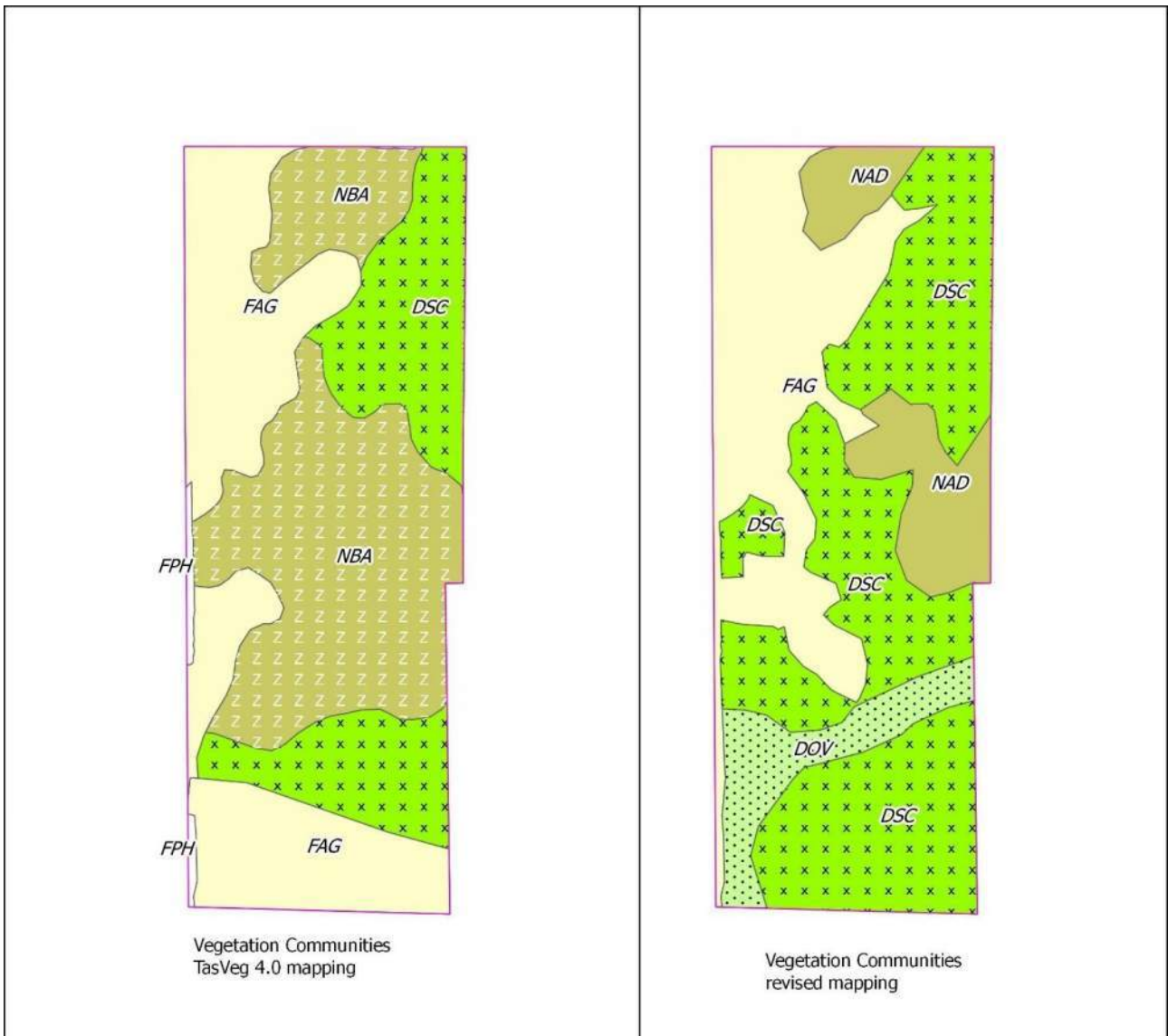


Figure 1: Location Map



Figure 2: aerial image



Vegetation Community

- Dry eucalypt forest and woodland
- DSC: Eucalyptus amygdalina - Eucalyptus obliqua damp sclerophyll forest
- DOV: Eucalyptus ovata forest and woodland
- Non-eucalypt forest and woodland
- NAD: Acacia dealbata forest
- NBA: Bursaria-Acacia woodland and scrub
- Agricultural, urban and exotic vegetation
- FAG: Agricultural land

Figure 3: Vegetation Communities

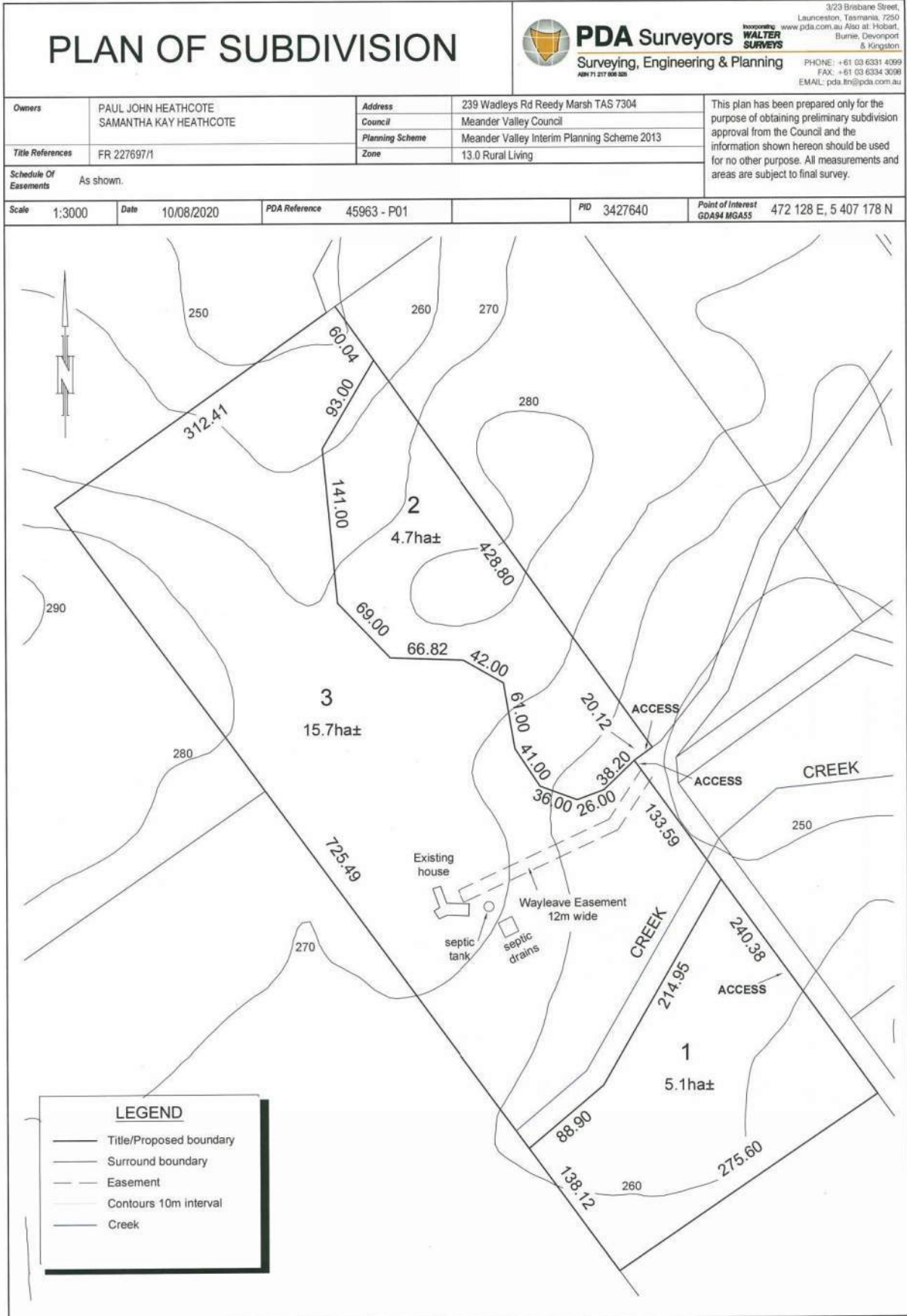


Figure 4: Plan of Subdivision



Figure 5: DSC Lot 2



Figure 6: forest and cleared land boundary Lot 2/3



Figure 7: Acacia dealbata forest on previously cleared land

APPENDIX 3 – FLORA SPECIES LIST

SPECIES NAME	COMMON NAME	STATE SCHEDULE	NATIONAL SCHEDULE	Status	Weed Status
<i>Acacia dealbata</i>	silver wattle				
<i>Acacia melanoxylon</i>	Blackwood			e	
<i>Acacia verticillata</i> subsp. <i>verticillata</i>	prickly moses				
<i>Acaena novae-zelandiae</i>	common buzzy				
<i>Banksia marginata</i>	silver banksia				
<i>Blechnum nudum</i>	fishbone waterfern				
<i>Bursaria spinosa</i>	prickly box				
<i>Cassinia aculeata</i> subsp. <i>aculeata</i>	common dollybush				
<i>Cirsium vulgare</i>	spear thistle				
<i>Coprosma quadrifida</i>	native currant				
<i>dianella tasmanica</i>	flax lily				
<i>Diplarrena moraea</i>	white flag iris				
<i>Epacris impressa</i>	common heath				
<i>Erica lusitanica</i>	spanish heath			i	Declared weed.
<i>Eucalyptus amygdalina</i>	black peppermint				
<i>Eucalyptus ovata</i>	black gum				
<i>Eucalyptus viminalis</i>	white gum				
<i>Exocarpos cupressiformis</i>	native cherry				
<i>Gahnia grandis</i>	cutting grass				
<i>Geranium solanderi</i>	southern cranesbill				
<i>Gleichenia microphylla</i>	scrambling coral fern				
<i>Hakea lissosperma</i>	needle bush				
<i>Hypochoeris radicata</i>	rough catsear			i	
<i>Hypolepis rugosula</i>	ruddy ground fern				
<i>Juncus procerus</i>	tall rush				
<i>Lepidosperma gladiatum</i>	swordsedge				
<i>Leptomeria drupacea</i>	erect currantbush				
<i>Lomandra longifolia</i>	sagg				
<i>Lomatia tinctoria</i>	guitarplant			e	
<i>Melaleuca ericifolia</i>	coast paperbark				
<i>Micrantheum hexandrum</i>	river tridentbush				
<i>Olearia myrsinoides</i>	silky daisybush				
<i>Onopordum acanthium</i>	cotton (scotch) thistle			l	Declared weed.
<i>Oxalis perennans</i>	grassland woodsorrel				
<i>Pinus radiata</i>	radiata pine			i	

<i>Poa labillardierei</i>	Silver tussock grass				
<i>Polystichum proliferum</i>	mother shield fern				
<i>Pomaderris apetala</i>	Common Dogwood				
<i>Pteridium esculentum</i>	bracken				
<i>Rubrus fruticosus agg.</i>	blackberry				declared WONS
<i>Senecio linearifolius</i>	fireweed groundsel				
<i>Ulex europaeus</i>	gorse				declared WONS
<i>Viola hederacea subsp hederacea</i>	ivyleaf violet				

APPENDIX 4 – WEEDS

Weeds within 5km

	Species	Common Name	Recorded within 500m of site (NVA)	Recorded within 5km of site (NVA)	Located on site	Notes
Weed Management Act	<i>Carduus nutans</i>	nodding thistle	~	yes		
	<i>Erica lusitanica</i>	spanish heath	~	yes	yes	occasional lot 2,3
	<i>Foeniculum vulgare</i>	fennel	~	yes		
	<i>Ilex aquifolium</i>	holly	~	yes		
	<i>Rubus echinatus</i>	blackberry	~	yes		
	<i>Rubus fruticosus</i>	blackberry	~	yes	yes	occasional
	<i>Salix matsudana</i>	sallow willow	~	yes		
	<i>Salix x fragilis nothovar. fragilis</i>	crack willow	~	yes		
	<i>Senecio jacobaea</i>	ragwort	~	yes		
	<i>Ulex europaeus</i>	gorse	~	yes	yes	occasional Lot 1

Priority Weeds	<i>Achillea millefolium</i>	yarrow	~	yes		
	<i>Equisetum hyemale</i>	rough horsetail	~	yes		
	<i>Iris pseudacorus</i>	yellow flag iris	~	yes		
	<i>Prunus laurocerasus</i>	cherry laurel	~	yes		

APPENDIX 5 – THREATENED FLORA WITHIN 5KM

Species	Common Name	SS	NS	Known within 500m	Known within 2km	Life form	Tasmanian habitat description (and distribution)	Habitat suitability
<i>Epilobium pallidiflorum</i>	showy willowherb	r?		~	~	yes	herb	<i>Epilobium pallidiflorum</i> occurs in wet places (e.g. natural wetlands amongst forest, margins of <i>Melaleuca ericifolia</i> swamp forest, scrubby- sedge <i>E. ovata</i> woodland on heavy soils, etc.) mostly in the north and north-west of the State.
<i>Euphrasia scabra</i>	yellow eyebright	e		~	~	yes	herb	<i>Euphrasia scabra</i> occurs in moist herb/sedge communities in grassy leads in marshes and in drier open grassy areas at the headwaters of creeks. Its habitat is associated with gaps created by grazing, flooding or other disturbance. It has been recorded from scattered sites throughout lowland areas of Tasmania, including the north-west coast, central north, Midlands, Eastern Tiers and around Hobart. However, it is considered to be extinct from many of these sites, and populations are low and transient in areas (Eastern Tiers and Hobart) with the greatest probability of still supporting the species.

Glycine microphylla	small-leaf glycine	v		~	~	yes	herb	Glycine microphylla occurs in dry to dampish sclerophyll forest and woodland in the north and east of the State, with outlying sites at Woolnorth.
Haloragis heterophylla	variable raspwort	r		~	~	yes yes	herb rush	<p>Haloragis heterophylla occurs in poorly-drained sites (sometimes only marginally so), which are often associated with grasslands and grassy woodlands with a high component of Themeda triandra (kangaroo grass). It also occurs in grassy/sedgy Eucalyptus ovata forest and woodland, shrubby creek lines, and broad sedgy/grassy flats, wet pasture and margins of farm dams.</p> <p>The habitat of Juncus prismatocarpus is poorly understood because of a paucity of records in Tasmania but includes sedgy/grassy margins of rivers such as the Apsley River. On the mainland it occurs in floodplain and riparian vegetation.</p>
Juncus prismatocarpus	branching rush	r		~	~			
Pimelea curviflora	curved riceflower	p		~	~	yes	shrub	Pimelea curviflora var. gracilis occurs in a range of vegetation types from wet and dry sclerophyll forest to hardwood plantations. Understories vary from open and

Pimelea curviflora var. gracilis	slender curved riceflower	r		~	~	yes	shrub	grassy to densely shrubby. It can densely colonise disturbed sites such as firebreaks, log landings and tracks.
Pomaderris phyllicifolia	narrow-leaf pomaderris	p		~	~	yes	shrub	Pomaderris phyllicifolia subsp. phyllicifolia occurs in a wide range of habitats, very strongly associated with flood-prone rocky and densely shrubby rivers but extending across broader floodplains and gentle slopes into grassy/shrubby dry sclerophyll forest.
Senecio squarrosus	leafy fireweed	r		~	~	yes	herb	Senecio squarrosus occurs in a wide variety of habitats. One form occurs predominantly in lowland damp tussock grasslands. The more widespread and common form occurs mainly in dry forests (often grassy) but extends to wet forests and other vegetation types.
Viola caleyana	swamp violet	r		~	~	yes	herb	The habitat of <i>Viola caleyana</i> in Tasmania is poorly understood but includes lowland wet grasslands, possibly wet heathlands and a variety of forest types.

APPENDIX 6 – THREATENED FAUNA

Threatened fauna recorded or with suitable habitat within 5km of the subject titles from the Natural Values Atlas (based on range boundaries).

Species	Common Name	SS	NS	Range	Known with 500m	Known with 5km	Habitat Description	Habitat suitability
Accipiter novaehollandiae	grey goshawk	e		Potential	~	y	Potential habitat for the grey goshawk is native forest with mature elements below 600 m altitude, particularly along watercourses. FPA's Fauna Technical Note 12 can be used as a guide in the identification of grey goshawk habitat. Significant habitat for the grey goshawk may be summarised as areas of wet forest, rainforest and damp forest patches in dry forest, with a relatively closed mature canopy, low stem density, and open understorey in close proximity to foraging habitat and a freshwater body (i.e. stream, river, lake, swamp, etc.). FPA's Fauna Technical Note 12 can be used as a guide in the identification of grey goshawk habitat.	no suitable habitat

Aquila audax subsp. fleayi	tasmanian wedge-tailed eagle	e	EN	Potential	~	y	Potential habitat for the wedge-tailed eagle comprises potential nesting habitat and potential foraging habitat. Potential foraging habitat is a wide variety of forest (including areas subject to native forest silviculture) and non-forest habitats. Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest. Nest trees are usually amongst the largest in a locality. They are generally in sheltered positions on leeward slopes, between the lower and mid sections of a slope and with the top of the tree usually lower than the ground level of the top of the ridge, although in some parts of the State topographic shelter is not always a significant factor (e.g. parts of the northwest and Central Highlands). Nests are usually not constructed close to sources of disturbance and nests close to disturbance are less productive. More than one nest may occur within a territory but only one is used for breeding in any one year. Breeding failure often promotes a change of nest in the next year. [see FPA's Fauna Technical Note 1 and FPA's Fauna Technical Note 6 for more information]Significant habitat for the wedge-tailed eagle is all native forest and native non-forest vegetation within 500 m or 1 km line-of-sight of known nest sites (where the nest tree is still present).	possible foraging, no suitable nesting sites
Catadromus lacordairei	Green-lined ground beetle	v		Potential	~		Open grassy low altitude woodland associated with wetlands. beetles occur beneath stones and woody debris and may also be found sheltering and hunting within the fissures of basaltic clay soils	no suitable habitat
Dasyurus maculatus subsp. maculatus	spotted-tail quoll	r	VU	Core	~	y	Potential habitat for the spotted-tailed quoll is coastal scrub, riparian areas, rainforest, wet forest, damp forest, dry forest and blackwood swamp forest (mature and regrowth), particularly where structurally complex areas are present, and includes remnant patches in cleared agricultural land or plantation areas. Significant habitat for the spotted-tailed quoll is all potential denning habitat within the core range of the species. Potential denning habitat for the spotted-tailed quoll includes 1) any forest remnant (>0.5ha) in a cleared or plantation landscape that is structurally complex (high canopy, with dense understorey and ground vegetation cover), free from the risk of inundation, or 2) a rock outcrop, rock crevice, rock pile, burrow with a small entrance, hollow logs, large piles of coarse woody debris and caves. FPA's Fauna Technical Note 10 can be used as a guide in the identification of potential denning habitat.	possible foraging, no suitable denning sites

Dasyurus viverrinus	eastern quoll		EN	Core	~	y	Potential habitat for the Eastern quoll includes rainforest, heathland, alpine areas and scrub. However, it seems to prefer dry forest and native grassland mosaics which are bounded by agricultural land. Potential range for the Eastern Quoll is the whole of mainland Tasmania and Bruny Island. Core range for the Eastern Quoll is a specialist-defined area based primarily on modelling work published in Fancourt et al 2015 and additional expert advice.	possible foraging, no suitable denning sites
Engaeus granulatus	Central North burrowing crayfish	e	EN	Potential	~		Occupies seeps, wetlands and stream banks in relatively undisturbed habitats. The species is only rarely seen above ground or in standing water. Their burrows exhibit characteristic chimneys of pelleted soil. only occurs in central north Tasmania.	suitable habitat outside known catchment

Galaxias fontanus	swan galaxias	e	EN	Potential	~	<p>Potential habitat for the Swan Galaxias is slow to moderately fast flowing streams containing permanent water (even when not flowing), which have good instream cover from overhanging banks and/or logs, and shade from overhanging vegetation. A population can only be maintained where barriers have prevented establishment of trout and redfin perch. The nature of these barriers is variable and can include permanent natural structures such as waterfalls and chutes and also low flow-dependent features such as marshes, ephemeral water-losing and remnant channels, braided channel floodplain features. Significant habitat for the Swan galaxias is all potential habitat and a 30m stream-side reserve within the core range. This includes the Wildlife Priority Areas (Fauna Special Management Zones) on the upper Swan River, Tater Garden Creek and upper Blue Tier Creek, and other upper catchments of tributaries of the Macquarie, Blackman and Isis Rivers.</p>	no suitable habitat
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Haliaeetus leucogaster	white-bellied sea-eagle	v		Potential	~	<p>Potential habitat for the White-Bellied Sea-eagle species comprises potential nesting habitat and potential foraging habitat. Potential foraging habitat is any large waterbody (including sea coasts, estuaries, wide rivers, lakes, impoundments and even large farm dams) supporting prey items (fish). Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest within 5 km of the coast (nearest coast including shores, bays, inlets and peninsulas), large rivers (Class 1), lakes or complexes of large farm dams. Scattered trees along river banks or pasture land may also be used. Significant habitat for the white-bellied sea-eagle is all native forest and native non-forest vegetation within 500 m or 1 km line-of-sight of known nest sites (where nest tree still present).</p>	possible foraging, no suitable nesting sites
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Lathamus discolor	swift parrot	e	CR	Potential	~	<p>Potential breeding habitat for the Swift Parrot comprises potential foraging habitat and potential nesting habitat, and is based on definitions of foraging and nesting trees (see Table A in swift parrot habitat assessment Technical Note). Potential foraging habitat comprises E. globulus or E. ovata trees that are old enough to flower. The occurrence of foraging-habitat can be remotely assessed, although only to a limited extent, by using mapping layers such as GlobMap (DPIPWE 2010). Due to the scale and inadequacies in current foraging-habitat mapping, potential foraging-habitat density within operational areas may need to be largely identified by ground-based surveys as per Table B in the swift parrot habitat assessment Technical Note. For management purposes potential nesting habitat is considered to comprise eucalypt forests that contain hollow-bearing trees. The FPA mature habitat availability map (see Technical Note 2) predicts the availability of hollow-bearing trees using the relevant definitions of habitat provided in Table C of the swift parrot habitat assessment Technical Note. The mature habitat availability map is designed to be used to make landscape-scale assessments and may not be reliable for stand-level assessments required during the development of a Forest Practices Plan. At the stand-level the availability and distribution of hollow-bearing trees across a coupe or operation area is best determined from a ground-based assessment (see Table C in the swift parrot habitat assessment Technical Note). Significant habitat is all potential breeding habitat within the SE potential breeding range and the NW breeding areas.</p>	suitable foraging, E. ovata
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Litoria raniformis	green and gold frog	v	VU	Core	~	y	Potential habitat for the green and gold frog is permanent and temporary waterbodies, usually with vegetation in or around them. Potential habitat includes features such as natural lagoons, permanently or seasonally inundated swamps and wetlands, farm dams, irrigation channels, artificial water-holding sites such as old quarries, slow-flowing stretches of streams and rivers and drainage features. Significant habitat for the green and gold frog is still or very slow flowing water bodies, with at least some vegetation, and a lack of obvious pollutants (oils, chemicals, etc). See FPA Fauna Technical Note 18 for further guidance on assessing significant habitat for the green and gold frog.	marginal habitat in watercourse
Perameles gunnii	eastern barred bandicoot		VU	Potential	~		Potential habitat for the eastern barred bandicoot is open vegetation types including woodlands and open forests with a grassy understorey, native and exotic grasslands, particularly in landscapes with a mosaic of agricultural land and remnant bushland. Significant habitat for the Eastern Barred Bandicoot is dense tussock grass-sagg-sedge swards, piles of coarse woody debris and denser patches of low shrubs (especially those that are densely branched close to the ground providing shelter) within the core range of the species.	marginal habitat
Prototroctes maraena	australian grayling	v	VU	Potential	~		All streams and rivers in their lower to middle reaches. Areas above permanent barriers that prevent fish migration are not potential habitat	no suitable habitat
Pseudemoia pagenstecheri	tussock skink	v		Potential	~		Potential habitat for the tussock skink is grassland and grassy woodland (including rough pasture with paddock trees), generally with a greater than 20% cover of native grass species, especially where medium to tall tussocks are present.	no suitable habitat
Pseudemoia rawlinsoni	glossy grass skink			Potential			Potential habitat for the Glossy Grass Skink is wetlands and swampy sites (including grassy wetlands, teatree swamps and grassy sedglands), and margins of such habitats.	marginal habitat in riparian areas

Sarcophilus harrisii	tasmanian devil	e	EN	Potential	~	y	<p>Potential habitat for the Tasmanian devil is all terrestrial native habitats, forestry plantations and pasture. Devils require shelter (e.g. dense vegetation, hollow logs, burrows or caves) and hunting habitat (open understorey mixed with patches of dense vegetation) within their home range (4-27 km²).</p> <p>Significant habitat for the Tasmanian devil is a patch of potential denning habitat where three or more entrances (large enough for a devil to pass through) may be found within 100 m of one another, and where no other potential denning habitat with three or more entrances may be found within a 1 km radius, being the approximate area of the smallest recorded devil home range (Pemberton 1990).</p> <p>Potential denning habitat for the Tasmanian devil is areas of burrowable, well-drained soil, log piles or sheltered overhangs such as cliffs, rocky outcrops, knolls, caves and earth banks, free from risk of inundation and with at least one entrance through which a devil could pass. FPA's Fauna Technical Note 10 can be used as a guide in the identification of potential denning habitat</p>	possible foraging, no suitable denning sites
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Tyto novaehollandiae subsp. castanops	masked owl (tasmanian)	e	VU	Core	~	y	<p>Potential habitat for the masked owl is all areas with trees with large hollows (≥15 cm entrance diameter). Remnants and paddock trees (in any dry or wet forest type) in agricultural areas may also constitute potential habitat.</p> <p>Significant habitat for the masked owl is any area of native dry forest, within the core range, with trees with large hollows (≥15 cm entrance diameter). Remnants and paddock trees (in any dry or wet forest type) in agricultural areas may also constitute significant habitat.</p> <p>See FPA Fauna Technical Note 17 for guidance on assessing masked owl habitat using 'on-ground' and remote methods.</p>	possible foraging, no suitable nesting sites
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Bushfire Hazard Management Report: Subdivision

Report for: PDA Surveyors

Property Location: 239 Wadleys Road, Reedy Marsh

Prepared by: Scott Livingston

Livingston Natural Resource Services
12 Powers Road
Underwood, 7268

Date: 8th September 2020



Client: PDA Surveyors

239 Wadleys Road, Reedy Marsh, CT 227697/1 PID 34277640.

Property identification: Current zoning: Rural Living, Meander Valley Interim Planning Scheme 2013.

Proposal: 3 Lot subdivision from 1 existing title.

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

Assessment by: Scott Livingston

Master Environmental Management, Natural Resource Management Consultant.

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

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LIMITATIONS

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

DESCRIPTION

A 3 lot subdivision is proposed from existing title CT 227697/1at 239 Wadleys Road, Reedy Marsh. Lot 1 will be 5.1ha, Lot 2 4.7ha and both have no buildings, Lot 3 will be 15.7ha and contains an existing dwelling. The dwelling has an existing BHMP, certified by Gabriel Barnes, BFP#101, 1/2/2017, with a construction rating of BAL 12.5. The property is zoned Rural Living, *Meander Valley Planning Scheme, 2013*.

The property is a mix of forest and cleared land, with portions of the cleared land regenerating to native species. Surrounding land is a mosaic of forest, with grassland patches and low threat vegetation around dwellings. The proposed lots have frontage to Wadleys Road. The area is not serviced by a reticulated water supply.

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

BAL AND RISK ASSESSMENT

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

VEGETATION AND SLOPE

		North East	South East (western section)	South East (eastern section)	South West	North West
1	Vegetation within 100m lot boundaries	0-10m road, 10-100m forest	0-100m forest	0-100m grassland	0-100m grassland with majority large irrigation dam	0-100m forest
	Slope (degrees, over 100m)	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope
	BAL Rating at boundary	BAL FZ	BAL FZ	BAL FZ	BAL FZ	BAL FZ
	BAL Rating with setbacks and HMA	BAL 19	BAL 19	BAL 19	BAL 19	BAL 19

		North East	South East	South West	North West
2	Vegetation within 100m lot boundaries	0-10m grassland (fence clearing) , 10-100m forest	0-6m road, 6-15m grassland, 15-100m forest	0-6m road, 6-100m forest, with grassland in centre section	0-60m forest, 60-100m grassland
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Downslope 0-5°	Downslope 0-5°
	BAL Rating at boundary	BAL FZ	BAL 29	BAL FZ	BAL FZ
	BAL Rating with setbacks and HMA	BAL 19	BAL 19	BAL 19	BAL 19

		North East	South East	South West	North West
3	Vegetation within 100m of existing dwelling	0-23m low threat, 23-100m grassland/ woodland mix	0-18m low threat, 18-100m woodland	0-38m low threat, 28-100m grassland	0-20m low threat, 20-100m woodland with some grassland grassland
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating with HMA	BAL 19	BAL 19	BAL 12.5	BAL 19

BUILDING AREA BAL RATING

Setback distances for BAL Ratings have been calculated based on the vegetation that will exist after development and have also considered slope gradients. During development it is assumed adjacent lots may be managed as up to forest fuel loads.

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

The BAL ratings applied are in accordance with the Australian Standard AS3959-2009, *Construction of Buildings in Bushfire Prone Areas*, and it is a requirement that any habitable

building, or building within 6m of a habitable building be constructed to the BAL ratings specified in this document as a minimum.

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

Setbacks

	Grassland	Forest
BAL 12.5		
Upslope and flat	14m	32m
Downslope 0- 5°	16m	38m
BAL 19		
Upslope and flat	10m	23m
Downslope 0- 5°	11m	27m

PROPOSED LOT BAL RATING

Lots 1 and 2 have a potential building area at BAL 19, reduced building area would be available at BAL 12.5 with increased setbacks and hazard management.

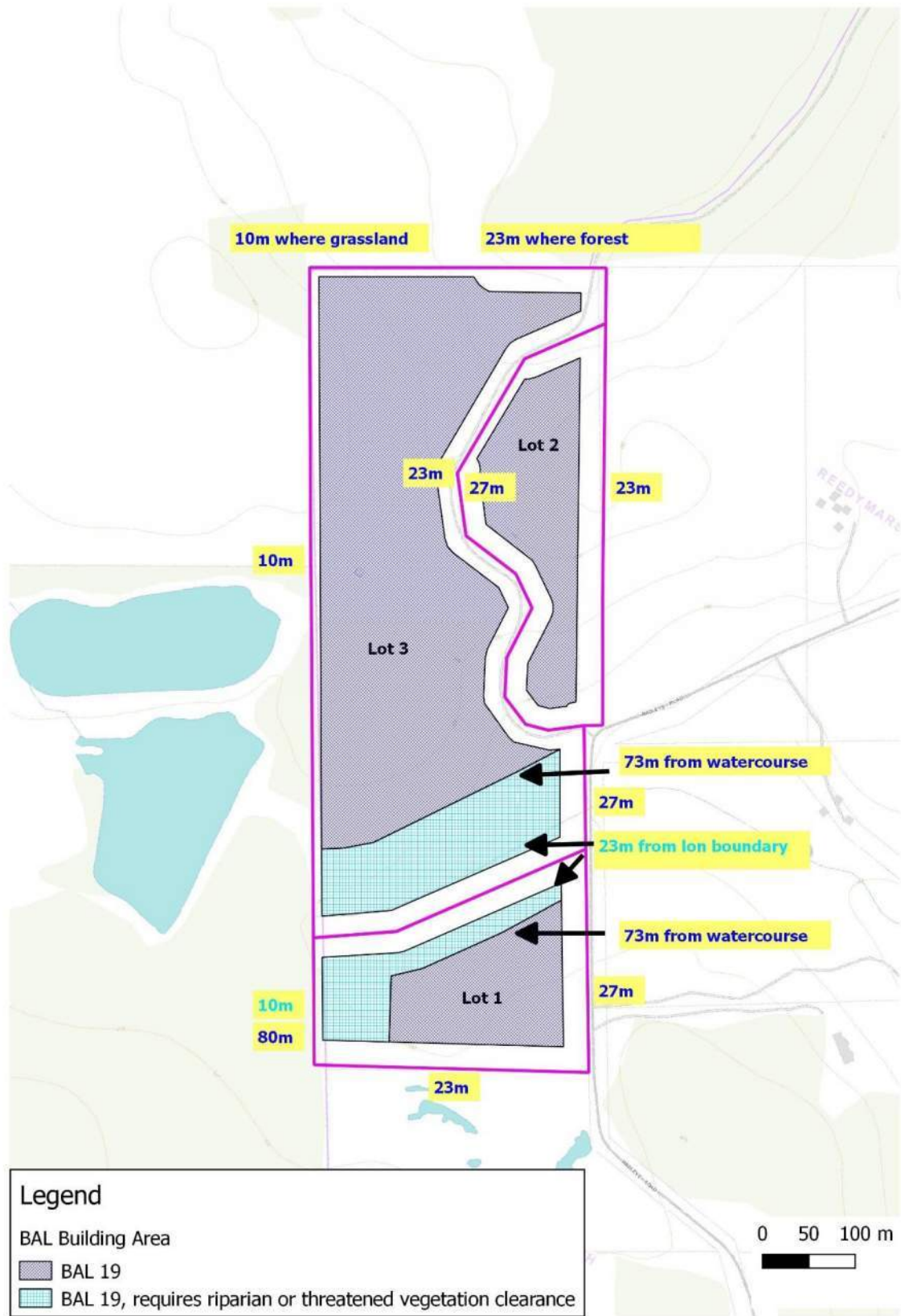


Figure 1: Building Area BAL19

HAZARD MANAGEMENT AREAS

All land within the distances shown below must be managed as no higher fuel load than the following:

- Low threat vegetation includes maintained lawns (mown to < 100mm), gardens and orchards.
- Forest- no fuel management required

Lot 1 & 2: Construction to BAL 19:

Slope	Managed Land - Low Threat Vegetation	Forest
Upslope and flat	0-23m	>23m
Downslope 0- 5°	0-27m	>27m

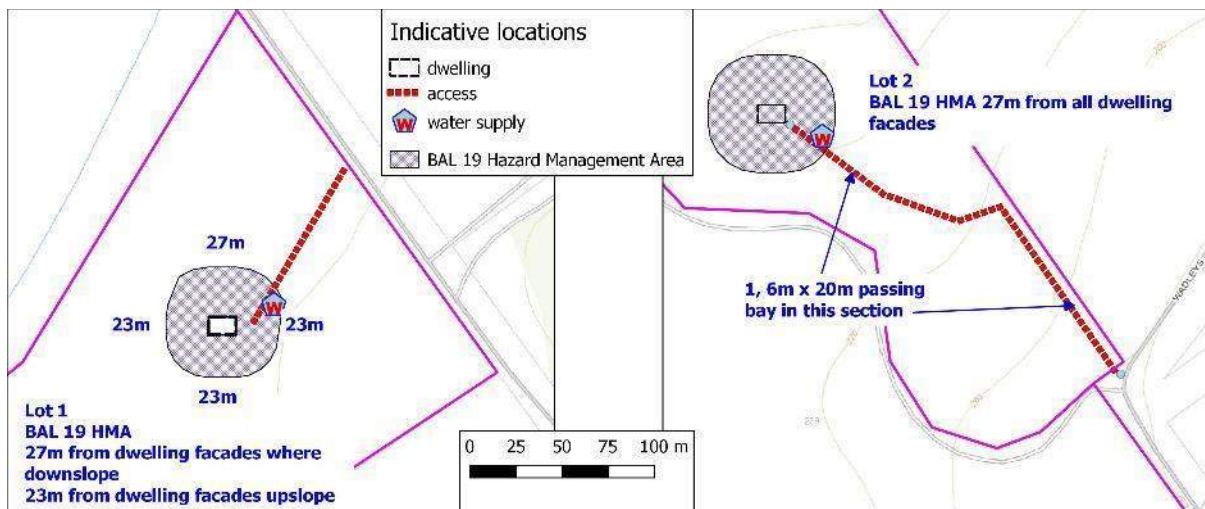


Figure 2: Hazard Management Area, Lots 2 & 3

Lot 3 Hazard Management Area: Existing Dwelling

The hazard management areas as described in BHMP for the dwelling (Barnes BFP#101, certified 1/2/2017) for the existing dwelling on Lot 3 is to continue to apply in perpetuity. From aerial imagery it appears currently managed land requires slight extension to the North east, south and north west of the dwelling to achieve the required setbacks, the distances should be re checked on site as additional management may have occurred since aerial imagery date and HMA increased if required.

PROPERTY ACCESS

Access to lots must comply with the relevant elements of Table E2 Access from the *Planning Directive No. 5.1 Bushfire-Prone Areas Code*. Access to all lots is greater than 30m and access to water supplies will be required. Access to Lot 1 is unlikely to be greater than 200m unless to the western extents of the lot. Access to Lot 2 is likely to be greater than 200m, and a passing bay will be required.

Existing access to lot 3 is compliant, with the exception of access to water supply point, which is currently 10m from the access, an additional hard stand area should be installed to within 3m of the offtake.

Table E2: Standards for Property Access

Column 1 Element		Column 2 Requirement
A.	Property access length is less than 30 metres; or access is not required for a fire appliance to access a water	There are no specified design and construction requirements.

B.	Property access length is 30 metres or greater; or access for a fire appliance to a water connection point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (1) All-weather construction; (2) Load capacity of at least 20 tonnes, including for bridges and culverts; (3) Minimum carriageway width of 4 metres; (4) Minimum vertical clearance of 4 metres; (5) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (6) Cross falls of less than 3 degrees (1:20 or 5%); (7) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (8) Curves with a minimum inner radius of 10 metres; (9) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (10) Terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> (a) A turning circle with a minimum inner radius of 10 metres; or (b) A property access encircling the building; or (c) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.
C.	Property access length is 200 metres or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (1) The Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.
D.	Property access length is greater than 30 metres, and access is provided to 3 or	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (1) Complies with Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

FIRE FIGHTING WATER SUPPLY

The subdivision is not serviced by a reticulated supply.

Lot 3 dwelling has an existing 110,160 L water supply, with domestic offtake above the fire fighting supply level, the tank and capacity are compliant however access (hard stand), the inclusion of a Storz 65 mm coupling and signage are required to be meet compliant standards. This must be amended prior to sealing of titles. Note the supply point is south of the location shown on the existing BHMP.

New habitable buildings on any lot must have a static water installed to the standards listed in Table E5 prior to commencement of construction.

Column 1 Element		Column 2 Requirement
A.	Distance between building area to be protected and water supply	<p>The following requirements apply:</p> <ul style="list-style-type: none"> a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and b) The distance must be measured as a hose lay, between the water point and the furthest part of the building area.
B.	Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> a) May have a remotely located offtake connected to the static water supply; b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; d) Must be metal, concrete or lagged by non-combustible materials if above ground; and e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.

Column Element		Column 2 Requirement
C.	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a water connection point for a static water supply must:</p> <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with <i>AS/NZS 3500.1-2003 Clause 5.23</i>); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) Visible; (ii) Accessible to allow connection by fire fighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles
D.	Signage for static water connections	<p>The water connection point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must</p> <ul style="list-style-type: none"> (a) comply with: Water tank signage requirements within <i>AS 2304-2011 Water storage tanks for fire protection systems</i>; or (b) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or (c) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.

Column Element		Column 2 Requirement
E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> (a) No more than three metres from the water connection point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres constructed to the same standard as the carriageway; and (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

CONCLUSIONS

A 3 lot subdivision is proposed from existing title CT 227697/1at Wadleys Road, Reedy Marsh. The area is bushfire prone, being less than 100m from vegetation greater than 1ha in size, (grassland and forest).

There is sufficient area on lots to provide for BAL 19 habitable dwellings and will require a hazard management area – low threat vegetation on land adjacent to habitable buildings. Smaller building areas would be available for BAL 12.5 construction with increased setbacks from boundaries and hazard management areas. Construction of habitable buildings within 73m of the water course would require removal of riparian and or threatened vegetation communities and need approval from council.

Lot 3 contains an existing dwelling which is covered by a BHMP, the requirements of that BHMP remain in place with Hazard Management areas for BAL 12.5. Currently managed land should be re checked on site to ensure the required setbacks are in place.

No additional roads are required, access to habitable buildings and water supply on lots must comply with the relevant elements of Table E2 Access from the *Planning Directive No. 5.1 Bushfire-Prone Areas Code*. The access to lot 2 is likely to be greater than 200m and require a passing bay on the existing access.

Habitable buildings must have a static water supply installed to the standards listed in Table 4 of the *Planning Directive No. 5.1 Bushfire-Prone Areas*. The water supply for Lot 3 must have access to provide hardstand within 3m of the water supply, signage and fittings upgraded prior to sealing of titles. Water supply for new habitable buildings must be installed prior to commencement of construction.

Upgrades to existing access to provide hardstand within 3m of the water supply point for Lot 3 must be completed prior to sealing of titles. Access for new habitable buildings must meet requirements prior to commencement of construction, including a passing bay on the existing access to Lot 2

REFERENCES

Bushfire Hazard Management Plan 239 Wadleys Road , Castellan Consulting, 1/2/2017

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

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

Planning Commission (2017), *Planning Directive No. 5.1 Bushfire-Prone Areas Code*

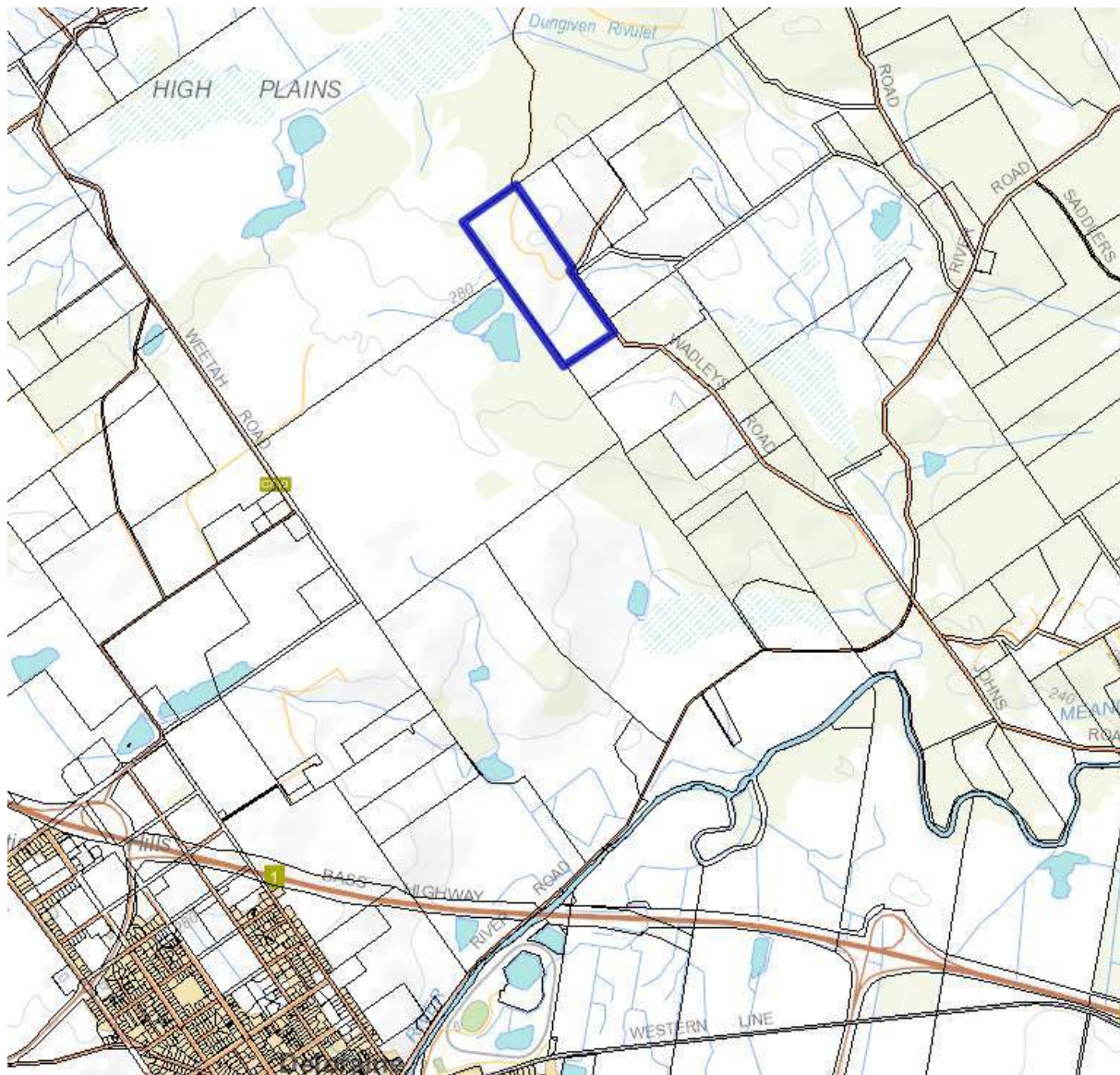


Figure 5: Location, property in blue



Figure 6: Aerial Image

PLAN OF SUBDIVISION



PDA Surveyors
 Surveying, Engineering & Planning
 ABN 71 217 608 325

3/23 Brisbane Street,
 Launceston, Tasmania, 7250
 www.pda.com.au Also at: Hobart,
 Burnie, Devonport
 & Kingston.
 PHONE: +61 03 6331 4099
 FAX: +61 03 6334 3098
 EMAIL: pda.ltn@pda.com.au

Owners	PAUL JOHN HEATHCOTE SAMANTHA KAY HEATHCOTE	Address	239 Wadleys Rd Reedy Marsh TAS 7304	This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.			
Title References	FR 227697/1	Council	Meander Valley Council				
Schedule Of Easements	As shown.	Planning Scheme	Meander Valley Interim Planning Scheme 2013				
Scale	1:3000	Zone	13.0 Rural Living				
Date	10/08/2020	PDA Reference	45963 - P01	PID	3427640	Point of Interest GDA94 MGA55	472 128 E, 5 407 178 N

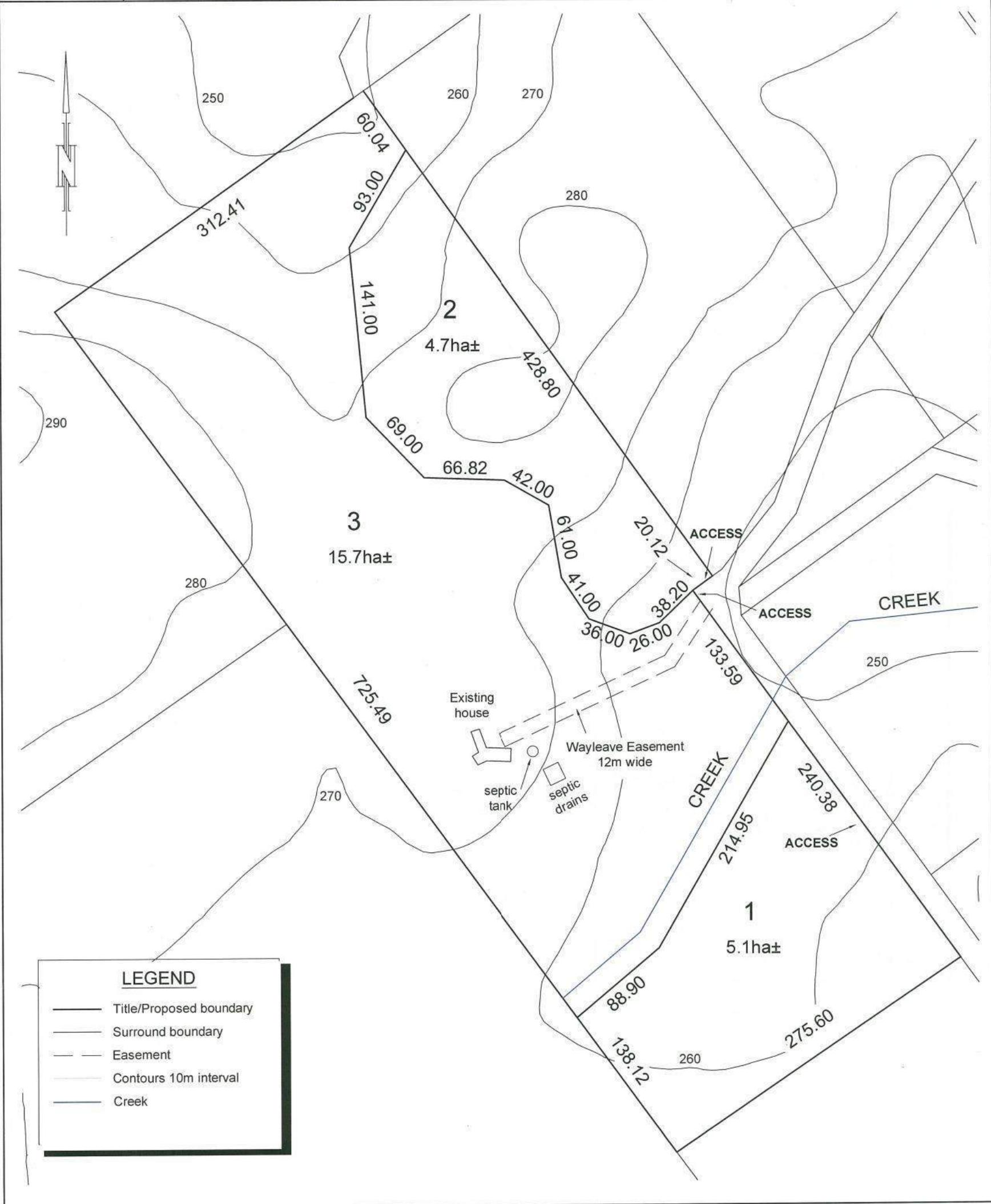


Figure 7: Proposed Subdivision Plan



Figure 8: existing water supply Lot 3 dwelling



Figure 9: existing access to Lots 2 & 3



Figure 10: south along boundary Lot 2 &3

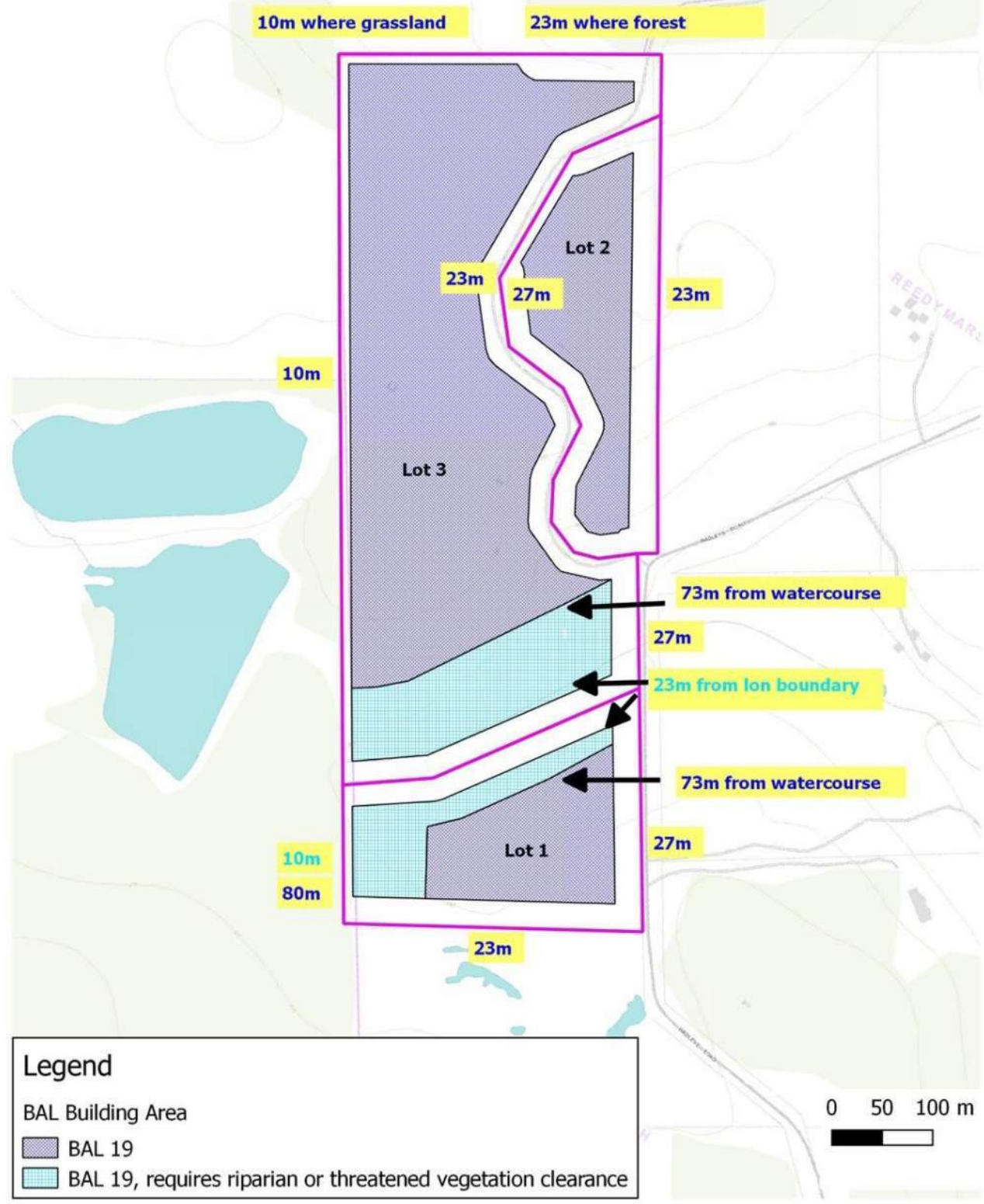


Figure 11: Lot 2 existing vegetation

Bushfire Hazard Management Plan:

Building Area: BAL 19

Set backs from boundaries



Proposed Development	Subdivision, 3 lots from 1 lot
Plan of Subdivision	PDA Surveyors Plan of Subdivision, PO110/8/2020
Property Owner	P & S Heathcote
Address	239 Wadleys Raod, Reedy Marsh
CT	227697/1
PID	34277640

Construction: BAL 19

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

Building setbacks / BAL ratings apply to habitable buildings (Class 1, 2 3, 8 or 9) and class 10a buildings within 6m of a habitable building.

This BHMP has been prepared to satisfy the requirements of the *Meander Valley Planning Scheme, 2013* and *Planning Directive No. 5.1 Bushfire-Prone Areas Code*.

This plan should be read in conjunction with the report titled: Bushfire Hazard Management Report CT 227697-1. 239 Wadleys Road Reedy Marsh , Livingston Natural Resource Services , 8/9/2020 and Bushfire Hazard Management Plan 239 Wadleys Road, Castellán Consulting. 1/2/2017.

Scott Livingston
 Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
 Date 8/9/2020

SRL20/53S 

Hazard Management Areas (HMA)

Hazard management areas include the area to protect the buildings as well as the access and water supplies.

All land within the area shown below is to be managed and maintained in a minimum fuel condition.

Hazard Management Areas for new habitable buildings must be in place prior to commencement of construction

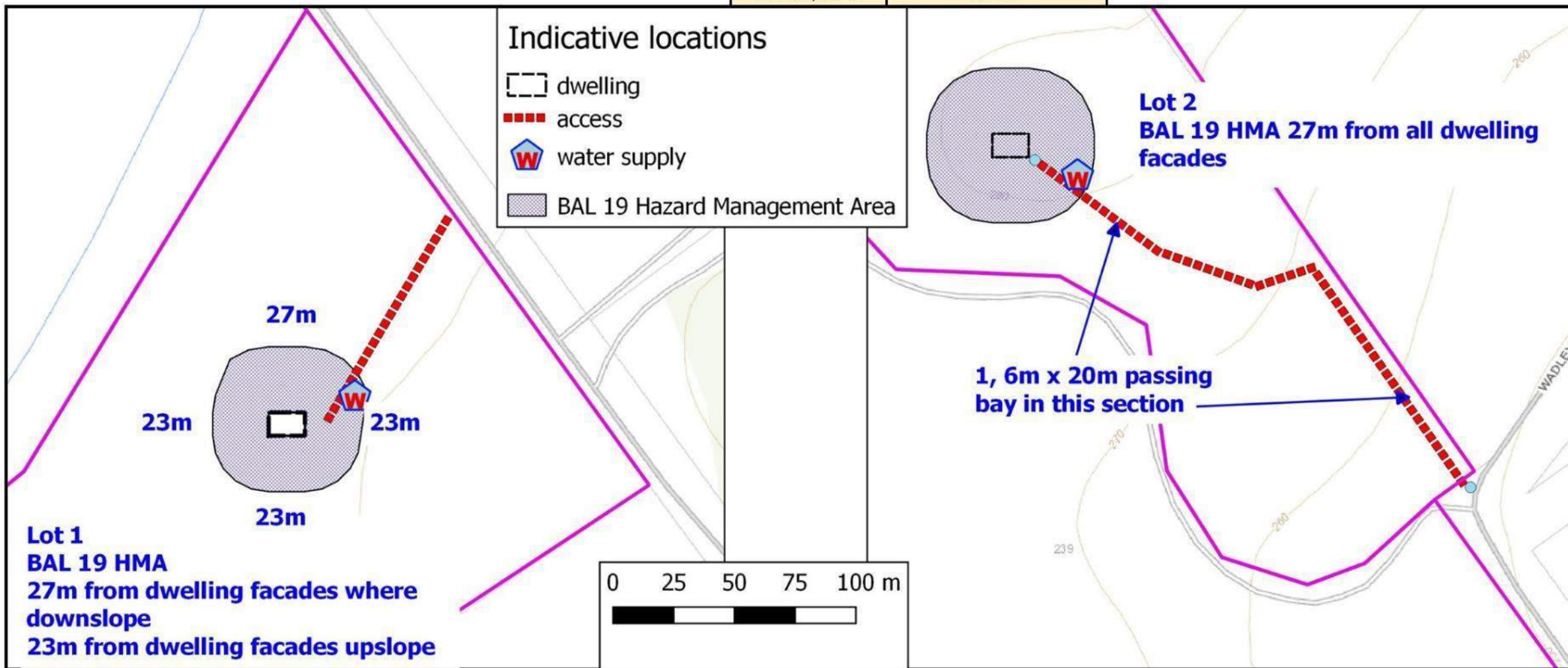
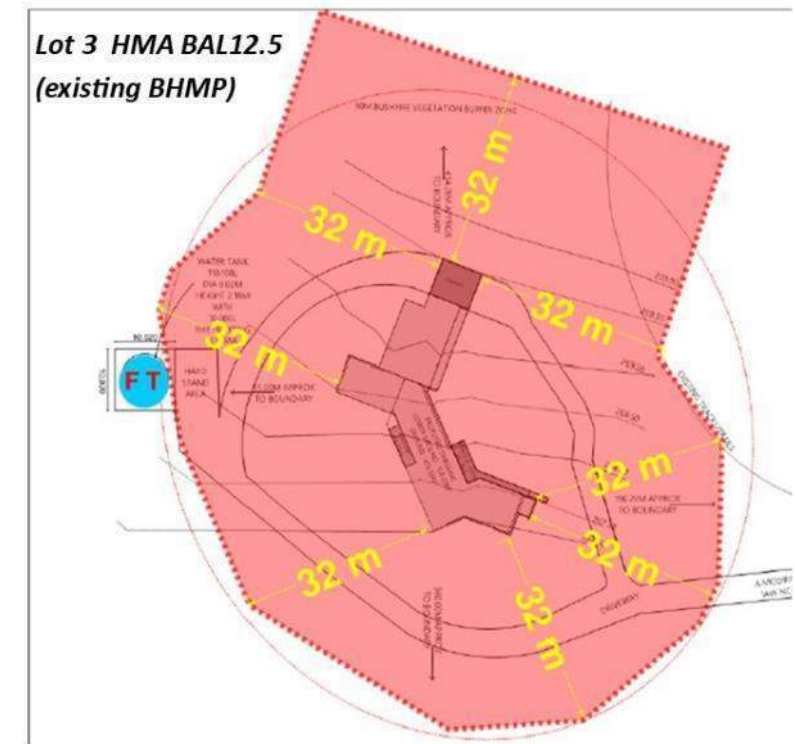
The owner of a lot is responsible for management of fuels on their lot.

Maintenance Schedule:

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

Slope	Managed Land - Low Threat Vegetation
Upslope and flat	0-23m
Downslope 0- 5°	0-27m

Hazard Management Areas on Lot 3 must to be maintained as per existing BHMP for the dwelling from sealing of titles and in perpetuity.



Scott Livingston
Accreditation: BFP – 105:
1, 2, 3A, 3B, 3C
Date 8/9/2020
SRL20/535

Water Supply

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

Water supply on Lot 1 must meet requirements prior to sealing of titles.

The following requirements apply:

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

A static water supply:

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

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

- a. have a minimum nominal internal diameter of 50mm;
- b. be fitted with a valve with a minimum nominal internal diameter of 50mm;
- c. be metal or lagged by non-combustible materials if above ground;
- d. if buried, have a minimum depth of 300mm¹;
- e. provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;
- f. ensure the coupling is accessible and available for connection at all times;
- g. ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);
- h. ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and
- i. if a remote offtake is installed, ensure the offtake is in a position that is:
 - i. visible;
 - ii. accessible to allow connection by fire fighting equipment;
 - iii. at a working height of 450 – 600mm above ground level; and
 - iv. protected from possible damage, including damage by vehicles.

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

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

A hardstand area for fire appliances must be:

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

Property Access

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

The following design and construction requirements apply to property access:

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

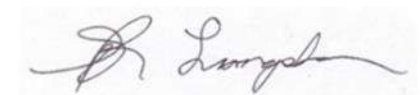
K. Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres

Water supply and access for existing dwelling on Lot 3 must meet requirements prior to sealing of titles.

Water supply and access to a new habitable buildings must meet requirements prior commencement of construction of a new habitable building.

Scott Livingston
Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
Date 8/9/2020

SRL20/53S



BUSHFIRE-PRONE AREAS CODE

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

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

239 Wadleys Road, Reedy Marsh

Certificate of Title / PID:

CT 227697/1/ PID 34277640

2. Proposed Use or Development

Description of proposed Use and Development:

3 lot subdivision from 1 existing title

Applicable Planning Scheme:

Meander Valley Interim Planning Scheme 2013

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management Report, CT 227697-1 239 Wadleys Road Reedy Marsh	Scott Livingston	8/9/2020	1
Bushfire Hazard Management Plan, CT 227697-1 239 Wadleys Road Reedy Marsh	Scott Livingston	8/9/2020	1
Plan of Subdivision	PDA Surveyors	10/8/2020	P01

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

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/>	E1.4 / C13.4 – Use or development exempt from this Code	
	Compliance test	Compliance Requirement
<input type="checkbox"/>	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>

<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table

<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective
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5. Bushfire Hazard Practitioner

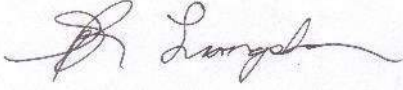
Name:	Scott Livingston	Phone No:	0438 951 021
Postal Address:	12 Powers Road	Email Address:	scottlivingston.lnra@gmail.com
Accreditation No:	BFP – 105	Scope:	1, 2, 3A, 3B, 3C

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name:

Scott Livingston

Date: 8/9/2020

Certificate Number: SRL 20/53S

(for Practitioner Use only)

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM**

Section 321

Form **55**

To: *Owner /Agent*

Address

Suburb/postcode

Qualified person details:

Qualified person:

Address: *Phone No:*

Fax No:

Licence No: *Email address:*

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

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

Details of work:

Address:

Lot No:

Certificate of title No:

The assessable item related to this certificate:

(description of the assessable item being certified)

Assessable item includes –

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

Certificate details:

Certificate type:

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

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

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

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:

Relevant

calculations:

Australian Standard 3959

- Planning Directive No.5.1
- Building Amendment Regulations 2016
- Director of Building Control, Determination
 - Application of Requirements for Building in Bushfire Prone Areas. (Aug 2017)
- Guidelines for development in bushfire prone areas of Tasmania

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

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

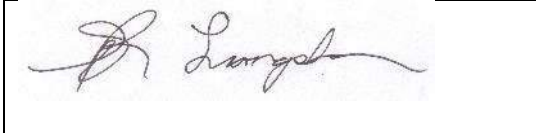
Assessed as -BAL 19

2. Bushfire Hazard Management Plan

Proposal is compliant with DTS requirements, clauses 4.1, 4.2, 4.3 & 4.4 Directors Determination Requirements for Building in Bushfire Prone Areas (v2.1)

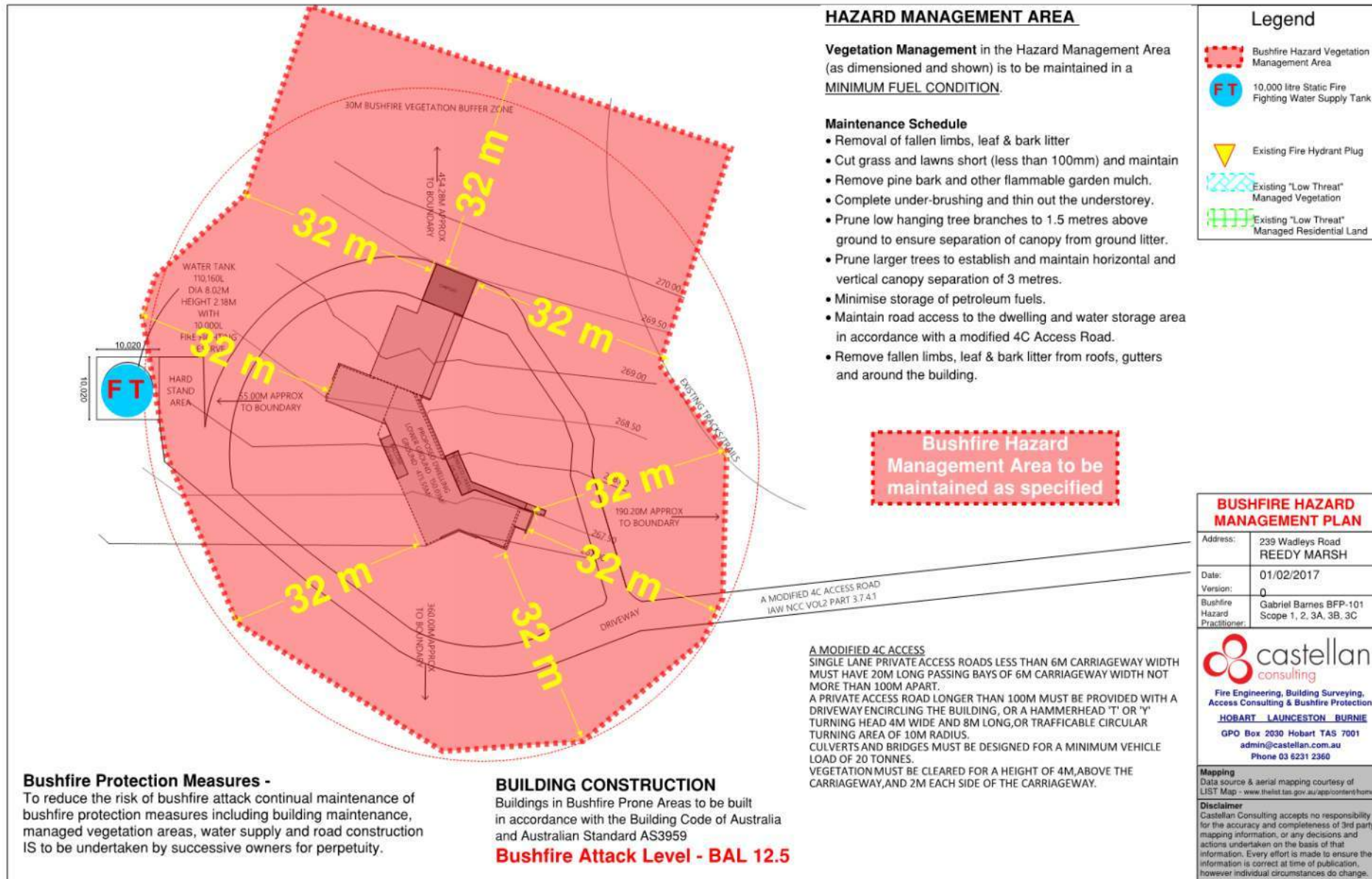
Scope and/or Limitations

I certify the matters described in this certificate.

	<i>Signed:</i>	<i>Certificate No:</i>	<i>Date:</i>
Qualified person:		SRL20/53S	8/9/2020

Bushfire Hazard Management Plan existing Dwelling Lot 3

7. Bushfire Hazard Management Plan



HAZARD MANAGEMENT AREA

Vegetation Management in the Hazard Management Area (as dimensioned and shown) is to be maintained in a **MINIMUM FUEL CONDITION**.

Maintenance Schedule

- Removal of fallen limbs, leaf & bark litter
- Cut grass and lawns short (less than 100mm) and maintain
- Remove pine bark and other flammable garden mulch.
- Complete under-brushing and thin out the understorey.
- Prune low hanging tree branches to 1.5 metres above ground to ensure separation of canopy from ground litter.
- Prune larger trees to establish and maintain horizontal and vertical canopy separation of 3 metres.
- Minimise storage of petroleum fuels.
- Maintain road access to the dwelling and water storage area in accordance with a modified 4C Access Road.
- Remove fallen limbs, leaf & bark litter from roofs, gutters and around the building.

Legend

- Bushfire Hazard Vegetation Management Area
- 10,000 litre Static Fire Fighting Water Supply Tank
- Existing Fire Hydrant Plug
- Existing "Low Threat" Managed Vegetation
- Existing "Low Threat" Managed Residential Land

Bushfire Hazard Management Area to be maintained as specified

Bushfire Protection Measures -

To reduce the risk of bushfire attack continual maintenance of bushfire protection measures including building maintenance, managed vegetation areas, water supply and road construction IS to be undertaken by successive owners for perpetuity.

BUILDING CONSTRUCTION

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

Bushfire Attack Level - BAL 12.5

A MODIFIED 4C ACCESS

SINGLE LANE PRIVATE ACCESS ROADS LESS THAN 6M CARRIAGEWAY WIDTH MUST HAVE 20M LONG PASSING BAYS OF 6M CARRIAGEWAY WIDTH NOT MORE THAN 100M APART.
A PRIVATE ACCESS ROAD LONGER THAN 100M MUST BE PROVIDED WITH A DRIVEWAY ENCIRCLING THE BUILDING, OR A HAMMERHEAD 'T' OR 'Y' TURNING HEAD 4M WIDE AND 8M LONG, OR TRAFFICABLE CIRCULAR TURNING AREA OF 10M RADIUS.
CULVERTS AND BRIDGES MUST BE DESIGNED FOR A MINIMUM VEHICLE LOAD OF 20 TONNES.
VEGETATION MUST BE CLEARED FOR A HEIGHT OF 4M, ABOVE THE CARRIAGEWAY, AND 2M EACH SIDE OF THE CARRIAGEWAY.

BUSHFIRE HAZARD MANAGEMENT PLAN	
Address:	239 Wadleys Road REEDY MARSH
Date:	01/02/2017
Version:	0
Bushfire Hazard Practitioner:	Gabriel Barnes BFP-101 Scope 1, 2, 3A, 3B, 3C
 castellan consulting Fire Engineering, Building Surveying, Access Consulting & Bushfire Protection HOBART LAUNCESTON BURNIE GPO Box 2030 Hobart TAS 7001 admin@castellan.com.au Phone 03 6231 2360	
Mapping Data source & aerial mapping courtesy of LIST Map - www.thelist.tas.gov.au/approverent/home	
Disclaimer Castellan Consulting accepts no responsibility for the accuracy and completeness of 3rd party mapping information, or any decisions and actions undertaken on the basis of that information. Every effort is made to ensure the information is correct at time of publication, however individual circumstances do change.	



HAZARD MANAGEMENT AREA

The Hazard Management Area (defendable space) is provided between the vegetation and the buildings subject to bushfire risk. The space provides for management of vegetation and reduction in fuel loads in an attempt to;

- Prevent flame impingement on the building;
- Provide a defendable space for property protection;
- Reduce fire spread;
- Deflect and filter embers;
- Provide shelter from radiant heat; and
- Reduce wind speed.

The Bushfire-Prone Areas Code, requires a hazard management area to be established and maintained between the bushfire prone vegetation and the building at a distance equal to, or greater than the separation distance specified for the Bushfire attack levels (BAL) in AS 3959-2009 Construction of Buildings in Bushfire Prone Areas.

Refer to the Bushfire Hazard Management Plan for specific details on the Hazard Management Area as it relates to the buildings on the site.

All vegetation will burn under the influence of bushfire; shrub layers need to be modified to remove tall continuous walls of vegetation and establish clear separation between the ground and the bottom of the tree canopy. Further minimisation of flammable ground litter such as leaves, twigs, bark, ferns and debris will further reduce fuel load with potential to burn or contribute to the growth of a bushfire. Fuels within the Hazard Management Area can be controlled by:

Manual Fuel Removal: - Ground fuels such as fallen leaves, twigs (less than 6 mm in diameter) and bark should be removed on a regular basis. This is fuel that burns quickly and increases the intensity of any fire. Fine fuels can be removed by hand or with tools such as rakes, hoes and shovels.

Mowing &/or Continual Grazing; - Grass needs to be kept short (less than 50mm) and, where possible, green.

Removal or Pruning; - The control of existing trees, shrubs and understorey vegetation involves selective fuel reduction through removal, thinning and pruning;

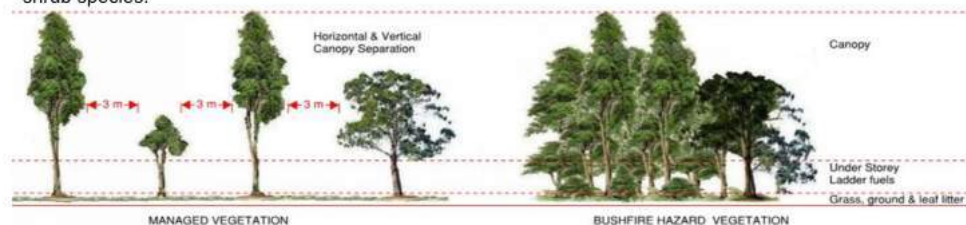
1. Remove noxious and environmental weeds,
2. Remove those species with the greater flammability such as those with rough, flaking or stringy bark,
3. Remove or thin understorey plants, trees and shrubs less than three metres in height,
4. No trees or shrubs within 10 metres of the building
5. Prune or remove trees to separate continuous tree canopy. Separate tree crowns by 3 to 5 metres;
6. Prune low branches two (2) metres from the ground to prevent a ground fire from spreading into trees;
7. Remove tree canopies overhang the building, general rule of thumb remove any tree near the building for a distance the same as the tree is high at maturity.
8. Native trees and shrubs should be retained as clumps or islands and should be maintained so as not to cover more than 20% of the area.



Hazard Management Areas as specified in the BHMP are only a minimum distance required; Owners are encouraged to establish a greater management area where land area and opportunity permits.

MAINTENANCE

1. Keep wood heaps or other flammable storage at least 20 metres from the building.
2. Solid non-combustible fencing such as steel can provide a fire and heat radiation shield
3. Metal fly-wire screens to windows prevent sparks and embers from entering the building.
4. ALL gaps are sealed up or protected with ember proof mesh including under floor spaces, roof space, under eaves, external vents, skylights, chimneys and wall cladding.
5. Remove ladder fuels from the under storey of trees to a height of 1.5 metres. Prune horizontally and vertically to provide a minimum 3 metre canopy separation crowns.
6. Rake up and remove fallen limbs, leaf & bark litter and vegetation debris.
7. Cut grass and maintain to less than 10 cm.
8. Keep garden beds well away from buildings Use non-combustible garden mulches including rock or stones, establish plantings of low flammability shrub species.
9. Keep roof gutters clear of leaf litter, bark and similar debris, remove and maintain, install gutter guards to assist.
10. Flammable fuels such as gas bottles should be located on the opposite side of the house to the likely direction of a bushfire.
11. Outbuildings to be greater than 6m from the main building.
12. Ensure hoses provide coverage to the whole site. Use metal hose fittings.
13. Flammable liquid fuels and the like to be stored in minimum volumes well away from the building.
14. Construct and maintain vehicular access and surrounding vegetation to provide clear unobstructed access and manoeuvrability for fire fighting vehicles.
15. Static On-Site water supply dedicated for fire fighting purposes: Water tank minimum 10,000 litre minimum and be non-combustible, full of water with pumps and pipes serviced and maintained regularly.



LANDSCAPING

Buildings and gardens can blend with the natural environment and be landscaped to minimise the impact of fire at the same time. The gardens and landscaping are integral parts of the Bushfire Hazard Management Area.

When designing, include features such as fire resistant plants, radiant heat barriers and windbreaks, also ensure vegetation does not provide a continuous path to the building;

1. Ensure that shrubs and other plants do not directly abut the building;
2. Plant vegetation in clumps rather than continuous rows;
3. Locate vegetation far enough away from the building so that plants will not ignite the building by direct flame contact or radiant heat emission;
4. Plant and maintain short green grass around the house as this will slow the fire and reduce intensity;
5. Construct non-flammable pathways directly around the building;
6. Use low-flammability plants and non-flammable ground mulch such as pebbles and crush tile or brick; and
7. Avoid erecting brush type fencing and planting "pencil pine" type trees, as these are highly flammable.

BUSHFIRE HAZARD MANAGEMENT PLAN General Notes:



Fire Engineering, Building Surveying, Access Consulting & Bushfire Protection

HOBART LAUNCESTON BURNIE

GPO Box 2030 Hobart TAS 7001
admin@castellan.com.au
Phone 03 6231 2360

Disclaimer
The information contained within is for general reference ONLY individual circumstances will vary. Castellan Consulting undertakes no duty to or accepts any responsibility to any part who may rely upon the general information contained within this document.

SEARCH OF TORRENS TITLE

VOLUME 227697	FOLIO 1
EDITION 6	DATE OF ISSUE 11-Jul-2017

SEARCH DATE : 31-Jul-2020

SEARCH TIME : 09.39 AM

DESCRIPTION OF LAND

Parish of MALLING, Land District of DEVON
 Lot 1 on Plan 227697
 Derivation : Whole of Lots 5205 and 13381 Gtd to W McMahon and
 Whole of Lot 16038 Gtd to G Bailey
 Prior CT 2957/12

SCHEDULE 1

M557573 TRANSFER to SAMANTHA KAY HEATHCOTE and PAUL JOHN
 HEATHCOTE Registered 22-Feb-2016 at 12.01 PM

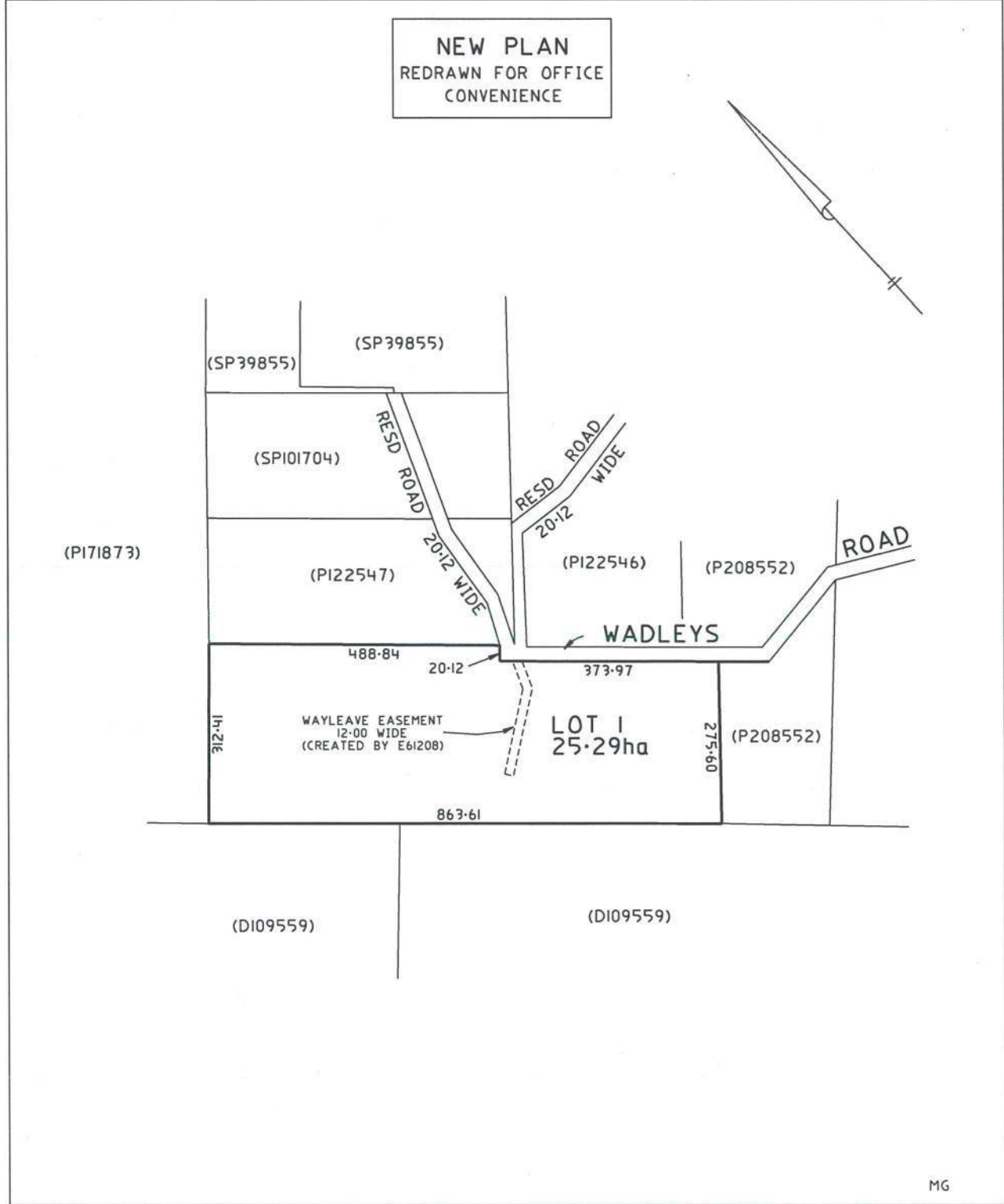
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 E61208 BURDENING WAYLEAVE EASEMENT with the benefit of a
 restriction as to user of land in favour of Tasmanian
 Networks Pty Ltd over the land marked Wayleave
 Easement 12.00 wide on Plan 227697 Registered
 20-Feb-2017 at noon
 C192990 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
 the Forest Practices Act 1985 (burdening part of the
 said land within described as defined therein)
 Registered 04-Sep-2001 at noon
 E97745 MORTGAGE to Australia and New Zealand Banking Group
 Limited Registered 11-Jul-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER FOLIO REFERENCE CT: 2957/12 GRANTEE WHOLE OF LOTS 5205 & 13981 (35A-OR-7P) & (18A-OR-0P) GTD. TO WILLIAM MCMAHON. WHOLE OF LOT 16038 (19A-IR-32P) GTD. TO GEORGE BAILEY.		PLAN OF TITLE LOCATION DEVON-MALLING FIRST SURVEY PLAN No. 17/30 LO 98/15 LO COMPILED BY LTO SCALE 1: 600 LENGTHS IN METRES		Registered Number P.227697 APPROVED 17 FEB 2017 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 121 (4640)	LAST UPI No	LAST PLAN No.	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	



From: Andrew Ricketts
Sent: 5 Oct 2020 14:01:49 +1100
To: John Jordan;Planning @ Meander Valley Council
Cc: Jo Oliver;Phil Cullen
Subject: Representation and Objection Regarding: The Planning Application PA\21\0047
Attachments: ACRicketts to MVC GM FINAL- 5-10-2020 Objection Advertised PA 21.0047 Subdivision.docx, ACRicketts to MVC GM FINAL- 5-10-2020 Objection Advertised PA 21.0047 Subdivision.pdf, Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.pdf

Dear Mr Jordan

Please find my letter attached in PDF and MS Word formats, regarding my representation and objection regarding the Heathcote subdivision proposed in The Planning Application PA\21\0047.

I await the outcome.

--

Sincerely
Andrew Ricketts
780 Larcombes Rd
Reedy Marsh 7304

A. C. Ricketts
Bradys Creek
780 Larcombes Road
REEDY MARSH 7304

5th October 2020

Mr John Jordan
General Manager,
Meander Valley Council
PO Box 102,
Westbury, 7303
By email to: John.Jordan@mvc.tas.gov.au
AND planning@mvc.tas.gov.au

CC: Jo Oliver, jo.oliver@mvc.tas.gov.au
CC: Phil Cullen, botanist.

**Representation and Objection Regarding: The Planning Application PA\21\0047
from: PDA Surveyors obo P. Heathcote. Location: 239 Wadleys Rd Reedy Marsh**

“Subdivision (3 lots):– general suitability, lot area, new accesses, sight distance.”

Dear Mr Jordan,

I am writing, to lodge an objection to the advertised Planning Application proposal, PA\21\0047 from PDA Surveyors obo P. Heathcote.

I am a ratepayer of the Municipality and a resident of Reedy Marsh since 1991. As far as I am aware, I have never met and do not know the landowner, Mr P. Heathcote, nor Mrs Heathcote. I am familiar with Wadleys Road and this far end of the road in particular. I consider this a part of my neighbourhood.

In the very near future, under the upcoming new MV LPS, this level of densification in this zone at Reedy Marsh will simply not be possible.

I consider applications such as this one to be a misadvice to the property owner and a rorting of Meander Valley Council’s Scheme, already resulting in the (probably illegal) removal of Nationally, Critically Endangered forest ecology.

It is my expectation that Council will uphold the standards, provisions, intent and purpose of its current Interim Planning Scheme and protect both the local amenity and the natural environment.

In lodging this objection, I have reference to the Meander Valley Interim Planning Scheme 2013 (MV IPS 2013), including Amendment 4, which has a purpose to allow subdivisions within areas zoned as Rural Living (RLZ), including Reedy Marsh. The MV IPS 2013 Scheme sets a minimum lot size target, post subdivision, of 15 Ha for Reedy Marsh. This PA\21\0047, simply does not meet the provisions of the Scheme, which is still in force.

I seek and expect that Council either completely refuse the application PA\21\0047 or enter into a new process with the landowner seeking a revised 2-lot subdivision, avoiding a 5 Ha lot solution altogether and in so doing, also protect the Nationally Listed vegetation and any Swift Parrot habitat with a Part 5 Agreement as a part of any new Planning Permit.

Please Note: I seek that this, or any final version of this application, be considered at a Council meeting.

There are several sound reasons for my objection to PA\21\0047 and they are discussed below in this representation. I provide several compelling, sound and relevant reasons for Council to refuse this Planning Application.

Advertised Subdivision under the Planning Application PA\21\0047

The Planning Application, PA\21\0047, proposes to subdivide Mr Heathcote's 25.79 Ha title, CT 227697/1, which Council can readily see is not double the Minimum 15 Ha, Acceptable Solution, Lot size within the RL Zoned area, when compared with the 15 Ha minimum Lot size, Acceptable Solution standard for Subdivision in the Reedy Marsh Rural Living Zone, within the Meander Valley Interim Planning Scheme 2013 (MVIPS 2013), post Amendment 4 of 2015.

That is, this is a subdivision with three Lots, with two of them intended to be very substantially below the 15 ha minimum lot size, Acceptable Solution. Yet, here we have from a block of 25.79 Ha, a subdivision into 3 Lots rather than 2 and as a result, two of the Lots would be very small, unnecessarily so. Further those two very small Lots contain the remnant vegetation including a stand of *E ovata* forest which is a Nationally Listed Ecological Community which provides habitat for the Critically Endangered Swift Parrot, which is known to frequent and nest in Reedy Marsh. Yet a boundary between Lot 1 and Lot 3 could result in clearance of the Nationally Listed Ecological Community. I am highly critical and disdainful of such poor design.

Mr and Mrs Heathcote's 25.79 Ha current title, at 239 Wadleys Road, is 164% of the size of the average block of land within the Reedy Marsh Rural Living Zone, as identified by Council in 2015.

The average size of titles in the Reedy Marsh Rural Living Zone (as at 2015) was identified at 15.7 Ha. Council, through its Amendment 4 Report of 2015. I discuss this aspect, as well as the consequences should the Heathcote subdivision development's Planning Application proceed, in more detail below.

The MVC Interim Planning Scheme 2013 should not allow the subdivision of a Lot, in such a way where the majority of the resultant titles come in way below the Minimum. This proposition is not sustainable development. It makes a mockery of the planning scheme.

In this case, the un-subdivided lot is above the Minimum but only by about 10 Ha thus leading to at least one of the titles less than the Minimum should a 2-lot subdivision be considered that then must rely on the Performance Criteria.

Reedy Marsh is a rural locality in Northern Tasmania, a few kilometres north of the town of Deloraine. The locality of Reedy Marsh, in land use planning terms, has a number of zones, including the Rural Living Zone, the Environmental Living Zone

and the Rural Resource Zone. The proposed subdivision is located within the area of the Rural Living Zone but is towards the end of Wadleys Road, an unsealed, dead end road of very modest dimensions.

It is clear that the nature and intensity of development across the area of the Rural Living Zone in Reedy Marsh, as well as impacts on the existing character, amenity and natural values are the relevant considerations in this case and Council needs to carefully consider them. .

That is, contrary to PDA's assertion, a wider consideration of the nature of development in the zoned area is appropriate and relevant to a consideration of whether this development meets the Performance Criteria.

Otherwise, a perverse and undesirable outcome could well be inappropriately engineered, where PDA with its current unacceptable business model, creates more and more substandard blocks of land across Reedy Marsh, a place with high levels of Threatened fauna species and Threatened vegetation, some of which is now Listed as Critically Endangered under Commonwealth EPBC law.

In the Planning Application, PA\21\0047, received by Council on the 21st August 2020, the existing title CT 227697/1, it is proposed to subdivide into 3 lots, one of 5.1 Ha, the second at 4.7 Ha and the largely already cleared home block of 15.7 Ha. The two very small Lots are naturally vegetated and thus the subdivision virtually ensures a land clearance operation of the remaining remnants of that native vegetation. Land Clearance is a Nationally Listed Threatening Process under EPBC Law.

The advertised Heathcote subdivision under the Planning Application PA\21\0047 embodies the proposition to subdivide the subject land down to 5.1 Ha and 4.7 Ha. I question whether this approach meets any planning standards whatsoever. Admittedly, there remains one lot, which exceeds the Acceptable Minimum at 15.7 Ha, but this land has already been cleared. It is the very small, fully vegetated lots, which are the issue and which cause objection.

The proposed Lot 1 is very small at 5.1 Ha and would be only 32% of the 2015 average lot size in the Reedy Marsh Rural Living Zone of 15.7 Ha.

The proposed Lot 2 is even smaller at 4.7 Ha in size and that would be only 30% of the 2015 average lot size in the Reedy Marsh Rural Living.

The obvious and uncontentious intent of the 15 Ha minimum lot size in this RLZ standard was to not allow all the titles in Reedy Marsh to be subdivided down to 5 Ha or so, for a range of sound and reasonable reasons. Yet, that is what is being engineered, seemingly by PDA. This approach has no social license and wherever such developments occur, I forecast they will be challenged.

PDA is obviously a clever surveyor, who has worked on the Property Council's Planning Reform Taskforce and who is now apparently manipulating the land use planning system and quite possibly misadvising his clients. This sort of behaviour is criticised.

This current subdivision proposition is simply unsustainable development in the context of the 15 Ha minimum lot standard for this Rural Living area in Reedy Marsh.

To expose the rate paying residents to what appears to be such a manifestly incompetent Planning Scheme is extremely unsatisfactory but I am aware the problem is likely to be fixed soon with the introduction of the Tasmanian Planning Scheme.

What is enormously concerning would be that each of this proposed pair of small, atypical lots, being one of 5.1 Ha and the other 4.7 Ha, which are both below 33% of the acceptable minimum lot size for subdivision under the Acceptable Solution of the MVC IPS 2013 in the Reedy Marsh RLZ, flies in the face of the very clear intention under the decision of Amendment 4 of 2015 to set the Minimum Lot for the Reedy Marsh RLZ generally at 15 Ha.

That is, the minimum pre-subdivision lot needed in Reedy Marsh, should be in the vicinity of 30 Ha, rather than the current subdivision proposal of Mr Heathcote, which is to cut up this title of only 25.79 Ha, even further.

The reason Council has a 15 Ha minimum for the RLZ in Reedy Marsh, is to set a modern and responsible standard of sustainable development based on a range of issues, concerns and the overall existing amenity as well as environmental matters, such as the consideration of the Listed Threatened and Vulnerable vegetation and the presence of a number of Threatened Species which inhabit the area some of which have large ranges.

This subdivision development proposal does not adequately consider the other values at stake and thus in essence seeks to subvert the existing character, amenity and the special natural values of the Reedy Marsh Rural Living Zone.

If Council approves this subdivision, it will be a clear demonstration that it cannot uphold its own standards that were reached in consultation with the community through Amendment 4.

The PDA's Claim of Compliance with the Performance Criteria Challenged

The surveying firm PDA, representing Mr Heathcote, in essence claims that there are some titles elsewhere in Reedy Marsh which are of similar size which enable the Performance Criteria to be met. This is discussed below.

PDA has, in my view, been very selective in looking at the nearby titles so that it may construct a convenient argument in support of the Planning Application PA\21\0047. It has used this argument before. Such a biased and pro-development view of the existing landscape and cadastral reality of Reedy Marsh is extremely unfortunate and inadequate.

Land Use planning is not about taking little snippets of the landscape that suits one argument whilst ignoring the whole. I reiterate the relevant consideration is the overall pattern of land use and intensity across the Rural Living Zone of Reedy Marsh, which must be considered to be the local area.

As previously stated, the average size of titles in the Reedy Marsh Rural Living Zone was in 2015 some 15.7 Ha, as determined by Council's own senior planner.

Conveniently overlooked perhaps by PDA, there is a range of larger titles in close proximity to the subject land including much larger titles, which adjoin, or are over the road. By PDA's definition of the surrounding titles, they must be considered.

Some of these nearby titles have larger areas than the un-subdivided 25.79 Ha title, CT 227697/1.

It is acknowledged there are a few smaller titles in the vicinity of River Road and Farrells Rd and on Wadleys Road closer to town but these obviously do not form the dominant character of the immediate area and, importantly, most are of an historic nature, before such restrictions became a fact. The larger titles form a vastly greater amount of the overall area of the immediate surrounding landscape of this part of Reedy Marsh Rural Living Zone.

Reedy Marsh does not need more very small titles near the end of dead end roads surrounded by bushfire prone vegetation and accessed by two-flood prone bridges. The Interim Scheme and this Zone standard was always intended to mitigate against such undesirable outcomes.

With Planning Application PA\21\0047 we have Council's planning staff processing a development proposal, considering and therefore progressing the subdivision of a lot of 25.79 Ha, proposed to be subdivided down to the three smaller lots of 5.1 Ha, 4.7 Ha and 15.7 Ha in a Rural Living Zoned area, where the normal lots are, on average, about 15.7 Ha across the zone (as at 2015) of the surrounding area and where the Minimum Lot size for subdivision is intended to be 15 Ha. Although one Lot meets the standard, two Lots fall far short of Council's own standard.

This action to lodge a planning application under the MV IPS 2013 with a distinct lack of any proper standards is disgraceful and forces Reedy Marsh residents to lodge objections to defend their amenity and the other values that they prize. This is indeed increasingly concerning and entirely unacceptable. Hence, I wish to describe my objection to PA\21\0047 as being 'Under Sufferance'. This is the second such sort of development in recent months.

The clear and unambiguous intent and purpose of Council's Amendment 4 of the MV IPS 2013, was to ensure that very small lots would be avoided in the Reedy Marsh Rural Living Zone (RLZ). Council must recognise this fact.

The historic small lots elsewhere in Reedy Marsh are not relevant to this more remote area of the subject land. PDA's selective claim that the proposed subdivision would meet the MV IPS Performance Criteria in the RLZ, meets no acceptance.

Many of the select small titles, used by PDA to undermine the current 15 Ha minimum standard predate the Meander Valley Planning Scheme 1995, which simply had parts of Reedy Marsh within the Rural Zone at that time. Before that scheme, such subdivisions were done under the Deloraine Interim Order, another open slather planning instrument. PDA is basing their client's application PA\21\0047 on outdated subdivision precedents, many from a time of very limited and primitive land use planning. This is unacceptable and hence has given rise to the objection.

Council must be aware the purpose of modern planning schemes is to create proper standards that protect other residents' existing amenity and also protect the environment, where that too is a relevant consideration. Such standards are in broad terms reflected and enshrined in the Act's Schedule 1 Objectives and in other parts of the scheme. Council cannot afford to ignore such objectives, nor the intent and purposes of the scheme and of the standards of zones within it and expect the community to take its actions seriously. Planning schemes also prevent developments that require greater infrastructures than councils want or can afford.

It is, in my view, not fair and orderly land use planning for Council to accept, facilitate and advertise a subdivision development that would create titles which would each be less than 33% of the minimum Acceptable Solution of a 15 Ha lot for the RM RLZ area. This would be another very poor result and a poor precedent for our area and the municipality.

Land use planning in Tasmania operates on a system of zones and those zones have a set of standards including Zone Purposes, Local Area Objectives and Desired Future Character Statements, as well as more iterative standards for subdivision including the Acceptable Solution and the Performance Criteria.

PDA claimed that this subdivision proposal will meet the Performance Criteria. I strongly disagree with PDA's claim because it is based on a selective assessment of only a portion of the Reedy Marsh Rural Living Zone not the entirety.

Natural Assets Identification and Priority Habitat under the MV IPS 2013

It is noteworthy that Council is in the process of creating a new planning scheme, under the Tasmanian Planning Scheme, which includes a new and somewhat more competent Natural Assets overlay, comprised of a new set of maps of Priority Vegetation, which in essence will thankfully replace the massively deficient Priority Habitat mapping of the 2013 Interim Planning Scheme. However the discretion to identify the unmapped vegetation, declines under the SPP.

It has been known by Council for a long time that the extent of Priority Habitat in Reedy Marsh vastly exceeds the Priority Habitat overlay mapping within the current MV IPS 2013 Scheme. Council disclosed that fact in its report regarding Amendment 4. This is common knowledge but Council has failed to properly recognise this fact and not cooperated in the community's attempts to encourage it to do better.

The area identified by Mr Livingston as E. ovata forest has been the subject of work by the botanist Phil Cullen and is partially correctly identified but maybe not fully so as to extent. Council needs a botanist to look at the E. ovata forest.

It is also known that the underlying TASVEG III mapping was inadequate, incomplete and erroneous and TASVEG IV is not much better. In the recent hearing process for the Meander Valley Local Provisions Schedule the community group, The Environment Association (TEA) Inc. engaged a specialist botanist Mr Cullen, to map parts of Reedy Marsh to deal with various serious anomalies in the vegetation mapping and the Council's Draft Priority Vegetation Overlay. TASVEG IV is little better but it was Council's Strategic Planner who, possibly accidentally, identified the mapping deficiency in this part of Reedy Marsh when in discussion with the writer in the TPC's hearing over the new scheme.

I argue that the subject land, which carries significant forest, including Listed Vegetation Communities should have been mapped as Priority Habitat. Currently the scheme allows Council to identify unmapped vegetation, yet in the future this discretion will be lost.

I also argue that the proposed subdivision would have the effect of reducing the viability of Priority Habitat and diminishing the habitat of Listed Threatened Species.

It is my view that the new Natural Assets Code overlay, when completed and updated will be a highly relevant consideration for the Meander Valley Interim Planning Scheme and for PA\21\0047. I explain this below and further on in my representation. Local Area Objectives at 13.1.2 state:

“a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, natural values and potential for conflict with adjoining land uses.”

Council has not already identified the Priority Vegetation in its LPS on the subject land and I maintain that the Priority Vegetation in this case is a natural value. I hope Council can accept the logic of my argument. It is good to see Mr Livingston (engaged by PDA) has at least correctly identified the E ovata forest, though I remain doubtful over the mapped extent.

It is highly likely that the vegetation on the subject land, now possibly mapped in the draft MV LPS as Priority Vegetation, subject to Planning Application PA\21\0047, contains or supports species, which are State Listed as well as nationally Listed under the EPBC legislation.

In another planning project related to the MV LPS, recently a botanist assessed roadside vegetation in Reedy Marsh, coincidentally including the subject land. Council has that information. This demonstrated a different vegetation community than which is mapped under TASVEG IV as DSC for Lot 2.

It is important to note that for over 20 years it has been known that Reedy Marsh contains significant habitat for a range of Threatened fauna species. Some of these species range over quite large distances and some have smaller ranges.

Listed Species likely to use the habitat on the subject land include the Spotted Tailed Quoll and the Tasmanian Devil, as well as other species potentially such as the Eastern Quoll (EPBC Listed) and the Masked Owl.

Near the creek, there remains Eucalyptus ovata forest, which would be habitat for the Critically Endangered Swift Parrot. There is considerably more E ovata on the other side of Wadleys Rd, so to consider this vegetation patch in isolation would be most unfortunate. Any waste disposal system should take care to not add nutrient into the E. ovata forest and that is influenced by the design of the subdivision.

It must be mentioned that E viminalis is a species which is suffering presently from an affliction termed Ginger Syndrome, which leads to death of trees, possibly from the impacts of Climate Change and attempts should be made to retain as much E viminalis as possible in my view. It is in the process of being Listed probably as Critically Endangered under EPBC Law.

I note that Mr Livingston considers an amount of the subject land to be DSC, but Cullen has identified some of that to be Dry E. viminalis forest and woodland.

Mr Livingston’s Bushfire Hazard report in Planning Application PA\21\0047, shows an area of standing vegetation (forest) to be cleared for a future house, which obviously can only be enabled by the subdivision. I cite Mr Livingston’s Bushfire Hazard report, which is included in the subdivision application, as sufficient evidence of the intent to build a new dwelling on land, which I assert to be Priority Habitat. Lot 1 would see a concomitant land clearance operation of Priority Habitat forest, which likely contains E ovata.

It is important that Council be cognisant of the fact that the new Zone for this area, also termed Rural Living Zone has been recommended and accepted to have a 15 Ha minimum Lot size (but has not been finalised) and under the new scheme (the TPS and MV LPS) there would be no capacity to subdivide below the 12 Ha minimum size under performance criteria.

The new MV LPS scheme is very close to being introduced. The provisions of the new scheme must be a relevant consideration for Council including the new revised Priority Vegetation overlay. Recent case law suggests that such changes and upcoming standards are a relevant consideration for Council.

PAL Policy Setback from the Rural Resource Zone Implications

The subject land adjoins the Rural Resource Zone and that land is used for intensive cropping. There is ostensibly a 200-metre setback for a residence from the Rural Resource Zone.

When one looks at PDA's plan of subdivision Ref 45963-P01, one can see that the width of the land of Lot 1 is some 275.60 metres to the RRZ. I cannot see how the existing house gained approval at only 19.2 metres setback from the Rural Resource Zone (RRZ). I cannot see how anyone would want to build in proximity to the neighbouring intensive, conventional farming operation with its plethora of attendant sprays and so forth.

I am not a big fan of the PAL's 200-metre setback, but for land such as this subdivision, one can see and accept its purpose. It is easy to mount an argument for not watering down the 200 metre rule on this land and for not facilitating an unnecessarily high level of subdivision which would fetter the adjoining industrial agricultural farming business.

This does not seem to have been adequately considered here, so far but needs to be now, especially for Lot 1 if Council is to avoid dealing with the inevitable future complaints regarding the impingement of daily agricultural practices on the domestic area of these subdivision lots.

Comment on the Development and the Zone Purpose Statements

I return to the Meander Valley Interim Planning Scheme, as amended:

Firstly, I refer Council to the zone purpose of 13.1.

13.1.1 Zone Purpose Statements

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

13.1.1.3 To provide for rural lifestyle opportunities in strategic locations to maximise efficiencies for services and infrastructure.

13.1.1.4 To provide for a mix of residential and low impact rural uses.

I claim the proposed subdivision development, Planning Application PA\21\0047, would not meet the following aspects of the Zone Purpose. It does not meet the clause P1 in general suitability of 13.4.2.1 regarding subdivisions in the Rural Living Zone of the MV IPS 2013. The Scheme says that each new lot must be consistent with the Zone Purpose.

It is clear that the existing dwelling of the owners, Mr and Mrs Heathcote, on the subject land has been placed on the proposed Lot 3, but in any case, I think Council should consider all three proposed lots be in terms of the Zone Purpose.

The Planning Application PA\21\0047, is in essence the exact opposite of “*development on large lots in a rural setting*” at 13.1.1.1. These 2 of the three proposed Lots are not “large lots” at all but rather very small lots, certainly in the Reedy Marsh RLZ context. Thus, the subdivision would logically create two ‘small lots’ and one minimum sized lot. It is neither logical nor responsible for Council to proceed to process a Planning Application, for this RLZ, which is, in the main, the antithesis of ‘large lots’ but rather represents intensification down to more small lots.

Indeed the Planning Application, PA\21\0047, subdivision proposal is for two of the three lots, to be of an area similar to the Scheme standards of the most densely populated Rural Living Zoned areas in the Municipality, being Davis Road and Meander, at a size of 4 ha Acceptable minimum Solution. By anybody’s definition, the subdivision proposal PA\21\0047 would create 2 small lots and one minimum lot.

The Reedy Marsh RLZ has the largest minimum lot size of 15 ha, in relation to RL zone subdivision standards in the Meander Valley Municipality and the protection of this aspect, the amenity and the ecological habitat is important for residents of Reedy Marsh. It is acknowledged this land adjoins the developed farm land in the adjoining Rural Resource Zone but it must also be noted that the end of Wadleys Road remains a place of habitat for Threatened Species.

Because of the Acceptable Solution minimum lot standard of 15 ha for Reedy Marsh RLZ, it cannot be refuted that a 5 Ha Lot is small, by way of comparison. It is the relative comparison, which defines the nature of ‘small’. It is surely without contention that small is the opposite of large. The 15 Ha is a minimum acceptable solution not maximum, therefore it cannot be considered large in the Reedy Marsh context.

The Planning Application, PA\21\0047, represents a subdivision standard proposal contrary to the objective “*that does not adversely impact on residential amenity*” and in my view, would almost certainly result in an impact on residential amenity in this part of the Rural Living Zone. I say that as a Reedy Marsh resident of over 25 years. I consider that the Heathcote subdivision would further degrade the amenity of the Wadleys Road area.

This development has the potential to stain the amenity of this part of Reedy Marsh. Residents of Wadleys Road, who have gone to considerable trouble to be discreet with their developments, would be faced with driving through a more prominent development.

Mr Heathcote’s original house is set back in excess of 200 metres and despite the cleared nature of Lot 3 is relatively unobtrusive but still does not meet PAL setback standards.

Development Fails re Local Area Objectives in 13.1.2 for Reedy Marsh

I claim the proposed subdivision development PA\21\0047 does not meet the Local Area Objectives in 13.1.2 for Reedy Marsh, which are:

Reedy Marsh

- a) Provide for a low impact increase in housing density in support of housing choice close to Deloraine, whilst maintaining the bushland amenity and natural values of the area through careful subdivision design.*
- b) Subdivision is to be configured to provide for bushfire hazard management areas and accesses that minimize the removal of standing vegetation and provide for substantial separation distances between building areas.*
- c) The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.*
- d) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, natural values and potential for conflict with adjoining land uses.*

The proposal to subdivide a title: CT 227697/1 does not meet the above Local Area Objectives 13.1.2 (a), (b) or (d).

PA\21\0047 represents a subdivision contrary to “*low impact increase in housing density*” because the proposal represents an attempt at a massive densification of a title within the Reedy Marsh Rural Living Zone, doubling the potential for clearance of the natural environment, doubling the number of people potentially and obviously removing a significant part of the natural environment should the Bushfire Hazard plan be followed. When a subdivision doubles with the number of lots on the subject title, it cannot be described as a low impact increase.

This Planning Application PA\21\0047 fails to meet the objective: “*maintaining the bushland amenity and natural values of the area through careful subdivision design*”. Indeed, I argue that no careful subdivision could be achieved in this instance on the subject land because the design of the proposed lots is too small. When combined with the Bushfire Hazard vegetation clearance removes the bushland amenity from the title. It is clear the Planning Application includes a subdivision design, which is contrary to the Scheme’s objectives.

This Planning Application PA\21\0047 represents a subdivision contrary to “*Subdivision... to... minimize the removal of standing vegetation and provide for substantial separation distances between building areas*”. Although PA\21\0047 would not of itself, create a new house on the subject land it is clearly intended to do so and it cannot be argued that it is for any other purpose. Mr Livingston’s Bushfire Hazard plan makes the extent of the proposed removal of ‘standing vegetation’ very clear and Mr Livingston’s plan is a part of the subdivision Planning Application PA\21\0047 . That standing vegetation does not have to be Priority Habitat; it simply has to be “*standing vegetation*”. The two small Lots proposed on the subject land are covered to a substantial extent with “*standing vegetation*”.

The percentage of native forest which would be removed for bushfire purposes, under Mr Livingston’s Bushfire Hazard plan report, within PA\21\0047 for a new dwelling on Lot 1 represents a significant portion of the whole of the vegetation of Lot 1 and Lot 2 of the subject land.

It is clear that should the subdivision go ahead, land clearance is highly likely and can be foreseen, including on Lot 1, E ovata forest. This outcome does not meet local area objective (b). This clearance, sanctioned by Mr Livingstone, would be on top of any illegal clearance, which I allege may have already occurred in the last few years and also very recently by the starting of the development by building a brand new access, very recently.

Council's land use planner, Leanne Rabjohns is ostensibly handling this matter. However, in my view the matter of this development raises a number of strategic issues and compliance issues, including matters of National Significance, such as Swift Parrot habitat and Critically Endangered vegetation. It probably needs to be referred as a Controlled Action.

This is a subdivision proposal, where the owner is obviously intending to sell at least two parts of the land and thus there is a Council expectation someone would put two new houses on the subject land.

I remind Council again that this subdivision would result in two sub-minimum sized blocks and to put a two new houses on the subject land which should be mapped Priority Vegetation, which is also native 'standing vegetation' with significant conservation values, including the habitat of threatened species, of national Significance, it is reasonable to assume it would be highly likely a significant portion of these values would be removed under Livingston's Bushfire Hazard Plan.

Comment on Desired Future Character Statements for Reedy Marsh,

I claim the proposed subdivision development, PA\21\0047, does not meet the Desired Future Character Statements for Reedy Marsh, which are:

13.1.3 Desired Future Character Statements

Reedy Marsh

a) Reedy Marsh is characterized by predominantly forested hills with some cleared areas of pasture and a dispersed pattern of residential development with low levels of development visibility.

b) The character of the locality is to be maintained through retention of vegetation and lower densities to integrate and screen development and to reduce the visibility of buildings and access driveways from roads and neighbouring properties.

c) Where located on slopes or at higher elevations, the configuration of subdivision and the location of buildings and accesses are to minimize the impacts of vegetation clearance on the landscape. The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.

d) Where located in a more open landscape, subdivision is to be configured with dimensions to reflect requirements for a low density and provide for development areas that accommodate appropriate separation between buildings, separation between buildings and adjoining access ways or roads and to accommodate bushfire hazard management areas within each lot.

e) Where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape.

The PA\21\0047 proposal to subdivide the title CT 227697/1, which is already in size well below the 30 Ha size so as to achieve 2 lots of the minimum lot size within the Reedy Marsh RLZ, does not meet any notion of sustainability or standards and would

further change the existing character of this part of Reedy Marsh. A death by a thousand cuts.

The PA\21\0047 Heathcote subdivision proposal would not meet 13.1.3 Desired Future Character Statements: (a), (b), (d) and it would be unavoidably visible when the intended house, as cited in Livingstone's Bushfire Hazard assessment report, and associated clearance which is being facilitated by the subdivision. It would be churlish of the Council to pretend that this subdivision was for any other reason than to put two more houses on the subject land, at a time when under the new MVLPS scheme such subdivision would be prevented.

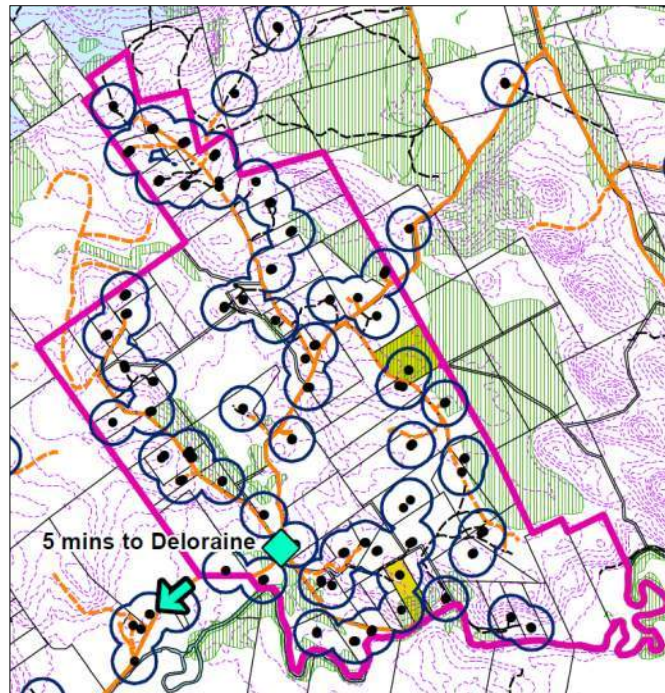
Many people owning land in the Rural Living Zone (RLZ) at Reedy Marsh in general support retention of the natural values of this area, as well as more broadly. This can be seen from the retained amenity and existing character of the general area.

A perusal of the titles across this RLZ at Reedy Marsh shows a number of mostly nuanced, private and secluded approaches with regard to how Residential Use is discretely accommodated, almost all being set back a lot further than can be achieved on either Lot 1 or Lot 2 of the subject land, were fettering to the RRZ to be considered important. Past development in Reedy Marsh has largely been both respectful and tastefully private. The PA\21\0047 subdivision proposal would allow and facilitate a diminishing of such a quality, discrete, private amenity and character at this location. It would see more E ovata cleared simply for more power lines in regards to Lot 1, for example.

This PA\21\0047 subdivision proposal would allow higher, not lower densities, which is against the Desired Future Character Statement (b). Lower Densities must be seen in the context of the 15 Ha RL Zone, Acceptable Minimum Lot standard. A proposed 33% lot size of that Acceptable Minimum Lot area in the Scheme cannot be considered "Lower Densities". This PA\21\0047 is in fact a massive densification.

The 2015 Council report regarding Amendment 4 says of Reedy Marsh (Note my emphasis by way of underlining):

Reedy Marsh



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

The clustering of established dwellings within the area in a pattern that surrounds the class 4 land in the centre, together with public roads and priority vegetation, practically constrains the land between, making viable connectivity of the class 4 land infeasible. This indicates that the land is conducive to hobby farm activities for small-scale enterprises and as such, the proposed zone boundaries are drawn around the clear ring of rural residential uses.

The zone is considered suitable for intensification to provide for some additional land supply. The area has close proximity to the settlement of Deloraine, at approximately 10 minutes maximum driving time. Deloraine is a well-serviced district centre with a full line supermarket and other retail, health services, primary and high schools, hospitality, banks, post office, recreation and cultural facilities. Public roads service the extent of the area and can provide access to larger lots that have the capacity to consolidate gaps between the clusters of existing dwellings. The existing and achievable lot sizes provide the ability to achieve appropriate setbacks or mitigation to surrounding rural resource land, accommodate on site wastewater and are considered capable of accommodating clearance areas for bushfire hazard management or avoidance of wet areas. The

proposed minimum lot size of 15 ha reflects a density to achieve discrete bushfire management zones without erosion of the character of the area though is a slightly higher density than the average. It is considered likely however that the determinant of eventual yields will likely be the combined consideration of road frontage availability, bushfire protection and water quality protection. It is anticipated that approximately 27 new lots could be created."

In coming to a conclusion back in 2015/6 to support the 15 ha standard, proposed by several residents, Meander Valley Council considered carefully the extent of additional residences and identified the 27 new lots, which could be created under the 15 ha standard. This seemed reasonable and sustainable at the time.

In 2015, the Reedy Marsh Rural Living Zone apparently consisted of 86 lots and 76 houses. Lot sizes at the time ranged from 7900m² to 75 hectares.

So, even without subverting the 15 ha Acceptable Solution Minimum Lot area, lot standard, Council said it could expect a significant increase in residential development in Reedy Marsh, whilst retaining the natural values: which translated to 27 new lots plus 10 undeveloped lots means that, at 15 ha Acceptable Solution, there would be approximately 37 Lots, a 50% increase in residential densification within the Reedy Marsh Rural Living Zone. A standard, which allowed development to proceed in that manner was adopted and accepted. That does not mean it would be acceptable to have in this RLZ an open slather, high densification approach, which developments such as the Heathcote one embrace.

This subdivision proposal, PA\21\0047 with lots at only 33% of the Reedy Marsh RLZ Acceptable solution in the Scheme, represents a far higher degree of densification, a greater level of human habitation and much smaller lots than that which Council had planned upon, anticipated or felt was desirable in 2015.

If it became a new norm, the consequence would be a substantial diminution of native biodiversity habitat and a likely loss locally of Listed Threatened Species from the area. The current amenity and character would disappear as well. In essence, this subdivision proposal, PA\21\0047 does not represent a public interest outcome for Reedy Marsh and is in breach of the MV IPS 2013.

The above map, showing the distribution of residences across the RLZ of Reedy Marsh in Council's Amendment 4 report of 2015 is ample evidence of the existing sparse and spread out nature of residences in the Reedy Marsh Rural Living Zone, which I maintain is the surrounding area, which must be considered by Council here when considering the surrounding area. This character, I argue, is contrary to PDA's uninformed assertion about their selective claim for a surrounding area made in PA\21\0047.

This subdivision proposal, PA\21\0047, represents a degree of intensification and densification, not at all foreshadowed or foreseen by Council's Amendment 4 proposal for Reedy Marsh, where a 15 ha minimum lot was chosen by Council and supported by the writer and others in Reedy Marsh. Indeed, the argument at the time was the choice between a 15 Ha minimum standard and proposals for no subdivision at all.

Further, it should be recognised by Council that in the upcoming Tasmanian Planning Scheme this sort of development would simply not ever be possible, at all, not at the 10 Ha standard and not at the revised 15 Ha standard. The Performance Criteria in the

MV LPS of the Tasmanian Planning Scheme are intended to not go below a bare minimum of 80% of the minimum subdivision lot standard which for Reedy Marsh will be 15 ha, that is, a cut off at 12 ha. On that basis the proposed 25.79 Ha subject title would not be allowed to be subdivided into more than two Lots, somehow. The 5.1 ha of Lot 1 would be therefore a mere 42.5% and 4.7 Ha of Lot 2 only 39% of the Draft MV LPS intended Performance minimum, substantially under performance rules for this RLZ in the upcoming new scheme and therefore completely disqualified. I believe this matter is also a relevant consideration for Council.

Council's role in administering a land use planning scheme is to ensure fair and orderly planning and sustainable development in accord with LUPAA and the Northern Tasmanian Regional Land Use Strategy NTRLUS, as well as being consistent with the MVC Planning Scheme provisions themselves.

I assert that it has been clearly shown this development does not meet those basic standards and therefore Council should by rights refuse PA\21\0047 completely.

Council's 2015 Amendment 4 report identifies that there is Priority Habitat in Reedy Marsh, which is not mapped and this has been proven in the MV LPS hearing process. The existing mostly forested CT 227697/1 of some 25.79 Ha should be mostly mapped as Priority Vegetation under the MV Local Provisions Schedule's Natural Assets Code, currently in draft form, but in any case in a form where Council has been reticent to countenance making any changes. Council has an obligation to properly consider such matters with expert analysis. Priority Vegetation is a relevant consideration regarding this subdivision Planning Application and its proposed removal is a serious concern in this instance.

Even Attorney General, Ms Archer has raised concern about the adequacy of the State's vegetation mapping, suggesting that the mapping done under RFA processes is vastly deficient.

I have maintained a strong interest in this matter of the adequacy and accuracy of the State of Tasmania's vegetation mapping for over 20 years now - first raising this important issue with Governments in 1996. At the time, the Reedy Marsh Forest Conservation Group (RMFCG) engaged the excellent botanist, Philip Cullen, who reviewed the draft vegetation mapping within Reedy Marsh, during the RFA process and showed it to be massively deficient. Despite revisions and new versions of State vegetation mapping, the fact is that in many parts of the state the vegetation mapping is less than 50% accurate. This assertion can be demonstrated.

It is acknowledged the forest here on CT 227697/1 is not pristine. It is my contention that this is not a particularly important or relevant consideration at all. What is more important in my view is the extent to which values of high conservation significance remain and whether the land supports the survival of Listed Species which can and do currently continue to flourish in the absence of more development. Loss of habitat values is inevitable if the land is subdivided and one species in particular is likely to forage on the *E ovata*, that being the Critically Endangered Swift Parrot.

Current Reliance on Vegetation Mapping rather than Considering the Whole and Actual Ecosystem Criticised

One of the enormously inadequate aspects of the conservation of nature in Tasmania is that our bureaucracy (including the Regional Forest Agreement (RFA) of Tasmania) considers a surrogate for comprehensive conservation value to be the mapped or modelled, or even the actual vegetation community types, which were devised originally for the Comprehensive Regional Assessment (CRA), performed under the National Forest Policy Statement (NFPS).

The reservation of vegetation communities in this manner must surely be regarded as an artificial human construct, that is it is simply not a reliable surrogate for the adequate conservation of nature. It is noted that Meander Valley will move to a better more holistic overlay in the upcoming MV LPS and that has been supported.

Subject Land on Edge of Key Fauna Habitat for Rare and Threatened Species

During the Comprehensive Regional Assessment, in 1996 and 1997, the Commonwealth mapped the National Estate values across Tasmania and produced mapping of 'Indicative Areas of Key Fauna Habitat for Rare and Threatened Species', known as 'National Estate criterion B1'. I enclose a scanned version of this RFA map with this letter.

This CRA map, although made in January 1997, remains current because both Tasmania and the Commonwealth unwisely and without adequate reason agreed to extend the Regional Forest Agreement in 2017, without performing any new studies.

Prior to the time of the 2017 RFA renewal, I considered this avoidance of new studies inadequate and irresponsible. I expressed my views to both governments but was ignored. It should be remembered that in 1996 and 97 the sophistication and comprehensiveness of fauna study upon which the Regional Forest Agreement was ostensibly built, was highly variable and in many instances no adequate baseline data was established for many species.

If you both look carefully at this RFA map of Tasmania, National Estate criterion B1, you will see that the subject land, is on an edge of the area of Key Fauna Habitat for Rare and Threatened Species. I must say I am not surprised and consider that competent studies of the subject land would prove absolutely, it to be habitat for a number of species, which are either on the Commonwealth list under the EPBC Act or on the State List under the Threatened Species Act. These species are discussed below.

The Issue of Threatened Species

The Listed species, which I believe will be shown and could be shown to inhabit and visit and indeed rely upon the subject land for their life support, are:

1. **Spotted-tailed Quoll: *Dasyurus maculatus maculatus*.** This land is foraging habitat for the Tasmanian subspecies of the Spotted-tailed Quoll, a nationally listed species under EPBC and on the State List. Tasmania represents its last stronghold, especially after the mainland bushfires, which decimated an area on the mainland, much within quoll habitat, an area over two and a half times the size of Tasmania. The

lowland forests of Central Northern Tasmania represent a stronghold (Core) for the Spotted-tailed Quoll. This is a wonderful animal, which has a large home range and prefers old growth elements within the forest for its home. It is the last living relative of the Tasmanian Devil. Status: Threatened Species Protection Act 1995: **Rare**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**

2. **Tasmanian Devil: *Sarcophilus harrisii***. It is expected that Tasmanian Devils will occupy the subject land. They have declined by some 90% in recent decades due to Devil Facial Tumour disease. This species accordingly is on both the State and Federal lists. Suitable habitat occurs on the forested parts of this land. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Endangered**.

3. **Masked Owl: *Tyto novaehollandiae subsp. Castanops***. The central north lowlands, is a priority (Core) area for the Masked Owl. Highly suitable foraging habitat for the Masked Owl occurs on the subject land but due to the absence of old growth trees nesting habitat currently does not. However, the open mix of rough pasture and forest is ideal hunting territory for the Owl. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**

4. **Eastern Barred Bandicoot: *Perameles gunnii gunnii***. It is widely regarded that this species is in decline but it is not listed in Tasmania. Suitable habitat for the Eastern Barred Bandicoot occurs on the land. Status: Threatened Species Protection Act 1995: **Not listed**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**.

7. **Grey Goshawk: *Accipiter novaehollandiae***. I would be surprised if this bird had not been sighted on the subject land, I know it has been sighted nearby. The patch of *E ovata* on the other side of Wadleys Road would include a suitable nest site. One has to look at such issues at a landscape scale. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Not listed**.

8. **Swift Parrot: *Lathamus discolor***. Swift Parrots breed in Tasmania and migrate to mainland Australia in autumn. The presence of Swift Parrots in northern Tasmania is generally linked to the flowering of *Eucalyptus ovata* trees and their migration. Although the vegetation of the land is mapped mainly as Damp Sclerophyll dry forest (which incidentally has *E ovata* in it) there is more than a scattering of *Eucalyptus ovata* trees through the land especially along the creek near the proposed boundary of Lots 1 and 2. This vegetation community is on both the State and Federal lists. Swift Parrot Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Critically Endangered**. The Swift Parrot is also listed as '**Endangered**' on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species (IUCN 2004).

9. **Green and Gold Frog: *Litoria raniformis***. This frog would likely live near the stream in the southeast of the property but it may not be very good habitat, I would agree but one can be surprised by this frog. Status: Threatened Species Protection Act 1995: **Vulnerable**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**

The Nationally Listed, E. ovata forest, has been mapped only as a limited area and may be associated with the stream. However, ovata may well also be more extensive than Mr Livingston's map suggests. A new access onto Wadleys Rd to Lot 1 has been constructed, probably illegally in this vicinity, in what appears to be E ovata forest.

The stream in turn is also very close to the boundary between Lot 1 and Lot 3. Were a fence to be constructed on the boundary, as is likely because of the cleared land of Lot 3, or simply as of a right, then the riparian E ovata forest would be removed for fencing purposes. Thus the boundary proposed between Lot 1 and Lot 3 is criticised and is very poorly and unacceptably sited. I strongly recommend another location for the boundary be found or preferably Lot 1 be removed completely.

Additionally, the location of the new access may well cause more E ovata forest to be destroyed, the whole possibly requiring a Controlled Action under EPBC Law. I consider such matters to be a Council responsibility and Ms Rabjohns should be instructed as to how to carry out such referral tasks.

Bushfire Concerns

Bushfire is a hazard in Reedy Marsh. I am of the opinion that reasonable standards for the surrounds of dwellings would be a better solution than attempting to conduct prescribed burns in Reedy Marsh.

Putting more houses in the middle of remnant forest in Reedy Marsh in a circumstance where there are no, or limited, water resources on some or all of the Lots of the subject land is concerning. Some in Wadleys Rd have water and perhaps the stream near the southern boundary of Lot 3 is permanent but it may also dry up in many summers. So the lots may get a bushfire tank or two but where is the water? I realise there is the Bushfire Code and am familiar with the Code's provisions.

Traffic Impact Assessment Issues

Mr Burk of Traffic & Civil Services has done the Traffic Impact Assessment.

He has stated:

“River Road is a no through sealed road with a minor rural collector function and connects Reedy Marsh with Deloraine. The road is in fair condition.”

This is untrue. River Road which continues through as Porters Bridge Road and indisputably forms a through road from the town of Deloraine to the town of Exton. I wish to strongly disagree with Mr Burk. River Road flows seamlessly through a bend into Porters Bridge Road. There is no, 'No Through Road' sign at either end of this road, both ends of which connect with major roads. Mr Burk is clearly in error here and in my view has deliberately misconstrued the status of River Road and hence the intersection with Wadley's Road. This aspect should be redone.

Then Mr Burk states:

“River Road and Wadleys Road form a cross intersection without turning lanes and a very low traffic activity. Give Way signage and line marking are

provided however Wadleys Road is unsealed. The intersection does not satisfy Safe Intersection Sight Distance (SISD)''

I agree about this intersection, it is poor. It is not very good and this issue has been raised before. But Mr Burk's considerations of the intersection relate to River Road being a No Through Road, which it is not.

Mr Burk's report also mentions the bridge over the Dungiven Rvt does not have an appropriate speed sign, recommending a change, which he has done before, yet no sign ever eventuates. The lack of adequacy of Wadleys Rd is thus side stepped. It is a reason for refusing more development down its far end.

Mr Burk's report has images which clearly shows the recent destruction of roadside amenity adjoining the subject land, near the creek on the proposed Lot 1, at 239 Wadleys Road and his images show a gate which has recently been installed (probably illegally) in forest, which both I and botanist, Mr Cullen, regard as E ovata forest.

This action, almost certainly by Heathcote, assumes the development would be approved. Please see the photo of the new gate in Mr Burk's report at Figure 13 on page 16 of his report, with the tree hard up against the gate being an E ovata tree. There is evidence of more E. ovata trees having been removed in the report. I can tender the roadside photographs I have taken previously as evidence and am willing to assist Council over such matters.

Mr Heathcote has in essence already illegally started his development of New Accesses, which are mentioned in the Permit Application as potentially non-compliant and has deliberately knocked down some extent of the Nationally Listed forest ecological community. This sort of behaviour makes a mockery of Council and the legal process.

I call upon Council to ensure the roadside is rehabilitated. I strongly consider the Lot 1 proposition to be unacceptable. This sort of unfortunate problem was created when Council/TPC sent out to these residents, revised information about the natural environment in their area. This deleterious outcome was foreseen by the writer.

I presume Mr Heathcote sought no Permit for the works undertaken on the Council road verge in the Nationally Listed Critically Endangered E ovata forest. I specifically seek confirmation of this aspect by the planner in her report to Council, please.

This was a beautiful part of Reedy Marsh and is now well on its way to being made unattractive or may be even hideous, courtesy of PDA and Mr Heathcote, I allege.

There has already been impact on the Nationally Listed Critically Endangered, E. ovata forest, which is habitat for the Nationally Listed, Critically Endangered Swift Parrot.

It is my view that the proponent has amply demonstrated he has no regard for important elements of the natural environment, nor even the existing amenity.

I have also formed the opinion the proponent has deliberately lodged a development application, seeking to avoid the new MV LPS planning scheme and claim this has been done deliberately, including with PDA's assistance.

On Claims re Surrounding Pattern in the Reedy Marsh Rural Living Zone

I wish to strongly disagree with PDA over their assessment of the local amenity in PA\21\0047 and their claim that a subdivision down to 5 Ha is consistent with the surrounding land use pattern. It is most certainly not consistent with the surrounding pattern across the Reedy Marsh Rural Living Zone.

It must be stated that the title of 538 River Road for example was, I have been reliably informed, formerly the historic site of the Willowdale School and down Wadleys Road the Wadleys have a small holding. Typical for such historic rural arrangements the school block was of very modest size. So, such historic legacies are not typical of the surrounding area at all and it would be very, very poor planning to rely on such historic artefacts.

Indeed, I argue that the “surrounding area” mentioned in the MVIPS Scheme at 13.4.2.2 and P2 (g) is the Rural Living Zone of Reedy Marsh and that Council’s work on this matter in its report at the time of the 2015 Amendment 4 is pertinent and relevant today. This Amendment report characterises and quantifies the lots and defines the surrounding area for the purpose of defining subdivision standards. There is no other Council documentation, which defines the surrounding area.

Council assessed the land use pattern of the Reedy Marsh area in its report regarding Amendment 4 to the MVC IPS 2013, as well as other areas. That assessment considered that the average lot size in Reedy Marsh was about 15.7 ha. I reiterate Council’s Amendment 4 deals with subdivision and the standards thereof and created the ability for the land to be subdivided and importantly was an expression of Council’s planning intent.

The modern Reedy Marsh RLZ area generally, that is, the overwhelming predominance of titles, has long been favoured for Rural Residential development and most of that development is situated with setbacks a very long way from the Council maintained road, organised in a private and discreet fashion, where the natural amenity of the area is respected.

Planning Application PA\21\0047 as it currently stands would almost certainly undermine that discrete private development aspect and undermine the natural amenity of the place, if one considers the development intent outlined in Mr Livingston’s Bushfire Hazzard report contained within PA\21\0047.

I am mindful that in 2015, when debating the standards around the minimum lot size for Reedy Marsh Rural Living Zone, in the Tasmanian Planning Commission hearing, that there were those residents, including those who remain resident nearby in Farrell’s Road, Reedy Marsh, who advocated that there should not be a subdivision capacity in Reedy Marsh at all and cited a range of reasons which are pertinent to the current Planning Application proposal PA\21\0047. Indeed there was one resident who described the effect that might occur as being tantamount to a rural residential ghetto.

The current proposal PA\21\0047, were it approved, may entirely reinforce and illustrate his point. I argued for the 15 Ha limit and now I entirely regret doing so because I view it has been rorted including by the surveyors, PDA, who should know better but obviously do not.

Finally, I consider that Planning Application PA\21\0047 not only represents a threat to amenity and orderly planning, it also represents avoidance of meeting the criteria for sustainable development and the owner has already started to destroy the *E. ovata* forest on the subject land, assuming a development permit would be granted, clearly considering Council regulations to be simply obstacles to remove in pursuit of the subdivision.

Council previously, in 2015, had included a careful consideration of the density within the RLZ of Reedy Marsh in Amendment 4. Planning Application PA\21\0047 transgresses and overturns that density, were it to be applied more consistently as a precedent over the whole Zone. It is a dangerous precedent to set. But PA\21\0047 also represents a threat more broadly to planning scheme standards, for the proposal disrespects and seeks to trash the standards Council has set and has already trashed roadside amenity and the Listed forest ecosystem. On all these issues alone, the development proposal is certainly unacceptable.

Conclusion

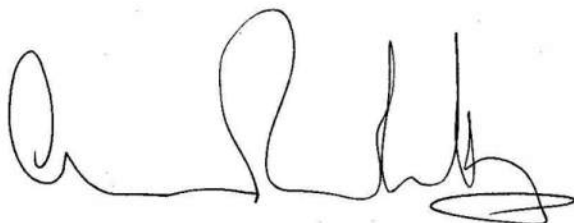
Accordingly, for all of the reasons I have raised and stated above, I respectfully seek that Council defends its MVIPS 2013 planning scheme and refuses this Planning Application PA\21\0047. This is a very poor subdivision development, which targets remnant vegetation and habitat.

I await Council's report and reply, and trust that both Council's planning department and the elected Councillors will share my multiple genuine and significant concerns regarding Planning Application PA\21\0047, which I express above, and support my objection.

The land contains some land with a Nationally Listed Critically Endangered Ecosystem and a range of Listed Species, which are highly likely to be present. I consider it is essential that the Priority Habitat areas of this land become protected with a Part 5 Agreement and as part of this process, should some compromise position be found the *E. ovata* forest clearly needs to be protected securely from development.

I seek that Council recommends and advises the applicant to withdraw and redraft this Planning Application PA\21\0047, or otherwise I seek for Council to refuse the Application PA\21\0047.

Yours sincerely,



Andrew Ricketts

PLANNING AUTHORITY 3

Reference No. 240/2020

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

AUTHOR: Jo Oliver
Senior Strategic Planner

1) Recommendation

It is recommended that Council:

- 1. Endorse *Attachment 1: Consideration of Representations to Draft Amendment 1/2020* as its report in response to the representations in accordance with Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*.**
- 2. Recommend to the Tasmanian Planning Commission the following modifications to Draft Amendment 1/2020:**
 - a) Include Certificates of Title 15169/1 and 108079/1 in the F6 Westbury Urban Residential Specific Area Plan;**
 - b) Include a new standard at F6.8.2 to provide for a 700m² lot size as an Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as detailed in Attachment 1 (Page 276); and**
 - c) Include a new standard at F6.8.3 to provide for public open space along the western boundary of CT129939/2 as a mandatory Acceptable Solution as detailed in Attachment 1 (Page 276).**

2) Officers Report

At its meeting of the 8 September 2020, Council initiated and certified a draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- rezone land bound by Lyttleton, William, Taylor and Waterloo streets from Rural Resource Zone to General Residential Zone;
- rezone land bound by Dexter, Jones, Taylor and Shadforth streets from Low Density Residential Zone to General Residential Zone;
- rezone land at 12 Lyttleton Street from Rural Resource Zone to Rural Living Zone;

- rezone land at 1 William Street, 9 and 10 Quamby Street and 113A Meander Valley Road from Rural Resource Zone to Low Density Residential Zone;
- rezone land at 115 Meander Valley Road from Rural Resource Zone to Village Zone;
- rezone parcels of Crown land from Rural Resource Zone to Village Zone, Low Density Residential Zone and Utilities Zone, consequential to the proposed rezoning of land described above; and
- apply a Specific Area Plan applied to the land bound by Lyttleton, William, Taylor and Waterloo streets.

The proposed zoning changes are shown below in Figures 1 and 2.

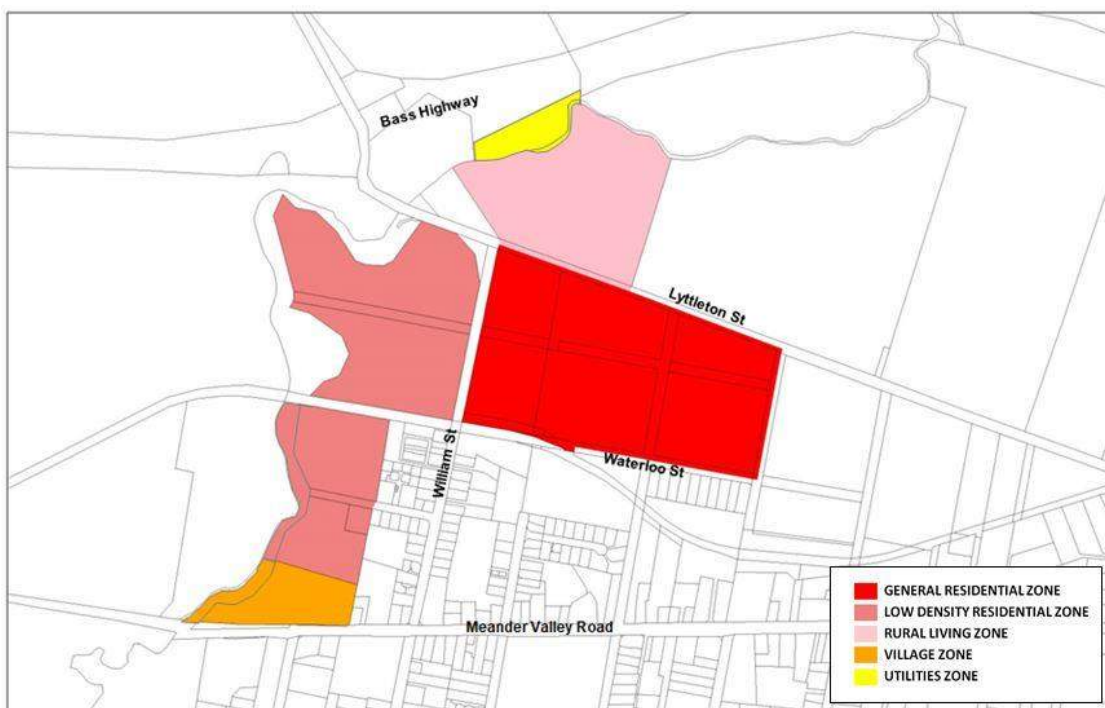


Figure 1: Proposed zoning of land to the northern area of Westbury.

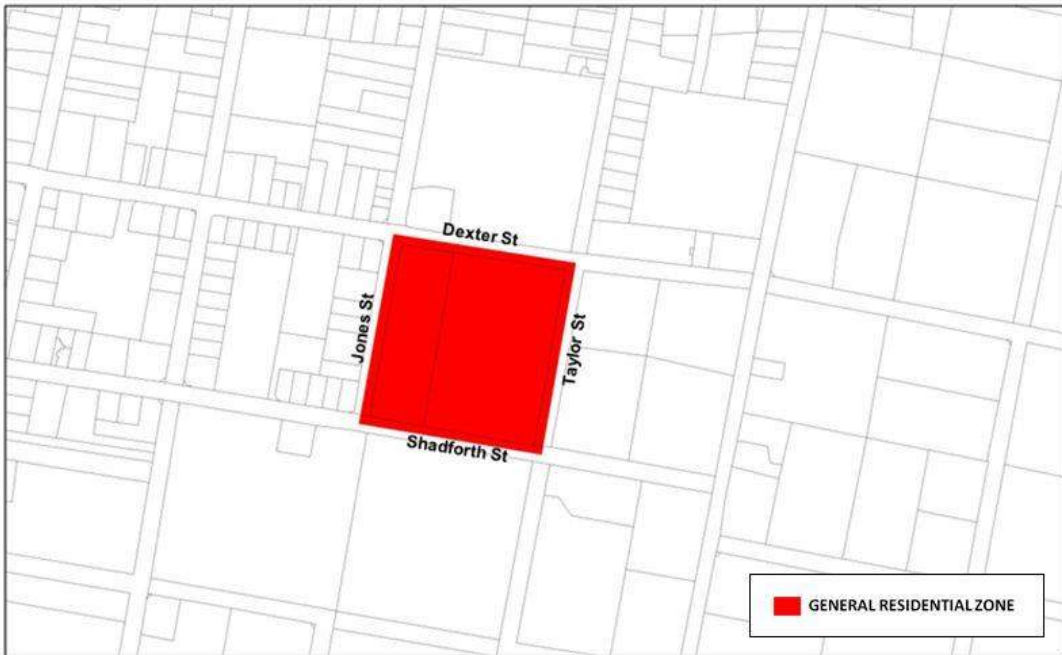


Figure 2: Proposed zoning of land to the southern area of Westbury.

The proposed area to be included in a Specific Area Plan is shown in Figure 3.

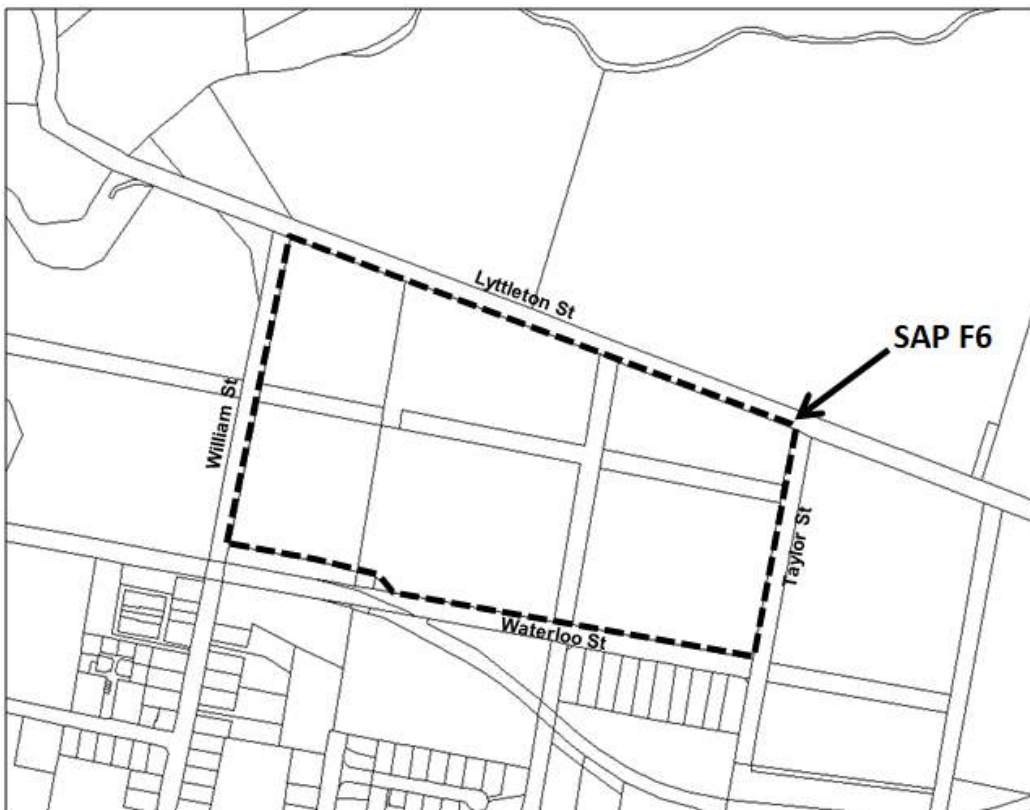


Figure 3: Proposed area to be included in a Specific Area Plan.

Pursuant to Section 38 of the former provisions of the *Land Use Planning & Approvals Act* (LUPAA) 1993, Council placed the draft amendment on public notice for a period of 30 days. The formal exhibition period commenced on Saturday 12 September 2020 and concluded on Tuesday 13 October 2020.

At the end of this period Council had received 14 representations, including the *TasWater Submission to Planning Authority Notice*.

In accordance with Section 39(2) of the former provisions of the LUPAA, Council acting as the Planning Authority is required to formally consider the representations and to prepare a report to be submitted to the Tasmanian Planning Commission (TPC).

Section 39(2) of the LUPAA stipulates that the planning authority's report must include:

- a) *a copy of each representation received by the authority in relation to the draft amendment or, where it has received no such representation, a statement to that effect; and*
- b) *a statement of its [the planning authority's] opinion as to the merit of each such representation, including, in particular, its views as to;*
 - i. *the need for modification of the draft amendment in the light of that representation; and*
 - ii. *the impact of that representation on the draft amendment as a whole;*
- c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

Table 1, included as Attachment 1, considers the representations in accordance with the requirements of the LUPAA.

The representations are included as Attachment 2.

3) Council Strategy and Policy

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

- Future Direction (1): A sustainable natural and built environment
- Future Direction (2): A thriving local economy

4) Legislation

Amendments to the LUPAA to establish the Tasmanian Planning Scheme, were gazetted on 17 December 2015, however the provisions of the Tasmanian Planning Scheme do not come into operational effect until such time as Council completes its Local Provisions Schedule process with the TPC and the Minister agrees to the approval. In the interim, the process for the consideration of planning scheme amendments continues in accordance with the LUPAA as it was written prior to 17 December 2015. These provisions are defined as the 'former provisions' in Schedule 6 - Savings and Transitional Provisions in the amended LUPAA.

Council's report, pursuant to Section 39(2) of the former provisions LUPAA, is provided Table 1 - Consideration of Representations.

5) Risk Management

Not applicable

6) Government and Agency Consultation

The draft amendment was referred to TasWater. TasWater has provided a Submission to Planning Authority Notice which is required to be considered as a representation.

7) Community Consultation

This report responds to the representations received during the public notification period, which commenced on 12 September and concluded on 13 October 2020. The TPC will hold hearings into the representations, prior to making a decision on the amendment.

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Council may modify the report under Section 39(2) of the LUPAA prior to submission to the TPC.

10) Voting Requirements

Simple Majority

DECISION:

Attachment 1

Consideration of Representations to Draft Amendment 1/2020

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

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

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

Impact of Representation on Draft Amendment as a Whole		
As the concerns in the representations in regard to township character are not supported, the representations do not affect the draft amendment as a whole.		
Recommendation		
The draft amendment is progressed as proposed.		
Representor	Representation Issue	Statement of Merit
A Loader E Hamilton K Mackenzie	Lot sizes: Potential future lot sizes under the Tasmanian Planning Scheme are incompatible with the character of Westbury and will result in larger lot yields.	<p>The Tasmanian Planning Scheme provides for a lot size of 450m² as an Acceptable Solution in the General Residential Zone and allows for smaller lots subject to performance criteria. The current Meander Valley Interim Planning Scheme 2013 currently provides for a lot size of 700m² as an Acceptable Solution and allows for smaller lots subject to performance criteria.</p> <p>Whilst the Tasmanian Planning Scheme will allow for lots as small as 450m², it is well known that there is no actual market for subdivided lots at this size in Westbury. The particular attraction of Westbury is being able purchase a block of sizable dimensions at a reasonable price.</p> <p>Historically, 450m² lots have been allowable under both the 1995 Planning Scheme and the Meander Valley Interim Planning Scheme 2013 (in effect for the last 35 years), however no subdivision has ever requested this size for lots during that time.</p> <p>Council considers that despite the very low likelihood of lots of 450m² being applied for, the maintenance of the character of the township warrants the inclusion of a standard that continues the current 700m² lot size as an Acceptable Solution. This reflects <i>"the pattern of development existing on established properties in the area"</i> which is one of the performance criteria that would apply to lot size under the Tasmanian</p>

		<p>Planning Scheme. The inherent contradiction with the Acceptable Solution of the Tasmanian Planning Scheme is that is that 450m² is not consistent with the pattern of development in the area. As such, it is appropriate to modify the draft amendment to set the minimum lot size for the growth areas at 700m² in the Specific Area Plan and expand the Specific Area Plan to incorporate the southern area of land at Dexter Street.</p>
<p>Need for Modification</p>		
<p>The draft amendment should be modified to expand the Specific Area Plan over the land bound by Dexter, Jones, Shadforth and Taylor Streets and include a subdivision lot size Acceptable Solution standard of 700m² for the northern and southern growth areas.</p>		
<p>Impact of Representation on Draft Amendment as a Whole</p>		
<p>The matter raised relates to lot size and does not affect the draft amendment as a whole.</p>		
<p>Recommendation</p>		
<p>It is recommended that F6 Westbury Urban Residential Specific Area Plan be modified to:</p> <ol style="list-style-type: none"> 1. Include Certificates of Title 15169/1 and 108079/1; and 2. Include a new standard at F6.8.2 to provide for a 700m² lot size as an Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as follows: <ul style="list-style-type: none"> F6.8.2 Lot Design <p>This clause is substitution of the provisions of the General Residential Zone – 10.4.15 Lot Area, Building Envelopes and Frontage A1 and P1 (Future Tasmanian Planning Scheme reference - 8.6.1 Lot Design).</p> 		

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> (a) is consistent with the prevailing lot character in the General Residential Zone in Westbury; (b) has an area and dimensions appropriate for use and development in the zone; (c) is provided with appropriate access to a road; (d) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (e) is orientated to provide solar access for future dwellings. 	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 700m² and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area. 	

<p>(c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>		
Representor	Representation Issue	Statement of Merit
<p>E Hamilton</p>	<p>Need for Rezoning:</p> <ul style="list-style-type: none"> • Query the need for additional land when all zoned land in Westbury is not yet developed. • Queries focus on recent William Street subdivision. 	<p>The process of planning for longer term residential land supply takes a number of years before land is made available to the market. As such it is normal and appropriate practice to ensure an adequate 'rolling reserve' of zoned land for residential development that will provide supply for a number of years. Each circumstance will be different in regard to the proposed yields due to factors such as land ownership, the cost and sequencing in providing services and infrastructure and rates of anticipated lot take-up in a certain locality. To a large degree, market demand drives the amount of lots that are made available to the market at any one time by developers, with decisions typically based on holding costs and risk. However, financial feasibility dictates that the certainty of lot supply must cover the costs of infrastructure provision with appropriate margins.</p> <p>References to the recent William Street subdivision in the supporting report were noted only as the most recent indicator of land demand in Westbury and were not relied on as a significant factor in the supply and demand of land in Westbury. Given that planning for land supply provides for several years in advance, a 12 lot subdivision is not a significant influence on the decision as to whether additional long term residential growth should be provided for or not.</p> <p>Adequate land supply also ensures competition in land prices to avoid artificial inflation of land cost due to constraint on the number of lots available. The cost of land is a significant competitive advantage in attracting new residents to regional areas and rural towns.</p>

Need for Modification		
It is considered that there is no need for modification of the draft amendment in response to the representations.		
Impact of Representation on Draft Amendment as a Whole		
As the concerns in the representation in regard to the need for the amendment are not supported, the representation does not affect the draft amendment as a whole.		
Recommendation		
The draft amendment is progressed as proposed.		
Representor	Representation Issue	Statement of Merit
A Loader	Lack of services to support population growth.	<p>Westbury is well serviced as a district centre with government, community and private commercial services. Both the Westbury Primary School and Deloraine High School have capacity for additional students and public transport services operate daily from Westbury to Deloraine and Launceston for high schools and college.</p> <p>A key factor in retaining services in smaller rural centres is a sustainable population. Population growth not only supports the retention of existing services and the viability of existing businesses, but also encourages establishment of additional services and retail offerings. This is why population growth is a key strategic outcome in Council's Community and Strategic Plan 2014 2024.</p> <p>Westbury's services and infrastructure can readily accommodate the predicted population growth.</p>
Need for Modification		
It is considered that there is no need for modification of the draft amendment in response to the representations.		

Impact of Representation on Draft Amendment as a Whole

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

Recommendation

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
<p>P Mackenzie R & W Travis B Mason E Hamilton B Landsberg S Scott-Smith</p>	<p>Impacts on Infrastructure – Roads & Services capacity, pedestrians:</p> <ul style="list-style-type: none"> • Concerns that Westbury roads and junctions with Meander Valley Road are not at an appropriate standard to accommodate additional vehicle loads. • TIA Calculations are based on 700m² lots and not the potential 450m² lots available under the zone. • Lack of pedestrian pathways. • Query whether sewer services have capacity. 	<p>Richard Burk of Traffic and Civil Services has provided additional comment in regard to the concerns raised in the representations (attached document) and confirms that the Westbury road network adequately provides for traffic volume and safety, however will require some improvement works to the surrounding network, such as minor road widening.</p> <p>Mr Burk advises that the potential increase in lot yields do not make a consequential difference to this conclusion, however it is noted that a recommendation for modification of the draft amendment to include a lot size of 700m² to address township character also addresses concerns regarding the TIA conclusions.</p> <p>As stated above, Council commits to upgrades through widening of carriageways and shoulders of affected roads and street enhancements such as verges, footpaths and street trees, associated with the residential growth. Council commits to ensuring that these enhancements are implemented to augment good quality connections to the growth area, ideally also formalising a pedestrian link through the showgrounds.</p> <p>Taswater has confirmed that there is sewer capacity. Refer to the Submission to Planning Authority Notice (attached document).</p>

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

whole.

Recommendation

The draft amendment is progressed as proposed.

Representor	Representation Issue	Statement of Merit
E Hamilton A Loader	<p>Lack of community consultation and the <i>Community and Strategic Plan 2014-2024</i>:</p> <ul style="list-style-type: none">• Report and justification puts too much reliance on Council's <i>Community and Strategic Plan</i>.• Lack of public engagement on the <i>Community and Strategic Plan</i> and it is under review.	<p>Meander Valley Council has, over a number of years, undertaken consultation with the residents of Westbury through the processes of reviewing the statutory Strategic Plan, Preparing a Structure Plan (received though not endorsed) and planning scheme revisions such as the Interim Planning Scheme and the Tasmanian Planning Scheme. Population growth in rural towns is a key, documented strategy that stemmed from the consultations in these processes and reasonably reflects the views of the majority of the community. Council is obliged to ensure that the Future Directions and Strategic Outcomes are delivered.</p> <p>The notification of the draft amendment provides an opportunity for residents of Westbury to lodge their concerns.</p> <p>It is a legislative requirement under Section 20(1)(d) of the <i>Land Use Planning & Approvals Act 1993</i> that all draft amendments demonstrate compliance with the Strategic Plan of the Council, the preparation of which is a statutory requirement pursuant to section 66(3) the <i>Local Government Act 1993</i>.</p> <p>This relates to the endorsed Strategic Plan in force at the time of initiation of the draft amendment, which is the <i>Meander Valley Community and Strategic Plan 2014-2024</i>, which was a publicly consulted document. An assessment against the current Strategic Plan is described in Section 1.5.3 of the notified draft amendment report.</p> <p>Representor concerns relating to the currency of the Strategic Plan or prior consultation are not a relevant consideration for the draft amendment.</p>

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

Impact of Representation on Draft Amendment as a Whole

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

Recommendation

The draft amendment is progressed as proposed.

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

		<p>supermarket.</p> <p>In regard to the impacts of construction on nearby residents, future permits for subdivision can be conditioned to restrict construction hours to protect amenity. In addition, the Tasmanian Noise Regulations restrict hours for operating machinery in proximity to residential uses.</p>
Need for Modification		
It is considered that there is no need for modification of the draft amendment in response to the representation.		
Impact of Representation on Draft Amendment as a Whole		
As the concerns in the representation in regard to outlook and amenity are not supported, the representation does not affect the draft amendment as a whole.		
Recommendation		
The draft amendment is progressed as proposed.		
Representor	Representation Issue	Statement of Merit
R & W Travis	<p>Impacts on adjoining property at 41 Waterloo Street – features such as Hawthorn hedges:</p> <ul style="list-style-type: none"> Concerns about the loss of, or management difficulties of, common boundary features such as significant Hawthorn 	<p>Hawthorn Hedgerows:</p> <p>The property at 41 Waterloo Street is a contemporary dwelling on a large, 2.1 hectare lot located amongst substantial gardens that have incorporated the historic hedgerows that border the titles along William Street and Waterloo Street. The corner property is reasonably prominent in the townscape due to its slightly elevated position and also the defining vegetation features of maturing exotic vegetation and the retained historic hedgerows. Refer Photo 1 below.</p>

hedges.

- Effect on rates of existing property.
- Submits that the three titles fronting William Street (including 41 Waterloo St) should be zoned Low Density Residential Zone as it reflects their present use.

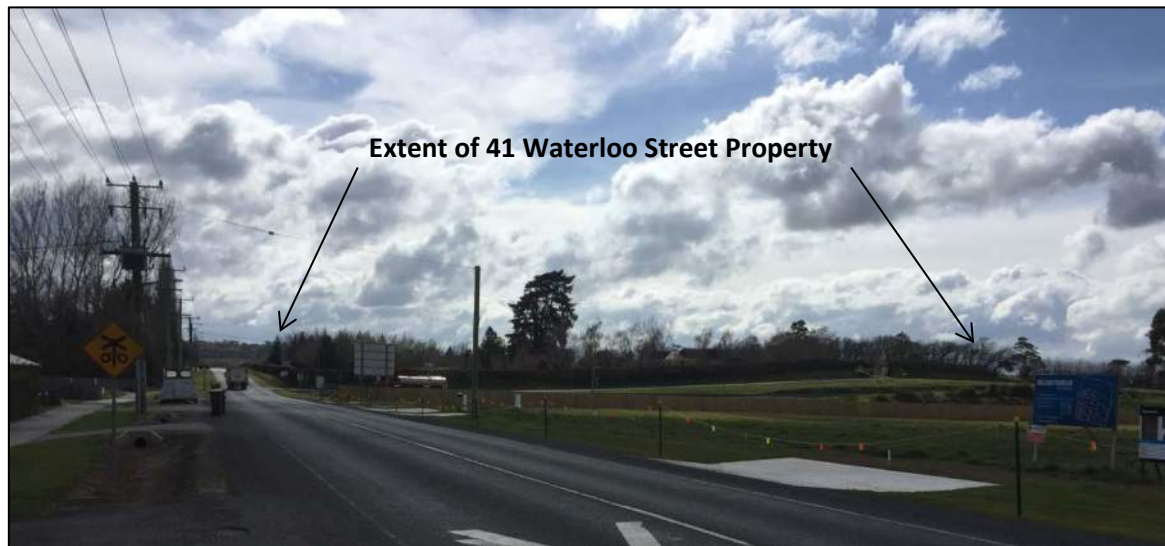


Photo 1: View north to 41 Waterloo Street from William Street.

The existing dwelling is located approximately 10 metres from the eastern boundary where a substantive hedgerow exists that divides the property from the land that is proposed for urban residential development. The length of the eastern boundary is 155 metres, which would prove complicated for hedgerow management if numerous urban titles were to adjoin it.

Noting that the draft Specific Area Plan prohibits new road junctions to Waterloo Street, any future subdivision of the land would require the inclusion of pedestrian linkages through to Waterloo Street to provide good pedestrian access to the centre of the town and to the supermarket through the showgrounds. The land alongside the eastern boundary of 41 Waterloo Street provides an ideal opportunity to include a high quality walkway as public open space. This would enable the retention and effective maintenance of the hedgerow on the eastern side whilst providing a public open space pedestrian link that has the instant benefit of the visual features that are a historic characteristic of Westbury.

		<p>It is recommended that the Specific Area Plan be modified to include a designated 10 metre wide strip of public open space along the eastern boundary to provide for future pedestrian link. 10 metres width provides for the thickness of the hedgerow with sufficient room from machinery access and the planting of trees. The <i>Local Government (Building & Miscellaneous Provisions) Act 1993</i> provides for a five percent limit on the amount of public open space land that can be required for a subdivision. In this instance, the land area of 46 Lyttleton Street which would be subject to subdivision is 11.43 hectares, which would allow for 5,715m² public open space contribution. A 10 metre wide strip for a walkway at the boundary with 41 Waterloo Street would have an area of 1,550m² and is well within the statutory limit. The modification to the Specific Area Plan can be achieved through a mandatory standard in the ordinance.</p> <p>Rates:</p> <p>Potential effects on rates is not a matter that can be considered under the LUPAA, however it appropriate to note the submissions made in the draft amendment report that highlights that effect of not having enough land supply, which is the artificial inflation of land values. Land value is the primary component in the calculation of rates.</p> <p>Zoning:</p> <p>The land fronting William Street can connect to services and as such it is not considered appropriate to restrict lot yields through a lower density zoning, when the aim is to achieve efficiency given the amount of remaining serviceable land. Although 41 Waterloo Street is an established, large residential property, landowners may wish to seek additional development opportunity in the future, noting that there is no compulsion for any owner to do so. It is noted that the dwelling at 41 Waterloo Street is setback a distance of approximately 86 metres from the northern boundary with substantive landscaping between, which is considered to provide a reasonable buffer to new development to the north.</p>
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Need for Modification

The draft Specific Area Plan should be modified to include a standard requiring public open space to be included along the western boundary of CT129939/2 in any future subdivision as a mandatory requirement.

Impact of Representation on Draft Amendment as a Whole

The recommendation relates largely to the specific impacts on the adjoining property at 41 Waterloo Street and does not affect the draft LPS as a whole.

Recommendation

It is recommended that **F6 Westbury Urban Residential Specific Area Plan** be modified to include a new standard at F6.8.3 to provide for public open space along the western boundary of CT129939/2 as a mandatory Acceptable Solution together with the other standards of the Tasmanian Planning Scheme as follows:

F6.8.3 Public Open Space

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

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

Representor	Representation Issue	Statement of Merit
S Scott-Smith	Concerns regarding lower land values.	Potential effect on land values is not a matter that can be considered under the LUPAA, however it is appropriate to note the submissions made in the draft amendment report that highlights the effect of not having adequate land supply into the future, which is the artificial inflation of land values. There is no evidence that standard residential development lowers existing land values.
Need for Modification		
It is considered that there is no need for modification of the draft amendment in response to the representation.		
Impact of Representation on Draft Amendment as a Whole		
As the concerns in the representation in regard to the potential impacts on land values are not supported, the representation does not affect the draft amendment as a whole.		
Recommendation		
The draft amendment is progressed as proposed.		

Representor	Representation Issue	Statement of Merit
Westbury Agricultural Society	Concerns regarding impacts on showgrounds, road reserve fencing and potential future purchase of road reserve.	Richard Burk of Traffic & Civil Services has assessed the future road width requirements along Taylor Street to the east of the existing showgrounds fence line that has historically encroached on the road reserve. Mr Burk has confirmed that there is sufficient remaining road width to accommodate a sealed carriageway, shoulders and a residential verge frontage the western side of Taylor Street at the appropriate standard, due to the limitations on new road junctions. The current arrangements of the showgrounds will be unaffected.
Need for Modification		
It is considered that there is no need for modification of the draft amendment in response to the representation.		
Impact of Representation on Draft Amendment as a Whole		
As the concerns in the representation in regard to the potential impacts on the showgrounds are addressed, the representation does not affect the draft amendment as a whole.		
Recommendation		
The draft amendment is progressed as proposed.		

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

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

Impact of Representation on Draft Amendment as a Whole

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

Recommendation

The draft amendment is progressed as proposed.

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

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

Recommendation		
The draft amendment is progressed as proposed.		
Representor	Representation Issue	Statement of Merit
Taswater	<p>Land proposed to be rezoned is located within a 700 metre attenuation distance of the Westbury sewerage treatment plant.</p> <p>Submits that a site specific study should be undertaken to determine that there is no land use conflict as the plant currently operates.</p>	<p>Pursuant to the <i>Water & Sewerage Industries Act 2008</i>, a <i>Taswater Submission to Planning Authority Notice (SPAN)</i> must be regarded as a representation under LUPAA processes.</p> <p>Taswater have submitted a diagram of an attenuation distance of 700 metres to the Sewer Treatment Plant (STP) that significantly expands the practiced attenuation distance, which was based on the environmental report undertaken for the upgraded STP that now exists.</p> <p>It appears that Taswater have embarked on a program of reclassification of its STP's, apparently in consultation with the Environment Protection Authority, that significantly alters the applicability of the planning scheme standards for attenuation, without an associated planning scheme amendment that notifies affected properties of the implications of that change. In addition, there has been no consultation with Council or sharing of the scientific assessment results that demonstrates the case for such a significant change that will affect approximately 140 properties. Scientific evidence has not been provided in the Taswater representation that supports the extent of the change, only a theoretical definition, nor has any history of complaints been provided.</p> <p>The effect of the Taswater submission is that third parties are required to undertake expensive studies (in the order of \$10,000 each) on Taswater assets and operations, to determine if the STP emissions are at the point that it adversely impacts substantive areas of residential development. Of particular concern is that Taswater is requiring third parties to undertake work to demonstrate that it is not in breach of its own permit for the Level 2 Activity upgrade and operation of the Westbury STP, whereby <i>Atmospheric Condition A1 – Odorous gases</i> requires that "<i>odorous gases must be managed, including collection and</i></p>

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



1 Cooper Crescent
Riverside TAS 7250
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E: Richard.burk@trafficandcivil.com.au

13th November 2020

Ms Jo Oliver

Senior Strategic Planner

Meander Valley Council

**RE: WESTBURY URBAN GROWTH AMENDMENT – REPRESENTATIONS
RELATING TO TRAFFIC AND ROADS**

This letter is to provide advice on the representations as per your email of the 23rd October 2020

1. Submission on rezoning of William, Waterloo, Lyttleton and Taylor Streets received from Peter Mackenzie.

Issue #4 – concern with use of crash data in assessing traffic safety (my paraphrase of 4 paragraphs of representation)

In the traffic engineering discipline, traffic capacity and safety are the two primary issues. Mr Mackenzie's submission considers use of crash data alone as inadequate for assessing traffic safety holistically. He is correct. This is why traffic safety considers both sides of the coin with a reactive and proactive approach.

The reactive approach is concerned with diagnosing propensities from crash data to treat and reduce crashes. This approach is used in section 4.7.1 of the TIA.

The proactive approach is concerned with diagnosing potential problems using two methods:

- Austroads Road Safety Audit – this approach involves day and night site audits and auditing of design at concept, preliminary design and final design stages. This approach is used in section 4.7.3 of the TIA.
- Austroads Safe System Assessment – this approach involves risk assessment by considered crash exposure, likelihood and severity across the range of the most serious crash types. This approach is used in section 4.7.4 of the TIA.

Austrroads Safe System Assessment was developed specifically to assist practitioners in the task of applying the Safe System Approach to traffic safety.

All these methodologies are used in TIAs prepared by TCS including the TIA prepared for the Lyttleton Street subdivision.

Issue #5 – concerns with downstream consequences, safety , inadequate assessment, one way flow, pedestrian facilities etc (my paraphrase of some 13 paragraphs of representation that seems to assume traffic capacity and safety issues and that there has been a lack of proper consideration of these)

The TIA requested by Councils Strategic Planner and prepared by TCS was appropriate and fit for purpose for assessing the proposal, impacts and issues and providing input to assist in short, medium, and long-term decision making. This is what TIAs are for and what the TIA delivered on.

Traffic activity due to the proposal was applied to the network and fully considered in part in section 6 of the TIA.

For minor subdivision and stratum title developments TIAs are helpful tool for identify impacts, issues and treatments and can reasonably stand alone to an extent and why they are utilised by Planning Schemes.

In higher level situations historic and projected growth rates can be used to consider scenarios arising from manifold development. Middle of the road objectives and strategies can then be deployed to best position the system for the future, providing flexibility to cater for the unknown.

In a nutshell there are no traffic capacity or safety issues of significance at Westbury but there are opportunities to:

- Strategically manage the collector road network around Westbury
- Encourage an urban centre along Meander Valley Road between William and Marriot Street
- improve connectivity for vulnerable road users.

Accordingly, Mr Mackenzie should be reassured that the bigger picture is being considered at Westbury in terms of traffic needs and that the Lyttleton Street TIA is just part of the ongoing management of Westbury's transport needs.

2. DSG submission on potential capacity concerns with the Bass Highway / Birralelee Road Interchange, Westbury – See Appendix E

The Lyttleton Street TIA included intersection analysis of the Lyttleton Street / William Street junction as it was considered that this site would be the most impacted by the proposed development. The analysis showed during 2030 peak times the junction would operate at Level of Service A which is the highest level, see section 6.1 of the report and Appendix E of the TIA for the SIDRA intersection analysis. Accordingly, the decision was made that further analysis of the Bass Highway interchange was not necessary.

Regardless DSG have expressed concern with capacity. The traffic data attached in Appendix A, B, C and D demonstrates low and very low levels of traffic activity at the Westbury Interchange.

Traffic levels on the Interchange ramps and Birralelee Road are below 10% of capacity. In the 10% of capacity range intersections and interchanges operate at Level of Service A.

The data tells the story, so we know, without intersection analysis, that there are no traffic capacity issues at the Westbury interchange at peak times and the interchange ramps operate at Level of Service A.

Assessor Credentials

Richard Burk is a qualified Traffic and Civil Engineer with over 32 years of experience with State and Local Government in the Roads and Traffic industry in Tasmania. Visit www.trafficandcivil.com.au .

Yours faithfully



Richard Burk

Director

Traffic and Civil Services

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Appendices

Appendix A – AM Peak Traffic Count – Westbury Interchange

Appendix B – PM Peak Traffic Count – Westbury Interchange

Appendix C – DSG Birralee Road Traffic Data

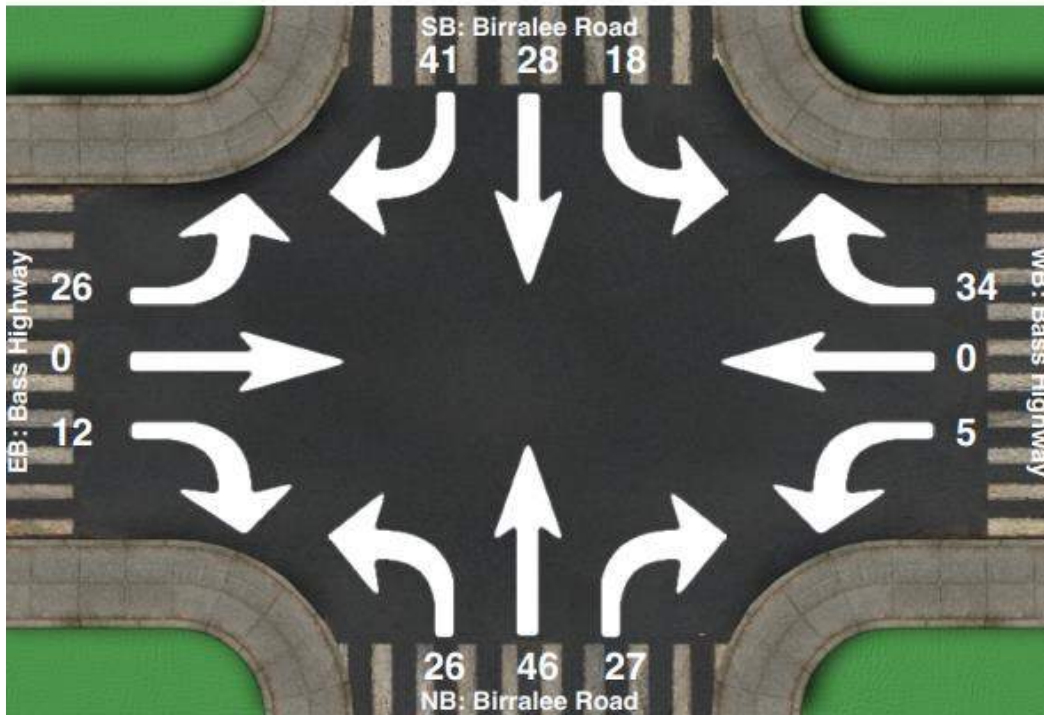
Appendix D – DSG Bass Hwy Traffic Data

Appendix E – DSG Response

Appendix A – AM Peak Traffic Count – Westbury Interchange

Intersection Peak Hour

Location: Birralelee Road at Bass Highway, Westbury
GPS Coordinates: Lat=-41.436897, Lon=147.101560
Date: 2020-11-12
Day of week: Thursday
Weather:
Analyst: Mark Ford



Intersection Peak Hour

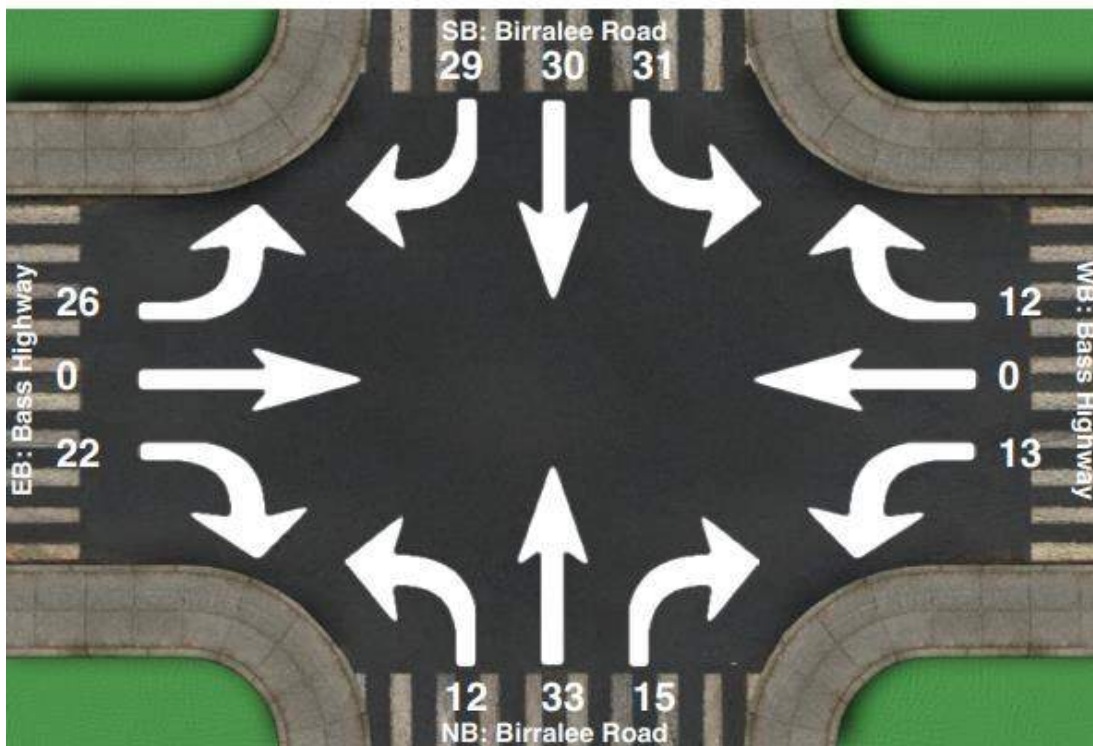
08:00 - 09:00

	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
Vehicle Total	18	28	41	5	0	34	26	46	27	26	0	12	263
Factor	0.50	0.47	0.49	0.42	0.00	0.40	0.43	0.55	0.56	0.43	0.00	0.50	0.68
Approach Factor	0.60			0.46			0.63			0.53			

Appendix B – PM Peak Traffic Count – Westbury Interchange

Intersection Peak Hour

Location: Birralee Road at Bass Highway, Westbury
GPS Coordinates: Lat=-41.436897, Lon=147.101560
Date: 2020-11-12
Day of week: Thursday
Weather:
Analyst: Mark Ford



Intersection Peak Hour

17:00 - 18:00

	SouthBound			Westbound			Northbound			Eastbound			Total
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
Vehicle Total	31	30	29	13	0	12	12	33	15	26	0	22	223
Factor	0.43	0.62	0.60	0.54	0.00	0.33	0.33	0.34	0.42	0.43	0.00	0.46	0.71
Approach Factor	0.58			0.42			0.45			0.50			

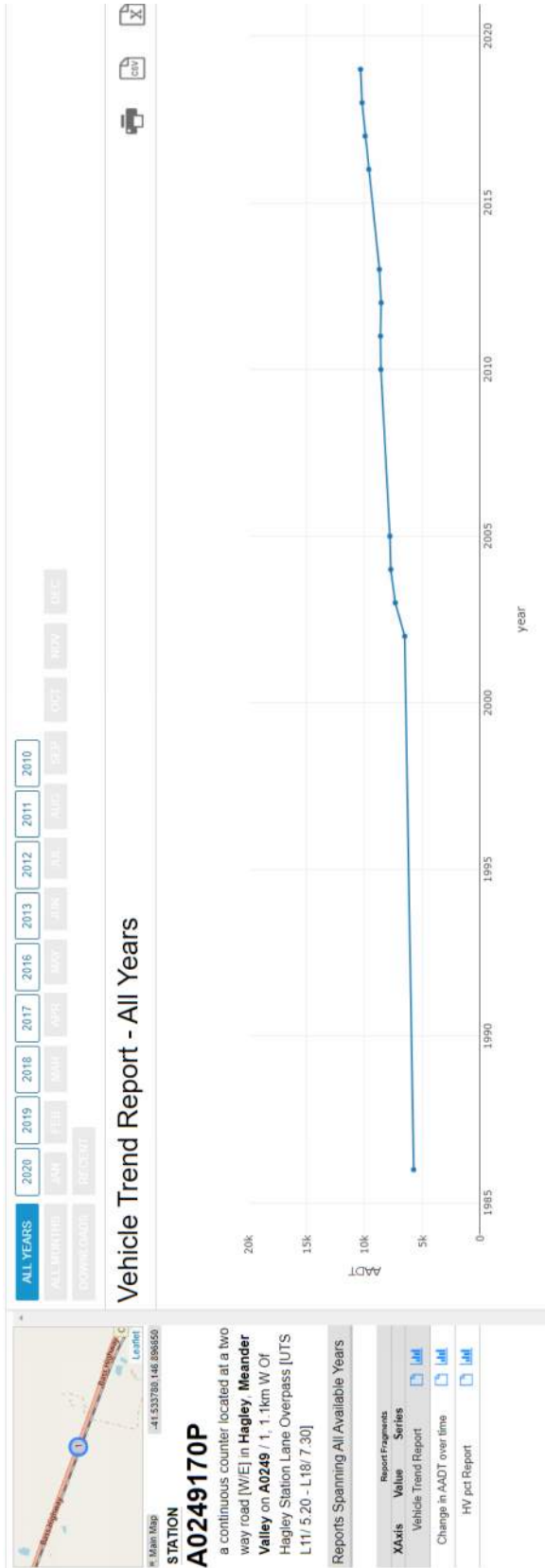
Appendix C – DSG Birrale Road Traffic Data



**Birrale MR AADT:
(north of Bass Hwy)**

- 680 vpd (1993)
- 952 vpd (2019)
- 25 % Trucks

Appendix D – DSG Bass Hwy Traffic Data



Bass Hwy AADT:
 (Hagley, east of Westbury)

- 5,764 vpd (1986)
- 10,354 vpd (2019)
- 20 % Trucks

Appendix E – DSG Response

From: Potter, Mia [<mailto:mia.potter@stategrowth.tas.gov.au>]
Sent: Tuesday, 13 October 2020 2:18 PM
To: Planning @ Meander Valley Council
Cc: Jo Oliver
Subject: State Roads Submission on Draft Amendment 1/20 to Meander Valley Interim Planning Scheme 2013

Good Afternoon,

State Roads provides the following comments on the proposed Draft Amendment 1/2020 to the Meander Valley Interim Planning Scheme 2013 to rezone land for urban residential growth at Westbury:

- State Roads acknowledges that a Traffic Impact Assessment (TIA) has been provided with the rezoning application. However, this TIA is for a 150 lot subdivision at 46 Lyttleton Street and does not capture the cumulative impacts of the rezoning as proposed. It also does not consider impacts of the proposed subdivision (or the broader rezoning) on the Bass Highway / Birralee Main Road interchange ramps. It is requested that the TIA is revised to address the broader rezoning request and not only the subdivision at 46 Lyttleton Street and is updated to include some commentary on the safety and efficiency of the entry / exit ramp terminal intersections at the Bass Highway / Birralee Main Road interchange in terms of expected additional use. It is noted that increasing density in the northern part of Westbury may require capacity upgrades to the intersections in future, of particular interest will be the left turn movement / storage length for the westbound exit ramp onto Birralee Road (for those travelling west along Bass Highway from the direction of Launceston and turning into Westbury) and the right turn safety and capacity on Birralee Road for the eastbound entry ramp intersection (for those travelling from Westbury and turning towards Launceston). The right turn movement / storage length of the eastbound exit ramp onto Birralee Road (for those travelling east along Bass Highway from the direction of Deloraine and turning into Westbury) may also experience additional demand.
- It is noted that the proposal will increase the density of sensitive uses in the vicinity of the Bass Highway. The Bass Highway is a major arterial road in Tasmania and key part of the freight network. It is recognised that people who live close to trunk, regional and arterial roads are more likely than others to experience amenity impacts associated with traffic noise. In accordance with the *Tasmanian State Road Traffic Noise Management Guidelines October 2015*, State Roads advises that it will not consider providing noise

mitigation where traffic noise impacts are a result of land use changes, such as rezoning, that bring sensitive developments (e.g houses) closer to an existing road.

- State Roads notes that the proposal includes the rezoning of CT 129482/2 from Rural Resource to Utilities zoning. The proposed rezoning of this title, which is owned by the Department of State Growth, is supported.

Kind Regards,

Mia Potter | Environment and Planning Approvals Officer

Environment & Development Approvals

State Roads | Department of State Growth

Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001

Phone: (03) 6166 3382

www.stategrowth.tas.gov.au

From: Anne-Marie Loader
Sent: 7 Oct 2020 02:11:15 +0000
To: Planning @ Meander Valley Council
Subject: Attention John Jordan: Objection submission: Draft Amendment 1/2020
– Westbury Urban Residential Growth
Attachments: Draft Amendment Opposition - A-M Loader October 2020.pdf

Hello

Please find attached an objection to the
Draft Amendment 1/2020 – Westbury Urban Residential Growth.

regards

Anne-Marie Loader
Lavender Cottage 1

Draft Amendment 1/2020 – Westbury Urban Residential Growth

I write to oppose the draft amendment 1/2020. I do so for the following reasons:

- The block sizes that could result from the passing of this amendment are too small and do not fit with the current amenity in Westbury. Westbury is a small historic village. Attempting to change it into a satellite suburb of Launceston with areas of high-density housing just doesn't make any sense. Most blocks and residences in Westbury have larger blocks (average 700m²) – this amendment could decrease the size of a building block to 450m² when the new "Local Provision Schedule" comes into effect. To have an area of small blocks like the amendment proposes will create a rash of tiny blocks that will severely destroy the tranquillity and amenity of the Village.
- I moved to Westbury from a farm two and a half years ago. I moved because it's a small rural village. The Council hasn't sought to ask Westbury residents what our collective vision is for the future. This amendment will irrevocably change Westbury from a quiet village to a place like any other outer suburb of a city. This is not the Westbury I chose to invest and live in.
- Westbury doesn't have the services to support such a huge increase in population. This amendment could allow for an extra 200 dwellings. With a current population of 2000, another 400 to 800 people is a mega population increase. Westbury doesn't have an ambulance station, it doesn't have a staffed police station, it has a small primary school and no high school: Westbury simply doesn't have the services to support this large population growth.
- Westbury doesn't have the infrastructure such as roads to support this sort of growth. Our roads are narrow and quiet and the current load of traffic is ok, however add these proposed dwellings and the resulting extra traffic and the congestion and noise will make the Village much busier and less pleasant to live in. This will negatively impact on my way of life.
- Approving this amendment will cause the loss of agricultural land. There is a state government policy to protect agricultural land (2009).
- The Meander Valley Council was due to hold a community engagement event called '100 Voices' in early April 2020 – this was to inform the update/renewal of the Community Strategy 2014-2024. This document is informing the planned amendment and yet it is horribly out of date. '100 Voices' was cancelled due to the pandemic. The Council hasn't attempted to reschedule or be creative in the way it consults with community. The Westbury Town Hall is unavailable for community bookings for example; other Tasmanian Councils are allowing the use of community facilities but MVC does not. There can only be limited people at Council meetings with only a very poorly recorded audio version for the public. This Council appears to be stopping any form of community engagement and yet it wants to push through with an amendment like this that will have long researching consequences for Westbury into the future. How can this amendment even be considered when the community is currently being closed out?

One wonders who the Council is 'working together' with – not with the ordinary people of Westbury. There has been no real consultation and the Council is working from an old strategic document. This amendment will irrevocably change the Westbury that I decided to invest and live in. If I'd wanted to live in a sprawling urban suburb I've have moved to Perth, Prospect or Legana. I didn't. I moved to what I thought was a quiet yet vibrant village community. I strongly oppose this amendment.

Mrs Anne-Marie Loader
Lavender Cottage

From: Belinda Mason
Sent: 7 Oct 2020 08:32:26 +0000
To: Planning @ Meander Valley Council
Subject: Draft Amendment to the Meander Valley interim Planning Scheme 2013

Dear General Manager,

We are writing to express our strong opposition to the Interim Planning Scheme to rezone land bound by Lyttleton, William, Taylor and Waterloo Streets.

While the local community may be unable to prevent development, that in itself will be detrimental to the area, many residents who live on Waterloo Street are completely opposed to the rezoning and plan to develop a high amount of new urban residential lots. The development will cause traffic and safety problems, destroy local wildlife habitat and potentially lower the property values of the existing area.

Traffic and safety of pedestrians are major areas of concern. While the traffic may be lighter on average, the local neighbourhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing residents. The traffic surge during morning rush hours will also negatively impact safety for children since many students walk to the bus stop and walk and ride their bikes along the roads surrounding the land.

Wildlife is constantly observed in the area and any development will destroy their habitat. Any planned development of the property should consider the continuing impact on local wildlife habitat. The eastern barred bandicoot is considered threatened because the species is potentially at risk of becoming extinct (Wildlife Management - Tasmanian Government, 2018). The eastern barred bandicoot is now extinct in South Australia and 'critically endangered' in Victoria, where the population has reduced to a mere 200 individuals. The Eastern Barred Bandicoot Project by Natural Resource Management North Tasmania aims to increase community awareness of eastern barred bandicoot and other threatened mammals, about threats to the species and ways to mitigate those threats. The project is also improving the condition and connectivity of eastern barred bandicoot habitat or potential habitat on private land (Natural Resource Management North). There should be no discussion about rezoning or development on this land before investigations are conducted by the appropriate agency.

We chose to purchase our property on Waterloo Street, because of the low-density housing, surrounding wildlife, low noise level, rural outlook and the positive safety aspect. We have since started a family. The level of noise and visual outlook with planning and construction of the new dwellings will impact our daughters sleep during the day as well as cause distress for her and animals, including pets and wildlife.

I urge you to reassess the proposed rezoning, and from recent meetings and discussions with my neighbours, I know our opinions are shared by many.

*Thank you for your continued service and support of our communities.
Best regards,*

Belinda and Ethan Cohen
Residents of Waterloo Street, Westbury, 7303

From: Emma Hamilton
Sent: 11 Oct 2020 23:57:03 +1100
To: Meander Valley Council Email;Planning @ Meander Valley Council;John Jordan
Subject: Submission re Draft Amendment Rezone for Westbury
Attachments: Emma Hamilton Objection to Council Rezone Amendment.pdf

To whom it may concern,
Please see attached submission
Emma Hamilton

Emma Hamilton
PO Box 285
Deloraine TAS 7304

11 October 2020

Att: The General Manager

To whom it may concern,

I am placing my opposition to the rezone amendment to the 2013 Interim Planning Scheme on the record for the following reasons below. I hope that there is enough information to unequivocally overturn this amendment and not allow it. If the amendment is accepted, I hope that there may be enough issues with the report to appeal your decision. I bring to your attention the following issues with the information contained in the report.

Page 4 of Amendment 1 – September 2020 Meander Valley Interim Planning Scheme 2013 states “In regard to the most recent release of 10 of the subdivided lots on William Street, 9 lots have been sold since early 2020.”

Page 12 of Amendment 1 – September 2020 Meander Valley Interim Planning Scheme 2013 states “ The most recent subdivision in the General Residential Zone on William St (Refer Figure 8 below) made 10 lots available to the open market and was the only remaining larger parcel with road frontage that could be subdivided to a reasonable degree. Nine of the ten lots have been sold in the first half of 2020.”

While the amendment report backs up it’s other claims by providing academic referencing to reliable sources like the Australian Bureau of Statistics, these claims are not backed by any substantial evidence. In the September MVC Ordinary meeting I asked the following question without notice, and my question was “taken on notice”. This is simply not acceptable.

“3. PUBLIC QUESTIONS WITHOUT NOTICE – SEPTEMBER 2020 3.1

Emma Hamilton, Westbury

1. a) I see on page 260 of the September 2020 Ordinary Meeting agenda (page 4 of Amendment 1- September 2020 Meander Valley Interim Planning Scheme 2013) and page 268 of the September 2020 Ordinary Meeting agenda (page 12 of Amendment 1- September 2020 Meander Valley Interim Planning Scheme 2013) there is talk about how quickly the land at the William Street subdivision sold as justification for the proposed amendment yet there doesn't seem to be any academic referencing to quantify how quickly the lots sold. Will Council detail what research it undertook to be able to make these claims ie did it have correspondence with the landowner/ realtors or land title searches? If so surely this evidence should be included as part of the decision making process. I would hope that if this is something councillors are being asked to vote on that the research was rigorous and more than just anecdotal evidence like a sold sticker on a development billboard or hearsay?

1. b) Also how many building/planning applications have been lodged with council for any of those blocks on the William Street Subdivision since they have sold? What is the projected timelines between the lots being sold and being built on?

2. Will Council explain how much rate payer money was spent to produce this Amendment report that includes things like a Traffic Impact Assessment since some of the land involved in this report was already being considered for rezone under the statutory process to transition from the Meander Valley Interim Planning Scheme 2013 to the Local Provisions Schedule. This report seems like a waste of ratepayers money in an attempt to fast track a process that was already in place and likely to take affect soon anyway when the Local Provision Schedule was approved. Why is this amendment so urgent to implement? And what has it cost rate payers?

Questions taken on Notice”

Given submissions for the rezone amendment close on Tuesday 13th October, which is when the answers would most likely become available to my questions, that is simply not enough time to receive the answers and make an informed submission to oppose the rezone.

We know from the attendance roll of the September meeting that Jo Oliver - Council's Senior Town Planner, and other MVC Town Planners were in attendance, and it would have been very easy to say that they had either correspondence or land title documentation and that the information could be included in the minutes following the meeting, however what has happened is a technique to deflect my questions and reply when it is too late, and this is inexcusable.

As it turned out, the answers to my questions were made available on the Meander Valley Council website on Wednesday afternoon the 7th October. I then followed up, trying to contact Ms Oliver on Friday the 9th October, and she was "on leave". Why the Senior Town Planner would be on leave, when such a massive amendment is open for public viewing and submission and not available to answer questions from community members, is astounding! Surely this taints the process? If the Council and Town Planners do not, will not and can not provide answers to the questions that members of the community have during the public exhibition phase, is there not some legal remedy that can be taken against them for deliberately withholding information from the public during the public consultation phase?

Given Council's unwillingness to actually back up their claims that all but one of the lots of the William Street subdivision have sold, I have included the only publicly available information - being photographic evidence at the site. Without any other information regarding dates when these lots were sold, it's hard to know how things like HomeBuilder grants have impacted the success rates of sales. Without the HomeBuilder grant, it's possible that the sales rates would be very unimpressive. If this fast sale of land is due to HomeBuilder grants, they are currently only available between 4 June to 31 December 2020 and their impact would be nullified after that date, which would be before people are able to purchase a new lot created by this rezone amendment - and we are now officially in a recession. In "The Examiner" on the 11th October 2020 in an article titled "HomeBuilder Grant Scheme in Spotlight" it is reported that, "Only eight Tasmanians have been paid the \$25,000 HomeBuilder grant, raising concerns it is too small and restrictive."

It's also vitally important to note that the Council initiated the rezone amendment process in April 2019, and allocated up to \$13,000 of rate payers money for the rezone amendment in June 2019. The William street subdivision was voted on in the July 2019 MVC meeting. This means that council were willing to attempt the rezone process without having any indication of land sales rates for a development that hadn't even been voted on yet. It is therefore comical that it is being used to justify the rezone process.

What I will also add, as a fascinate point that is illustrated in the timeline included below, is that while council might have moved a motion for the rezone amendment in April 2019 and agreed to a \$13,000 budget in June 2019 for the rezone amendment, all of the reports needed from contractors are all dated January 2020 and beyond. Did every single contractor have a 6 month or more waiting list for site assessments? Or was council waiting for to the prison announcement to be made publicly, to give them added confidence to spend ratepayers' money on the necessary reports?

It is therefore my hope that you will refuse the rezone on the grounds of the success of the William Street development, as it seems it may not be the "substantial evidence" the town planners have made it out to be.

The rezone amendment report is a flawed document.

On page 51 The amendment document says the following: "Together, the two areas make available 17.5 hectares of serviceable land through three landowners, which could yield approximately 200 lots if lots are created at the market preferred size in the order of 700m2 ." There is no mention that when the new Local Provision Schedule comes in, the minimum lot size will be 450m2. My personal calculations are that the new lot size of 450m2 would generate around 311 lots.

In the 2016 Census, Westbury had a population of 2006 people and 964 houses. If the rezone amendment was to go through, and then the landowners waited for the LPS to come into effect and they took advantage of the 450m2 ruling, the housing stock in Westbury and population would increase by a third at a minimum. Asking a small rural town to increase by a third in the space of a 10 year time frame is not sensible or sustainable.

Appendix C the Traffic Impact Assessment for 46 Lyttleton Street is for a 150 lot subdivision, not the 170 lots anticipated in the motion that was moved in the September MVC meeting. Note that Planning Authority 2 Reference No. 169/2020 states the planning outcome of the rezone of land bound by Lyttleton, William, Taylor and Waterloo streets is the approximate creation of 170 lots of land. When you combine this with the predicted lot creation of 33 lots on the land that is bound by Dexter, Jones, Taylor and Shadforth Streets, you get the convenient estimate of 200 new lots of land that the amendment report predicts on page 51. The only way you could get 200 lots on those two blocks with a traffic impact assessment for 150 lots is to put 50 lots on the “Southern block”. This is clearly not what was intended when the report estimates 200 lots of land being created!

I’m not a town planner or a lawyer with town planning expertise, but I do question the legality of approving an amendment that is trying to put 170 lots of land on a block of land that only has a traffic impact assessment for 150 lots. Given we have seen with the recent subdivision of 150-152 Dexter Street that a subdivision of 20 houses can see a predicted increase of around 1,000 or more traffic movements per day, this is a significant discrepancy that must be challenged.

If such a big discrepancy is found, it thus necessitates further questioning of the integrity of other claims and evidence contained within the report

For instance, how can you feel confident that there will be no negative impacts to rezoning agricultural land with regards to the State Policy to Protect Agricultural Land 2009, and the claims in the report and soil assessment?

Surely this part requires far more scrutiny - and even a second soil assessment - to ensure that rezoning agricultural land has been “properly balanced” against the need to grow the housing stock and population of Westbury.

I also note that the amendment report makes reference to version 3 of the Tas Vegetation codes, and that this should now be superseded by version 4. Whilst I’m not sure of the exact date that version 4 was to take effect, I do know from Right to Information requests that it was supposed to be released and was then “paused” so that it would not cause embarrassment around the announcement of

the new prison site on Birralelee Road at Brushy Rivulet. If version 4 has been released, then any information with regards to version 3 should be checked and cross referenced against the newest possible version.

I would also ask that you refuse the rezone on the following grounds:

- 1) You can't have your cake and eat it too. Either Westbury is a booming town growing on its own steam and thus does not need saving with a new prison, or it is a dying town and thus doesn't need such extensive and aggressive subdivision. You can not accept the way the data has been manipulated in this report to say that Westbury is booming and needs expansions, and then also accept the evidence in the Government's SGS Social Economic Impact Assessment that Westbury is stagnant, to vote on rezoning and building a prison. They are completely contradictory and not compatible. I include for your consideration information from the SGS report. Page 2 of the Northern Regional Prison EIA and CBA states "Population growth has been marginal over the last 10 years, with an average annual growth rate of +0.1%. This is low compared to the rate of population growth in the Northern Region and Tasmania with +0.6% and 0.7% respectively."
- 2) The amendment report also relies heavily on the Community and Strategic Plan 2014-2024 document. The 2014-2024 Community Strategic plan has been the topic of numerous questions to council from myself. For your future reference and to jog your memory, I asked about the proposed community consultation to "refresh" this document at the December 2019 AGM meeting. I was told that there was legislation that meant that this document needed to be revised at least every 4 year. I enclose that information:

"3. Emma Hamilton, Westbury

Given we know that some members of council attended a meeting on the 28 August with State Government representatives about the Northern Prison being built at the Birralelee Road site will you tell us who it was on Council that initiated the idea to rewrite the 2014-2024 community plan 5 years early and what social or economic factors were cited as evidence of the new community plan due to the

answer from Mr Harmey in the December Agenda regarding the 2019-2020 Annual Plan?

Response by Acting General Manager, Jonathan Harmey

The two are unrelated. The commitment from Council officers to undertake a review of the Community Strategic Plan, which is our overarching document required by the Local Government Act, that was discussed with our elected members in April/May they felt that it was time for us to go back out to the community and see what the current values in our community are and to keep it up to date.

It was put into our Annual Plan process which was voted on the 2nd week of June 2019, so there was a commitment that states “we will undertake that project throughout the course of this current financial year”.

You refer to a meeting held on 28 August about the northern prison. The consideration of rewriting the Council’s Community Strategic Plan was already on the books and already in progress by then.

The meeting that you refer to in August from the State Government around their northern prison project has absolutely no bearing on our Community Strategic Plan, albeit that community members when they provide feedback, when we go to the community for them to provide us with their feedback, may refer to some of those conversations that have gone on within the community since then and it may affect how they feel about what is important to them in their communities.

What is in the 2019-2020 Annual Plan required the plan to be reviewed?

Response by Acting General Manager, Jonathan Harmey

Council officers undertook a review, that is a 4 year scheduled review of the Plan it may have been March or April in 2019 and at that time there was a feeling that the document was prepared so long ago that it should be brought up to what the community thinks as of today.

Why write a plan until 2030 if that’s too long and needs to be reviewed early, ie every 4 or 5 years?

Response by Acting General Manager, Jonathan Harmey

The requirement in the Act is that it would be for a 10 year period and it would be reviewed at least every 4 years.

Where in legislation does it say it needs to be reviewed every 4 or 5 years?

Response by Acting General Manager, Jonathan Harney

Section 66(3) of the Local Government Act (Act) requires Council to prepare a strategic plan to be at least a ten (10) year period. Section 70E(1)(a) requires the strategic plan to be reviewed at least every four (4) years.”

I also asked in the July 2020 meeting about when the consultation for this document would take place. This is the question and reply:

“b) In late 2019 council started discussing in meetings the need for community consultation during 2020 to review the "Community Strategic Plan 2014 to 2024". Will Council advise if this consultation process has started? If it has not, will council advise when and how this consultation will begin, and how council plans to consult with the community?

Response by John Jordan, General Manager: Consultation to refresh the Community Strategic Plan 2014-2024 has not yet started and has been deferred until later in the calendar year. The final timing and consultation approach will be determined closer to the time considering any COVID19 restrictions.”

It would be unwise for council to change this document without proper community consultation, and at this point in time council have given no indication as to when it will consult with the community. One might question, when looking at a close timeline of events, if the consultation and rewriting of this document has been deliberately sidelined until such time as it could be used to get the amendment rezone “over the line”. It would also be unwise to amend the Interim Planning Scheme on the merit of a document that, by legislative standards, is old and outdated and should have be reviewed by now.

As a side note I’ll include my observation that council appears to be cherry picking the issues it will consult the community on. If it was decided the document was outdated around March and April 2019, then it is most definitely outdated 18- 19 months after that! To date the Council have not consulted with the community about the proposed prison, and neither has it consulted on the community strategy plan, however it was able to consult landowners - despite

COVID-19 - about subdivision of the “5 acre blocks” which included a question about “battle-axe” blocks, which seems to be a direct attack at Councillor Nott’s comments in the March 2020 Council meeting where he is reported in the Meander Valley Gazette as having said that Battle-axe blocks should not be allowed on the “5 acre blocks”.

- 3) It would be premature to approve the rezone for extensive subdivision on the assumption that the prison will be built here, and thus need extra housing for demand that may create for many reasons, including but not limited to the fact that:
 - a) Community opposition to the first site was so strong, and research on the site selection process was so thorough, the Government was left with no choice but to walk away.
 - b) This new site was not part of the EOI Process, and was chosen “on the run” and as such seems to be an even bigger misstep than the first site, given it’s natural values and proximity to the eagles nest and the issues that will cause (particularly during breeding season) for both building the prison and the daily running of a prison of the size the Government has proposed
 - c) Opposition to this new site is even stronger, given a second citizen group has now also formed, and the Government will need to contend with WRAP (Westbury Region Against the Prison), CROWPS (The Concerned Residents Opposed to the Westbury Prison Site), Sarah Lloyd OAM, Greg Barnes Chair of the Prisoners Legal Services Tasmania, and various other environmental lobby groups
 - d) All throughout this process we have had other landowners with far more appropriate parcels of land come forward at various times, offering their land to the government as a more viable option. The majority of elected Councillors were present at the public meeting with Minister Elise Archer in December 2019 when one man came forward and offered his brother’s land as a viable option. At the time Minister Archer rejected that land, as it was not part of the EOI. On that basis alone, this new parcel of land on Birralee Rd should also thus be exempt because it was not part of the EOI process! As this process of “due diligence” continues, it seems that the only logical conclusion will be that the Government will need to walk away from this new site also. For those that may say this rezone has nothing to do with the Proposed Norther Regional Prison, I would draw your attention to the timeline of events that I have enclosed below.

Date	Events
December 2017	MVC moved a motion to express interest in the Northern Prison being sited at “Ashley” and endorsed a draft for the Local Provision Schedule
February 2018	The Mayor writes to the Government re the Ashley site
September 2018	The State Government write to council looking to target sites for the prison
October 2018	MVC instructed to exhibit the LPS for public comment
November 2018	MVC submit joint EOIs with landholders at the industrial site, that have been written with help from the Dept of Justice team, to help ensure Westbury is chosen
December 2018	Landholders in Westbury make submissions to rezone land to residential
January and February 2019	Emails between council and Government Department re environmental reports for the Industrial site for the prison
April 2019	Council decides it needs to consult on the 2014-2024 Community Strategic Plan to fulfill its legislative responsibility
April 2019	Council organises for meetings at the industrial site for due diligence in May
April 2019	Council decides to pull one of the lots of land that was applying for residential rezone through the transition to the LPS out of that process, and instead amend its zone in the 2013 Interim Planning Scheme
May and June	Due Diligence on the proposed prison site
June 2019	Council commits up to \$13,000 of ratepayers’ money to produce the amendment report

July 2019	MVC vote on the subdivision of the “William Franklin” application for 10 lots on William Street
August 2019	Confidential meetings held with council and Government about the prison site
September 2019	State Government publicly announce the Industrial site as the proposed site for the prison
November/December 2019	MVC Council decide to consult with the community about the 2014-2024 Community Strategic plan in 2020
December 2019	Public meeting with Minister Archer, where another site was offered up for the prison and rejected as it wasn’t part of the EOI
January 2020	Land capacity assessment for rezone amendment
February 2020	Bushfire Impact Assessment for rezone amendment
February 2020	Premier Gutwein and Minister Archer meet with MVC Councillors
February 2020	Government’s phone survey about the prison
March 2020	Traffic Counter for Traffic impact assessment for rezone amendment
March 2020	The Government had people on the new site to assess its suitability
March/April 2020	Government mail out survey about the prison
June 2020	Government announce its decision to move the prison to the Bushy Rivulet site
July 2020	Council admit it has sidelined community consultation re the 2014-2024 Community Strategic plan “because of COVID-19”
August 2020	Traffic Impact Report Finalised

September 2020	MVC moves a motion to accept 1/2020 draft amendment to the 2013 Interim Scheme
October 2020	Government Geotechnical drilling on Brushy Rivulet site

Signage at the William Franklin Development referenced in the Draft Amendment Report







References

2016 Census

[https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC60736?opendocument#:~:text=People%20%E2%80%94%20demographics%20%26%20education&text=Westbury%20\(Tas.\),-%25&text=In%20the%202016%20Census%2C%20there,male%20and%2051.3%25%20were%20female.](https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC60736?opendocument#:~:text=People%20%E2%80%94%20demographics%20%26%20education&text=Westbury%20(Tas.),-%25&text=In%20the%202016%20Census%2C%20there,male%20and%2051.3%25%20were%20female.)

Department of Justice Right to Information Requests

Department of Primary Industries, Parks, Water and Environment Right to Information Requests

Draft Amendment 1/2020 - Westbury Urban Residential Growth Report

Examiner, 11 October 2020,

<https://www.examiner.com.au/story/6962787/homebuilder-grant-scheme-figures-unveiled/>

Meander Valley Council Annual General Meeting Minutes 2019

Meander Valley Council Ordinary Meeting Minutes

Meander Valley Gazette - <https://www.meandervalleygazette.org/meander-valley-gazette-tasmania/2020/3/17/councillors-say-unique-westbury-is-being-whittled-away-by-subdivision>

SGS Economics and Planning, Northern Region Prison EIA and CBA

Traffic Impact Assessment, 150-152 Dexter Street Westbury, MVC Reference No. 199/2020

From: Karen Mackenzie
Sent: 11 Oct 2020 17:53:21 +1100
To: Planning @ Meander Valley Council
Subject: Attention: General Manager John Jordan

> Dear Mr Jordan

>

> Re: Development Application: Rezoning of land bound by William, Lyttleton, Taylor and Waterloo Streets from Rural Resource Zone to General Residential Zone

>

> I am writing to voice my opposition to the development proposal above to “provide new urban residential lots.”

>

> My husband and I have lived in Westbury since moving here in October 1998 and have been ratepayers since purchasing our home here in February 1999. We have always found Westbury to be a pleasant place to live, people are friendly and the quiet village lifestyle suits our way of life.

>

> The amenities I love about Westbury are its historic village atmosphere, historic buildings, Village Green and Town Common, to name a few.

> Westbury Village provides a quiet, relaxing environment in which to enjoy the lifestyle we have here. Since the bypass of Westbury many years ago, locals have worked hard to build up the tourist aspects of Westbury. The winning of the Tidy Towns award in 2015 is an example of how Westbury is viewed both by locals and people who do not live in the village. We are fortunate to have amenities that make this village a convenient place for people of all ages to live. We have two GP practices, a chemist, a Post Office, a Library, new IGA supermarket, a Community Health Centre, a butcher as well as a pub, local cafes, a maze and Pearn’s Steam World. We have recently updated sporting facilities, a beautiful Village Green and Town Common. As well as having the convenience of the facilities mentioned above, we also have the pleasure of living in an historic village with beautiful historic buildings to enjoy. I always smile when I see the number of families enjoying a picnic on our Village Green or walking their dogs on the Town Common. We are indeed fortunate to live a lifestyle that would be envied by many other people in Tasmania and on the Mainland.

>

> It is developments such as the one proposed on farming land bounded by William, Waterloo, Taylor and Lyttleton Streets that threaten the lifestyle I have outlined above. If this rezoning is allowed to take place, it may be eligible for the 450m2 land size when the new Local Provision Schedule is approved. This will result in many more lots of land than already stated. Will the land size automatically change from 700m2 to 450m2 when the Local Provision Schedule comes about? How many lots of land would this result in, if this land size was used? Is adding this number of lots to the size of an already existing historic village progress? I think not! I am surprised at Council’s intention to rezone agricultural land considering the Tasmanian Government’s existing policy to protect existing agricultural land. The owner of the land has stated the land has become “too high a value to continue farming.” He is not saying it cannot be farmed. I can only hope that every other farmer in the Meander Valley Municipality does not decide their land has become too valuable to farm!

> I am very concerned that the very nature of Westbury as an historic village will be damaged forever by these types of developments. The intention to rezone this area from Rural Resource Zone to General Residential Zone will undermine the very good things about Westbury which include the sense of place, tourism and heritage. Current thinking within Meander Valley Council seems to be that any development that can be squeezed into Westbury is a good thing. I believe that this vision from Council is not wholistic and is lacking a greater vision for Westbury. When has the community been consulted about Council’s vision for Westbury? Surely ratepayers deserve the right to be consulted on whatever plans Council has for the future of Westbury as a whole, rather than having to fight individually against each rezoning?

>

> Westbury is currently a wildlife haven for Eastern Barred Bandicoots and many beautiful birds, a living garden, that includes heritage hedges. We have already seen significant losses in each of these areas. What Meander Valley Council and developers are planning will result in significantly greater losses for both local wildlife and flora. The building of at least 200 houses as proposed will see more noise, more traffic and more light pollution to disturb our endangered wildlife as well as human beings. If we say that each house will bring 3 to 4 extra people Westbury that means an increase in population of 600 to 800 for the population of Westbury. Add in all the other subdivisions already approved or also in the pipeline and we could be looking at an extra 1,000 people in Westbury. This is a huge increase on the existing population of approximately 2,000 inhabitants. With extra people come cats and dogs which cause damage to our wildlife and farm animals. Cats especially, when not kept indoors at night, have a devastating impact on the local wildlife, not only as predators but as carriers and transmitters of toxoplasmosis to humans as well as wildlife. Will these people living on smaller blocks of land then complain about existing farming practices? Where does this stop?

>

> I have already seen the removal of a significant tree to allow the development on the corner of King Street and Taylor Street some years ago. Recently so called pruning to the historic trees that form the border of the Fitzpatrick's Inn garden has damaged these trees. This damage to existing historic trees has been caused due to another development of 3 units on the corner of Meander Valley Road and Marriott Street. As a member of Westbury Garden Club I have been involved in the planting of Spring bulbs underneath street trees and the plantings at the Eastern entry to Westbury to further improve the beautification of Westbury. Council has supported the Club with a grant and more recently by providing fencing to protect young plants.

>

> This type of development as well as others proposed for Westbury in the near future, will combine to detract from the amenities and sense of place of Westbury Village for locals, tourists, other visitors and businesses.

> The historic village of Westbury is not a suburb of Launceston and it would be detrimental if it was to become one. We have our own individuality as a village with its own community. In its own documents Meander Valley Council sees retirees as a proposed demographic but the very changes they are proposing, make Westbury less desirable as a place to live.

> It is clear from conversations with numerous tourists and many visitors from within Tasmania, that the attractiveness of Westbury is due to the rich history, built heritage, natural environment, good, friendly services, and spaciousness. Council seems to not fully appreciate that, and further seems intent on detracting from those aspects, due to a misguided belief that more houses, less farmland, less green spaces, equals progress that automatically has to be improvement. That is simply incorrect.

> I encourage Meander Valley Council to consider all the negative implications of this proposed development and to refuse this application. Thank you for taking the time to consider my views as a ratepayer of this Council.

>

> Yours sincerely
> Karen Mackenzie Westbury

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From: Barbara Landsberg
Sent: 11 Oct 2020 11:21:53 +0000
To: Planning @ Meander Valley Council
Subject: Re: Draft Amendment to Meander Valley Interim planning scheme 2013 to rezone land for urban residential growth at Westbury

Dear Sir/Madam,

Re: Draft Amendment to Meander Valley Interim planning scheme 2013 to rezone land for urban residential growth at Westbury

In reply to your letter of 11 September 2020 we make the following representation to the Tasmanian Planning Commission.

When we came to Westbury and purchased a home at 20 Waterloo Street we felt we had the best of everything; a quiet street, a beautiful rural aspect to the north and in the opposite direction the perfect town - all the services we needed and the loveliest of old and heritage buildings. A town of historic character.

Now all this, it seems, may change because of proposed development of housing on the rural property opposite us.

Watching the wildlife on this property has been a favourite pastime for Waterloo Street people. We all enjoy the many birds and animals to be seen there. The plovers and other birds have nested there year in and year out.

The prospect in the future that instead of enjoying this lovely outlook we will see 170 boring black roofs and on our quiet road upwards of 200 extra vehicles, is utterly appalling.

The lifestyle we have known will be no more. We didn't come here for this.

We object strongly to the proposed development.

Yours faithfully

Maxwell and Barbara Landsberg

From: peter Mackenzie
Sent: 11 Oct 2020 08:46:15 +0000
To: Planning @ Meander Valley Council
Subject: ATTENTION JOHN JORDAN - SUBMISSION RE REZONING William, Waterloo, Lyttelton, Taylor Sts land
Attachments: WILLIAM,WATERLOO,LYTTLETON, TAYLOR STS.rtf

Please find attached, submission against the rezoning.

Thank You
Peter Mackenzie

Mr John Jordan

General Manager

Meander Valley Council

26 Lyall Street, Westbury Tas 7303

SUBMISSION RE REZONING OF PROPERTY BOUND BY WILLIAM, WATERLOO, LYTTLETON AND TAYLOR
STS, WESTBURY

Attention Mr John Jordan, General Manager, Meander Valley Council.

My submission against this rezoning, is based on traffic impacts, and relates to the Traffic Impact Assessment (TIA) that was carried out in regard to this proposal.

The TIA was conducted by Traffic and Civil Services, of which Richard Burk, traffic engineer is principal.

Richard has conducted the assessment, based on Department of State Growth guidelines, utilising tools from Austroads.

My concern relates specifically to the aspects of safety.

TCS have used conventional approaches to safety assessment, and from that have drawn the overall conclusion that the traffic movements consequent to the rezoning and eventual housing developments on the site, will be basically safe. Though there were some issues raised about inadequacies of the Waterloo & William St intersection.

Several key points about this are:

1. The data/methodology that has been used is incomplete, flawed and inadequate.
2. Any conclusions made using that approach, are therefore invalid.
3. Traffic impacts based on this proposed development in isolation from other proposed and possible developments and from a whole of Westbury assessment, will also draw incorrect conclusions.

Further explanation on key points 1, 2 and 3 above

1. Traffic Engineer Richard Burk has used data/methodology and assessment that has been accepted nationally and even internationally for decades, so it is not surprising that he has used that method, and I make no criticism of Richard as an engineer, or of him for utilising that method.
2. Unfortunately, that does not change the fact that the method is not adequate.

3. The overarching problem is the inordinate delays in convincing the national “system” to update approaches. Changes of this type and level- a step-change or paradigm change- typically is incredibly slow across domains, not just in the transport arena.

There are a number of inter-linked reasons why that is so, and in separate correspondence to the General Manager and Councillors of Meander Valley Council, I have offered, and would be more than pleased to provide as much detail as is needed to explain.

4. Using crash data alone, ignores the significant numbers of unreported crashes, and unsafe incidents that occur everyday in road-use, including necessary use of crash avoidance and evasion by road users, other than the erring road users- and of future such events caused or contributed to by additional traffic movements that would be generated by this proposed development bounded by William, Waterloo, Lyttelton and Taylor Sts, Westbury.

Traffic from this development will flow from Waterloo & Lyttelton Sts onto William St. It will also flow onto Taylor St and across the Railway line, to junction at Meander Valley Rd. It is likely that some, probably a lesser amount of traffic will utilise Emu Plain Rd, and cross the railway line there.

There are too many unsafe traffic incidents already, along those routes. Ove the past twenty years, I have witnessed many unsafe acts at the road junctions, and the railway level crossings.

At the railway crossings, I have seen numerous vehicles that fail to stop at the stops signs, and in a smaller number of cases, fail to slow. The fact that these are not monitored or recorded officially, nor used in safety assessments, does not make them safe- and is not part of the “Safe System” approach to road safety.

5. Developments around Australia, typically do not consider “downstream consequences” of traffic generation, and this plan unsurprisingly falls into the same trap. Just to give one example is the impacts of the additional and total traffic flows on the junction of William St and Meander Valley Rd (old highway). That would need to consider the total impact of not just this one development, but the other existing and planned/proposed developments that will increase traffic flows into the junction.

There are already significant safety problems at the junction of William Street and Meander Valley Rd. Once again, an assessment of that situation cannot be adequately assessed using crash numbers, even if any traffic law violations from Tas Police data are added.

I note a mention in MVC documents about mitigating issues with Waterloo St by encouraging/compelling traffic to exit (and enter) the development area via Lyttelton St. The item I read did not describe how that would be made to happen. It would indicate that the traffic on Waterloo St might be forced to flow in one direction, and all traffic from the development are be forced to turn left onto Lyttelton St when exiting?

I’m not sure if that also meant existing residents in Waterloo St will need to stop making their traditional exits from there onto William St, or via Taylor an onto Marriot or Emu Plains Rd?

Unless there is signage/traffic flow control/physical barriers, it would be optimistic in the extreme to expect drivers to not use the exits other than Lyttelton Sts.

Even if the new traffic found “no right turn signs” trying to stop them exiting in an easterly direction, rather than left along Lyttleton Sts towards William St, I have to say that human nature, and attitudes/confidence towards the driving task, would result in a relatively high percentage of drivers ignoring those signs.

The problem will be similar for inbound traffic. So for example, someone who has just shopped at IGA is highly likely, on the balance of probabilities, to use Marriott St to find their way home. They would be highly unlikely to travel by a longer route.

Similarly, if one way streets were used to funnel outbound traffic to the Lyttleton & William Sts intersection, then inbound traffic would need to travel via Waterloo Sts, creating problems at the Waterloo & William Sts intersection, with greater possibility of rear-end crashes, and backing up onto the railway line- never a good thing.

Traffic issues will be divided into two stage (with overlaps) construction vehicle traffic, and resident traffic. Extra road risks will flow from the “going home exit syndrome” whereby tradies try to emulate Formula One Driving style*, which will add to risks.

*That description is using colourful descriptive to highlight a problem that is too much under the radar, and certainly is not taken into account with developments, including this proposed development.

This proposal does not seem to consider pedestrian access to the housing that will be built there. All services, sports and other activities will be across the railway lines. There is no existing footpaths and I am not sure if any are planned? Primary school children en masse crossing the railway line alone will add unacceptable risk. I may have missed reading where that is considered, and what mitigation steps are proposed to be taken.

A related question is: The rates from new housing at this site will go into general budget of Council with no hypothecation towards this development? If that is correct, and existing ratepayers in some areas are still waiting for footpaths and road upgrades, then how can Council justify allocating scarce ratepayer funds to this development, leapfrogging those already waiting? Lyttleton St needs widening, Taylor St is just a muddy laneway and would need almost rebuilding, Waterloo St needs some works, and then there is those footpaths. Or are those things to be paid for upfront by any developer of the land prior to building commencing? I am not sure how that works.

At the very minimum, this rezoning needs to be reconsidered, with a new TIA utilised, that considers the issues I have raised.

The issues around TIA and related concerns for this development, will also relate to other proposed developments within the Meander Valley, and in that regard I have written to The General Manager and Councillors separately.

I submit this for your consideration

Thank you

Peter Mackenzie

From: peter Mackenzie
Sent: 12 Oct 2020 04:55:36 +0000
To: Planning @ Meander Valley Council
Subject: RE: Your email has been received

Hello

Yesterday I sent a submission which as written was addressing the William/Waterloo/Lyttelton/Taylor St rezoning.

I have previously made a submission addressing the proposed unit development on Dexter St.

Could you please add a note to my submission of yesterday to the tune that yesterday's submission was meant to actually address

Both rezoning issues ie Dexter St and the William/Waterloo/Lyttelton/Taylor St rezoning proposals.

In both cases, I referred to the TIA that was made for each, and how that was fundamentally flawed, and the negative consequences that the evidence I have, suggests will follow if the developments proceed.

I would like to add that if the two locations were later subject to a smaller minimum lot size when the new LPS comes into play – ie current minimum 700m sq, reduced to 450m sq under a new LPS, it would make the TIA for both sites, even more invalid.

If it is not possible to insert this email message with my submission of yesterday, could you please advise me ASAP if I would need to submit a new submission, with this additional information.

If it is possible, could you confirm that by return email, please.

Thank you,
Peter Mackenzie

From: [Planning @ Meander Valley Council](mailto:Planning@meandervalleycouncil.gov.au)
Sent: Sunday, 11 October 2020 7:46 PM
To:
Subject: Your email has been received

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

From: roger travis
Sent: 4 Oct 2020 18:46:50 +1100
To: Planning @ Meander Valley Council
Subject: Draft amendment to rezone land at Westbury

Re zoning of property

1. concerns regarding protection of existing hawthorn hedge rows doesn't seem to be mentioned except for short length along Lyttleton St in relation to protecting residents from farm spraying (page 285). Extensive mature hawthorn trees run around 41 Waterloo St & adjacent paddock. These hedgerows provide substantial habitats for native animals and birds, as well as providing historical aesthetics for the Westbury region.
2. if this re zoning goes ahead what assurances are there that existing rates will not be affected disproportionately.
3. Specific area plan (page 312) does not seem to acknowledge the existence of the existing 5 acre residence with its existing established hawthorn borders to be maintained. Titles CT118081/2,4 & 6 should be listed as "low density residential zone as it reflects their present use as stated for CT118081/4 & 5 (note CT118081/4 spans the proposed low and urban residential zones). So preserving the heritage look and feel as you enter Westbury from the highway.
4. Presently Lyttleton Street has only 3 residents, presenting low volumes of traffic for stock movements between paddocks, with a further 120 or so this would be considerably more difficult!
5. Recent housing development along William's & Franklin streets has resulted in high density housing not synonymous with Westbury's historic village presentation, as can be seen with further lot subdivision and building styles approved by council. This shows little guidance or regulations into providing suitable family housing which should enhance Westbury's appeal as both a tourist destination or place to live.

Sent from my iPhone

Westbury Twp

Index No. 502-13-002	
Doc No. 28-9-2020	
RCVD	28 SEP 2020 MVC
Action Officer JS	Dept. G
EO	OD <input checked="" type="checkbox"/>

Attent The General Manager.

Dear Sir,

In my short time living in Westbury, I find the progress rate extremely high and alarming. "Low" density living with the stroke of a pen becomes "High" density living - more subdivisions, smaller blocks, more traffic, and this is the rural end of Westbury.

No consideration for the future, apart from modern progress - bricks and mortar. The serene country atmosphere is so important, the clear air, the hawthorn hedges, and animal life is unreplaceable and makes Westbury unique.

Please dont destroy all of what we still have remaining.

Yours sincerely Susan Hartam.

10th October 2020

The Manager
Meander Valley Council

EO	OD		
Action Officer	OC	Dept.	9
Rcvd	13 OCT 2020	MVC	
Doc No.			
Index No.	502-90-090		

RE: Proposed Re-Zoning of Westbury
Planning Laws.

I am a long term resident of Westbury. In 21 years I have had no reason to complain about a lack of amenities here and I am appreciative of the many attributes the Village has to offer, not seen in other municipalities.

I question the reason for this sudden need for change, why now, and why the rush? In view of Covid 19 restrictions and the lack of Council Consultation I believe all Major changes to Planning laws and other Major decisions be taken to the next Council Elections.

I object to immediate Planning changes without proper consultation because ---

1. People choose to live here because of the quality of life with clean air, rural lifestyle and low traffic volume.
2. We appreciate the space, the quiet and everchanging beautiful landscapes that our Tourists come here to enjoy.
3. We take responsibility for our properties and care about our town which attracts likeminded people and helps to keep our crime rates to a minimum. note - Tidy Town Award.
4. Our History and Heritage status is important to us, needing protection and respect.
5. I am not opposed to development that is in keeping with our Heritage and natural growth pattern.

All the reasons listed above will be lost with cramped dwellings, congestion, parking and traffic issues, noise, light pollution, lost agricultural opportunities, increased crime, lower property values, increased water, insurance and

P2.

Council rates, also a loss of Tourists and the livelihood of many.

We do not have essential services here for such rapid expansion eg. our sewerage system and old infrastructure. There are far too few places left that offer all that we have here in Westbury and it is essential for society that quiet, safe places exist for elderly people to live and die and young families to grow in a safe, supportive, caring community. For these reasons Westbury will always be valuable and sought after by good people.

It is time for Council to come clean and explain to all Ratepayers the need for lots of squalid little dwellings that are not in keeping with Heritage Values. What is the targeted demographic, and what will all these people do here?

There is a lack of planning foresight, social responsibility and accountability regarding these proposed changes. I question the need to hire more Planning Officers - it is time to hire an Environmental and Heritage Officer in order for a more balanced vision for Westbury.

You should be proud of OUR beautiful Village and stop trying to destroy it. If Mr Badcock, of questionable character and others don't want their land then they should sell it on to others who may appreciate it and be able to enhance it.

It is time for Quality NOT Quantity.

From: klattin klattin
Sent: 13 Oct 2020 11:29:33 +1100
To: Planning @ Meander Valley Council
Subject: Draft amendment

The General Manager

With reference to the planned draft amendment to the rezoning of the land bounded by William Lyttleton Taylor and Waterloo Streets I request that due to the boundary fence on the Westbury Showgrounds being in the incorrect position consideration be made to the following

That the planned subdivision of this land make provision to widen Taylor Street from the western side to eliminate the risk in future years of requiring moving the existing boundary fence on the showgrounds. If this issue is not resolved now issues with the show ground will keep recurring .

Kevin Lattin
President
Westbury Agricultural Society

From: [Helen Pettko](#)
To: [Jo Oliver](#)
Subject: Disapproval of Rezoning land cornering at Jones Street, Shadforth Street, Taylor Street and Dexter Street
Date: Friday, 16 October 2020 4:12:01 PM

Attention Jo Oliver (Senior Strategic Planner) : Meander Valley Council,

I am a resident of 42 Jones Street, Westbury and I disapprove of the rezoning of Jones St, Shadforth St,

Taylor St and Dexter St from low density residential to general residential areas. I feel that by making these changes it

will effect the peacefulness, tranquility and calmness of this side of Westbury.

I totally **oppose** of the predicted changes and thus I am considering in leaving Westbury and residing else where (which I DO NOT want to do). I

chose to live in Westbury to leave the surburan cutter and polluted atmosphere of Melbourne 3 years ago and I do not want

my quite street to become congested by houses and traffic.

This quaint little township deserves to be preserved so the resident can feel safe and secure in there homes. I can understand progress is needed

but within moderation and also keeping the towns people feeling happy, contented and to enjoy the surroundings of Westbury.

I thank you for taking the time to read this email and hoping my feeling and thinking will be understood.

NO CHANGES TO JONES ST, SHADFORTH ST, TAYLOR ST AND DEXTER ST.

Unfortunately I did not received the letter sent by the council for a response to the rezoning thus did not know about the representation expiry date.

Yours sincerley

Helen Jolan Pettko

From: Potter, Mia
Sent: 13 Oct 2020 03:18:18 +0000
To: Planning @ Meander Valley Council
Cc: Jo Oliver
Subject: State Roads Submission on Draft Amendment 1/20 to Meander Valley Interim Planning Scheme 2013

Good Afternoon,

State Roads provides the following comments on the proposed Draft Amendment 1/2020 to the Meander Valley Interim Planning Scheme 2013 to rezone land for urban residential growth at Westbury:

- State Roads acknowledges that a Traffic Impact Assessment (TIA) has been provided with the rezoning application. However, this TIA is for a 150 lot subdivision at 46 Lyttleton Street and does not capture the cumulative impacts of the rezoning as proposed. It also does not consider impacts of the proposed subdivision (or the broader rezoning) on the Bass Highway / Birralee Main Road interchange ramps. It is requested that the TIA is revised to address the broader rezoning request and not only the subdivision at 46 Lyttleton Street and is updated to include some commentary on the safety and efficiency of the entry / exit ramp terminal intersections at the Bass Highway / Birralee Main Road interchange in terms of expected additional use. It is noted that increasing density in the northern part of Westbury may require capacity upgrades to the intersections in future, of particular interest will be the left turn movement / storage length for the westbound exit ramp onto Birralee Road (for those travelling west along Bass Highway from the direction of Launceston and turning into Westbury) and the right turn safety and capacity on Birralee Road for the eastbound entry ramp intersection (for those travelling from Westbury and turning towards Launceston). The right turn movement / storage length of the eastbound exit ramp onto Birralee Road (for those travelling east along Bass Highway from the direction of Deloraine and turning into Westbury) may also experience additional demand.
- It is noted that the proposal will increase the density of sensitive uses in the vicinity of the Bass Highway. The Bass Highway is a major arterial road in Tasmania and key part of the freight network. It is recognised that people who live close to trunk, regional and arterial roads are more likely than others to experience amenity impacts associated with traffic noise. In accordance with the *Tasmanian State Road Traffic Noise Management Guidelines October 2015*, State Roads advises that it will not consider providing noise mitigation where traffic noise impacts are a result of land use changes, such as rezoning, that bring sensitive developments (e.g houses) closer to an existing road.
- State Roads notes that the proposal includes the rezoning of CT 129482/2 from Rural Resource to Utilities zoning. The proposed rezoning of this title, which is owned by the Department of State Growth, is supported.

Kind Regards,

Mia Potter | Environment and Planning Approvals Officer
Environment & Development Approvals
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001

Phone: (03) 6166 3382

www.stategrowth.tas.gov.au

DEPARTMENT OF STATE GROWTH COURAGE TO MAKE A DIFFERENCE THROUGH:



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From: Jennifer Jarvis
Sent: 24 Sep 2020 07:26:10 +0000
To: Planning @ Meander Valley Council
Subject: Attention: Jo Oliver

Re: Meander Valley Draft Amendment 1/2020

Thank you for notifying TasRail of the above Draft Amendment. TasRail has reviewed the available documentation and provides the following response:

- Rezone land bounded by Lyttleton, William, Taylor and Waterloo Streets - change from Rural Resource to General Residential to provide for new urban residential lots and apply a Specific Area Plan over the area to manage new road junctions. TasRail's concern with this proposal is that some of the new urban residential lots, particularly those bordering Waterloo Street, will potentially be in close proximity to the rail line. We note Figure 19 and Council's consideration of options including Part 5 agreements on future lots to require future dwellings to achieve the particular acoustic ratings set down in the planning scheme. This seems a reasonable proposal, but TasRail is protective of our right to request other mitigation measures during the planning referral process.

TasRail queries why the Crown land un-made road reserve within 46 Lyttleton Street (that is included in the above proposal) is not better to be zoned Utilities instead of General Residential?

We note the purpose of the proposed SAP will provide for appropriate traffic management including consideration of the impact on the rail level crossing adjacent to Waterloo Street. TasRail refers Council to its obligations under Rail Safety National Law to

- 1 William Street – (left side of William Street) – change zoning from Rural Resource to Low Density Residential. TasRail has no objection.
- 1 William Street – (right hand side of William Street) – changing zoning from Rural Resource to General Residential. TasRail has no objection.
- Rezone land bound by Dexter, Taylor, Shadforth and Jones Streets from Low Density residential to General Residential to provide for new residential lots. TasRail has no objection.
- 12 Lyttleton Street – change zoning from Rural Resource to Rural Living. TasRail has no objection.
- 9 and 10 Quamby Street and 113A Meander Valley Road – changing from Rural Resource to Low Density Residential. TasRail's concern relates to 9 Quamby Street which backs on to the rail corridor, but we appreciate that such development would require planning application and TasRail

will have the opportunity to review and comment or make representations consistent with the planning referral process.

- 115 Meander Valley Road – change zoning from Rural Resource to Village Zone. TasRail has no objection.
- Crown land – various:
 - Bass Highway – change from Rural Resource to Utilities. TasRail supports this change.
 - Quamby Brook (west) – change from Rural resource to Part Village, Part Low Density Residential. We assume the section of this parcel of Crown Land that shares the boundary with State Rail Network will be within the proposed Low Density Residential zone. Depending on future development proposals,
 - TasRail may have concerns related to setback, noise and vibration but we appreciate that such development would require planning application and TasRail will have the opportunity to review and comment or make representations consistent with the planning referral process.
 - Unmade Road Reserve at Quamby Brook – change from Rural Resource Zone to Low Density Residential Zone. TasRail queries why this unmade road reserve would not be better suited to a Utilities Zoning?
 - Quamby Brook (North) – change from Rural Resource Zone to Part Utilities Zone. TasRail has no objection.

General Comment

- Please note that in relation to new services and service infrastructure, TasRail does not permit stormwater or other run-off to enter the rail corridor or to utilise the rail drainage system noting that standing water or water run-off is a risk to the integrity of the rail assets and formation with potential to cause derailment. Is Council able to provide additional information in relation to Figure 13 specific to the reticulated stormwater network and drainage links along Waterloo Street to/under William Street?
- TasRail is also seeking confirmation that this Draft Amendment 1/2020 (if passed) has been carried across into the Meander Valley LPS.

Kind regards

Jennifer Jarvis



Manager Group Property & Compliance |
 Phone: 03 6335 2603 | Mobile: 0428 139 238
 11 Techno Park Drive, Kings Meadows, Tasmania, 7249
Jennifer.Jarvis@tasrail.com.au



'Tasmania's trusted provider of safe and dependable rail logistics solutions'



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From: TasWater Development Mailbox
Sent: 13 Oct 2020 03:15:58 +0000
To: Planning @ Meander Valley Council
Subject: TasWater Response to Planning Authority Referral of Planning Scheme Amendment, Council reference Amendment 1/2020 .
Attachments: SPAN TWDA 2020-01507-MVC.pdf

Dear Sir/Madam

Please find attached TasWater Submission to Planning Authority Notice as mentioned above. A copy of the attached document(s) should be referenced in and appended to the council permit.

If you have any queries, please contact me.

Thanks

[Sam Bryant](#)

Senior Assessment Officer



M 0474 933 294
F 1300 862 066
A GPO Box 1393, Hobart TAS 7001
169 Main Road, Moonah, TAS 7009
E sam.bryant@taswater.com.au
W <http://www.taswater.com.au/>

Have I been helpful? Please provide feedback by clicking [here](#).



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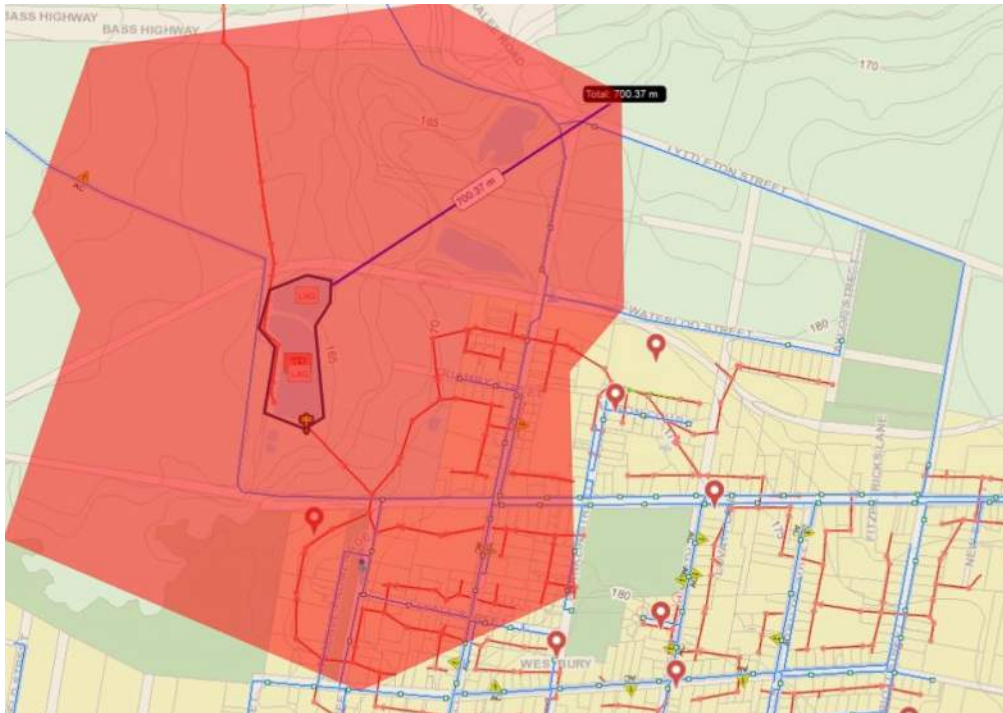
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Submission to Planning Authority Notice

Council Planning Permit No.	Amendment 1/2020	Council notice date	22/09/2020
TasWater details			
TasWater Reference No.	TWDA 2020/01507-MVC	Date of response	13/10/2020
TasWater Contact	Sam Bryant	Phone No.	0474 933 294
Response issued to			
Council name	MEANDER VALLEY COUNCIL		
Contact details	planning@mvc.tas.gov.au		
Development details			
Address	46 LYTTLETON ST , WESTBURY	Property ID (PID)	3091171
Description of development	Draft Planning Scheme Amendment 1/2020 – Westbury Urban Residential Growth		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Meander Valley Council	Meander Valley Interim Planning Scheme Draft Amendment 1/2020 – Urban Residential Growth at Westbury	--	September 2020
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF DRAFT AMENDMENT TO PLANNING SCHEME REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56S(2) TasWater makes the following submission(s):</p> <p>TasWater records indicate a proportion of the proposed northern rezonings will be within the attenuation zone applicable to the Westbury Sewerage Treatment Plant (WEBST01). The treatment type for this facility is to be Facultative ponds (lagoons) with an average dry weather flow of 600kL/day. As per the Meander Valley Interim Planning Scheme 2013 (MV IPS), Table 11.2 requires an attenuation buffer zone of 700m to be applied as indicatively shown on the map below. TasWater would not support the development of future residential lots within the attenuation zone of the Sewerage Treatment Plant unless a current site specific study, as described within the MV IPS, is undertaken to determine there is no land use conflict as the plant currently operates. We therefore consider the rezonings within the area of the map shown below should also not occur without a site specific study being undertaken.</p> <p>Wastewater flows through the primary lagoon into lagoon 2 via gravity, from there it either overflows a weir and discharges into Quamby Brook or is pumped to the Dissolved Air Floatation (DAF) for further treatment. During winter, when the capacity of the DAF is exceeded, the plant usually discharges from both points. Due to low flows in Quamby Brook during drier months, discharge is not permitted and the treated wastewater from Lagoon 2 is pumped to a partial reuse scheme.</p> <p>The (DAF) at the plant is a final polishing step to improve the quality prior to discharge. It is <u>NOT</u> the predominant treatment process and this has recently been confirmed to the EPA through sharing the work TasWater’s Asset Performance, Optimisation and Environmental Performance Teams undertook to classify all of our STPs. It is for this reason we do not consider the treatment process at the plant to be</p>			

mechanical/biological and advise it has been classified and agreed with the EPA as facultative lagoon.



For both water and sewer, dependent upon final design/lot layout, detailed engineering design and subsequent possible reticulation pipe upgrades or extensions, all the land proposed to be rezoned general residential (including the portion of land within the attenuation zone) can be fully serviced. Other zonings can be serviced as required, also subject to upgrades or extensions

TasWater would not require any upgrades for any bulk/trunk infrastructure.

Advice

General

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-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

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

CORPORATE SERVICES 1

Reference No. 241/2020

AUDIT REPORT 2020 FINANCIAL YEAR

AUTHOR: Justin Marshall
Senior Accountant

1) Recommendation

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

2) Officers Report

Council's financial report was prepared and submitted to the Tasmanian Audit Office on 14 August 2020.

A copy of the Audit report is attached along with the following statements:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity; and
- Statement of Cash Flows.

These are the major statements from the financial report that will appear in Council's annual report for presentation at the Annual General Meeting in January 2021.

The Tasmanian Audit Office has found that Council's financial report presents fairly in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

The operating activities for the 2020 financial year resulted in a net profit of \$3,475,546 however after removing capital, non-recurrent items and the prepaid Financial Assistance Grant for 2021 (50%) the underlying surplus was \$433,784.

A full overview of Council's financial performance will be provided in the 2020 Annual Report.

3) Council Strategy and Policy

The Annual Plan requires that Council's Financial Report is produced in the September 2020 quarter.

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

- Future direction (5) - Innovative leadership and community governance.

4) Legislation

Section 84 (Financial Statements) of the *Local Government Act 1993* applies.

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Council's Annual General Meeting provides the opportunity for community comment on the Annual Report and Financial Statements.

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Not applicable

10) Voting Requirements

Simple Majority

DECISION:

Independent Auditor's Report

To the Councillors of Meander Valley Council

Report on the Audit of the Financial Report

Opinion

I have audited the financial report of Meander Valley Council (Council), which comprises the statement of financial position as at 30 June 2020 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies, other explanatory notes and the statement of certification by the General Manager.

In my opinion the accompanying financial report:

- (a) presents fairly, in all material respects, Council's financial position as at 30 June 2020 and its financial performance and its cash flows for the year then ended
- (b) is in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of Council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

My audit responsibility does not extend to the budget figures included in the financial report and the asset renewal funding ratio disclosed in note 43(f) to the financial report and accordingly, I express no opinion on them. Furthermore, I express no opinion on the General Manager's

...1 of 4

determination that Council did not have any Significant Business Activities for inclusion in the financial report as required by Section 84(2)(da) of the *Local Government Act 1993*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgement, were of most significance in my audit of the financial report of the current period. These matters were addressed in the context of my audit of the financial report as a whole, and in forming my opinion thereon, and I do not provide a separate opinion on these matters.

Why this matter is considered to be one of the most significant matters in the audit	Audit procedures to address the matter included
--	---

<p>Valuation of property and infrastructure <i>Refer to note 7, 20 to 32 and 44</i></p> <p>Council’s assets at 30 June 2020 included land, land under roads, buildings and material long-life infrastructure assets such as roads, bridges and stormwater valued at fair values totalling \$231.2m. The fair values of these assets are based on market value or current replacement cost. Council undertakes formal revaluations on a regular basis to ensure valuations represent fair value.</p> <p>In 2019-20, Council revalued buildings based on an independent valuation and revalued stormwater assets based on current replacement cost valuations determined by internal experts. Land was revalued based on valuations provided by the Valuer-General and land under roads was revalued based on rates provided by the Valuer-General. These valuations are highly dependent upon a range of assumptions and estimated unit rates.</p>	<ul style="list-style-type: none"> • Assessing the scope, expertise and independence of experts involved in the valuation. • Assessing the appropriateness of the valuation methodology and the key assumptions used. • Testing, on a sample basis, the mathematical accuracy of the revaluation calculations. • Evaluating the adequacy of disclosures made in the financial report, including those regarding the key assumptions used.
--	---

Responsibilities of the General Manager for the Financial Report

The General Manager is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the *Local Government Act 1993* and for such internal control as determined necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

...2 of 4

In preparing the financial report, the General Manager is responsible for assessing Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Council is to be dissolved by an Act of Parliament or the Councillors intend to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the General Manager.
- Conclude on the appropriateness of the General Manager's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause Council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the General Manager regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

...3 of 4

From the matters communicated with the General Manager, I determine those matters that were of most significance in the audit of the financial report of the current period and are therefore the key audit matters. I describe these matters in my auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, I determine that a matter should not be communicated in my report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.



Rod Whitehead
Auditor-General

Tasmanian Audit Office

17 November 2020
Hobart

Statement of Comprehensive Income

For the Year Ended 30 June 2020

	Note	Budget 2020 \$	Actual 2020 \$	Actual 2019 \$
INCOME FROM CONTINUING OPERATIONS				
Recurrent Income				
Rates and Charges		12,966,400	12,803,314	12,591,692
Interest	3	835,600	823,968	1,000,469
Reimbursements and Contributions Monetary Assets		244,200	388,464	393,962
User Fees and Charges		1,255,000	1,254,089	1,332,370
Operational Grants	4	4,441,200	4,883,869	4,873,148
Profit/(Loss) on Disposal of Assets	10	(124,200)	2,236	(70,387)
Investment Revenue from Water Corporation		556,000	278,000	556,000
		<u>20,174,200</u>	<u>20,433,940</u>	<u>20,677,254</u>
Capital & Non-Recurrent Income				
Capital Grants	4	1,384,300	2,059,185	2,083,194
Subdivision Assets Taken Over		300,000	638,576	140,914
Contributions Monetary Assets		-	13,119	16,905
Profit/(Loss) on Disposal of Land & Buildings	10	216,000	293,878	-
Vested Sale of Land for Unpaid Rates		-	-	96,707
		<u>1,900,300</u>	<u>3,004,758</u>	<u>2,337,720</u>
TOTAL INCOME FROM CONTINUING OPERATIONS		22,074,500	23,438,698	23,014,974
EXPENSES FROM CONTINUING OPERATIONS				
Recurrent Expenditure				
Employee Costs	5	6,813,000	6,872,951	6,425,753
Materials and Contracts	6	7,677,500	7,642,231	8,188,265
Depreciation and Amortisation	7	5,088,000	5,068,152	4,868,786
Finance Costs	8	266,000	266,212	226,406
Other Expenses	9	162,600	113,606	149,267
		<u>20,007,100</u>	<u>19,963,152</u>	<u>19,858,477</u>
TOTAL EXPENSES FROM CONTINUING OPERATIONS		20,007,100	19,963,152	19,858,477
OPERATING RESULT FROM CONTINUING OPERATIONS	2(a)	2,067,400	3,475,546	3,156,497
OPERATING RESULT FROM DISCONTINUED OPERATIONS		-	-	-
NET OPERATING RESULT FOR THE YEAR		2,067,400	3,475,546	3,156,497
OTHER COMPREHENSIVE INCOME				
Items that will not be reclassified subsequently to net result				
Fair value adjustments on equity investment assets	18	-	(13,021,159)	7,102,181
Revaluation Increment/(Decrement) for Roads & Streets	35	-	-	1,822,916
Revaluation Increment/(Decrement) for Land	35	-	3,006,262	-
Revaluation Increment/(Decrement) for Buildings	35	-	1,218,012	-
Revaluation Increment/(Decrement) for Stormwater	35	-	972,311	-
TOTAL OTHER COMPREHENSIVE INCOME		-	(7,824,574)	8,925,097
TOTAL COMPREHENSIVE RESULT		2,067,400	(4,349,028)	12,081,594

Statement of Financial Position

As at 30 June 2020

	Note	Actual 2020 \$	Actual 2019 \$
CURRENT ASSETS			
Cash and Cash Equivalents	11	3,114,679	3,387,617
Trade and Other Receivables	12	958,739	974,685
Investments	13	18,469,868	21,254,466
Other	14	182,188	282,084
Total Current Assets	2(b)	22,725,474	25,898,852
NON-CURRENT ASSETS			
Investment in Water Corporation	18	42,570,596	55,591,754
Loans and Other Receivables	19	4,686,887	4,626,816
Work in Progress	20	819,400	1,642,466
Land	21	8,600,000	8,518,455
Land Under Roads	22	28,994,771	26,169,270
Land Improvements	23	7,500,247	7,778,692
Buildings	24	21,466,143	18,392,042
Roads and Streets	25	122,080,776	118,199,041
Bridges	26	28,746,622	27,910,212
Stormwater	27	21,290,349	19,876,162
Plant and Equipment	28	2,958,462	3,006,141
Heritage	29	19,483	19,765
Computer Software	30	153,878	84,600
Valuations	31	147,794	132,878
Total Non-Current Assets	2(b)	290,035,408	291,948,294
TOTAL ASSETS		312,760,882	317,847,146
CURRENT LIABILITIES			
Trade and Other Payables	15	1,395,206	1,603,818
Provisions	16	1,443,346	1,437,767
Contract Liabilities	17	347,834	-
Total Current Liabilities		3,186,386	3,041,585
NON-CURRENT LIABILITIES			
Borrowings	33	3,600,000	3,600,000
Provisions	34	4,438,906	4,376,575
Total Non-Current Liabilities		8,038,906	7,976,575
TOTAL LIABILITIES		11,225,292	11,018,160
NET ASSETS		301,535,590	306,828,986
EQUITY			
Accumulated Surplus		215,210,382	212,679,204
Reserves	35	86,325,208	94,149,782
TOTAL EQUITY		301,535,590	306,828,986

Statement of Changes in Equity

For the Year Ended 30 June 2020

2020	Note	Total	Accumulated	Asset	Fair Value
		2020	Surplus	Revaluation Reserves	Reserve
		\$	\$	\$	\$
Balance at beginning of the financial year		306,828,986	212,679,204	90,245,103	3,904,679
Adjustment due to AASB 1058 adoption	45	(944,368)	(944,368)	-	-
Restated opening balance		305,884,618	211,734,836	90,245,103	3,904,679
Net Operating Result for the Year		3,475,546	3,475,546	-	-
Other Comprehensive Income:					
Fair Value adjustment to Investment in Water Corp.	18	(13,021,159)	-	-	(13,021,159)
Net asset revaluation increment/(decrement)	35	5,196,585	-	5,196,585	-
Balance at end of the financial year		301,535,590	215,210,382	95,441,688	(9,116,480)

2019		Total	Accumulated	Asset	Fair Value
		2019	Surplus	Revaluation Reserves	Reserve
		\$	\$	\$	\$
Balance at beginning of the financial year		294,747,392	209,522,707	88,422,187	(3,197,502)
Net Operating Result for the Year		3,156,497	3,156,497	-	-
Other Comprehensive Income:					
Fair Value adjustment to Investment in Water Corp.	18	7,102,181	-	-	7,102,181
Net asset revaluation increment/(decrement)	35	1,822,916	-	1,822,916	-
Balance at end of the financial year		306,828,986	212,679,204	90,245,103	3,904,679

Statement of Cash Flows

For the Year Ended 30 June 2020

	Note	Actual 2020 \$ Inflows (Outflows)	Actual 2019 \$ Inflows (Outflows)
Cash Flows from Operating Activities			
Receipts			
Rates and Charges		12,841,497	12,504,043
Interest Received		853,450	951,703
Reimbursements and Contributions		388,464	393,962
User Fees and Charges		1,526,873	1,373,351
Operational Grants		4,883,869	4,873,148
Distributions from Water Corporation		278,000	556,000
Refunds from Australian Tax Office		1,400,735	1,065,762
		22,172,888	21,717,969
Payments			
Employee Costs		(6,864,823)	(6,299,366)
Materials and Contracts		(9,413,594)	(9,040,595)
Interest Expense		(211,320)	(211,320)
Other Expenses		(113,606)	(149,267)
		(16,603,343)	(15,700,548)
Net cash provided by Operating Activities	39	5,569,545	6,017,421
Cash Flows from Investing Activities			
Proceeds from			
Sale of Property, Plant and Equipment		762,010	53,091
Capital Grants		1,339,989	2,083,194
Capital Contributions		13,119	16,905
Investments		2,784,598	-
		4,899,716	2,153,190
Payments for			
Property, Plant and Equipment		(10,742,199)	(7,351,331)
Investments		-	(230,384)
		(10,742,199)	(7,581,715)
Net cash used in Investing Activities		(5,842,483)	(5,428,525)
Net Increase/(Decrease) in cash held		(272,938)	588,896
Cash at the beginning of the year		3,387,617	2,798,721
Cash and Cash Equivalents at end of the financial year	11	3,114,679	3,387,617

INFRASTRUCTURE 1

Reference No. 242/2020

REVIEW OF POLICY NO. 15 - DRIVEWAY CROSSOVERS

AUTHOR: Dino De Paoli
Director Infrastructure Services

1) Recommendation

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

POLICY MANUAL

Policy Number: 15

Driveway Crossovers

Purpose:

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

Department:

Infrastructure Services

Author:

Dino De Paoli, Director

Council Meeting Date:

~~15 November 2016~~ 8 December 2020

Minute Number:

~~2474/2016~~ 242/2020

Next Review Date:

~~December 2020~~ 2024

POLICY

1. Definitions

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

2. Objective

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

3. Scope

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

4. Policy

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

5. Legislation

Local Government Highways Act 1982

6. Responsibility

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

2) Officers Report

The purpose of this report is for Council to approve the continuation of the amended Policy No. 15 for Driveway Crossovers.

The Policy provides the basis on which Council officers assess approval for new or altered driveway works.

The proposed changes to the Policy are minor wording amendments only.

3) Council Strategy and Policy

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

- Future direction (6) – Planned infrastructure services.

4) Legislation

The Policy is informed by the *Local Government Highways Act 1982*.

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

Council can approve the continuation of the Policy with further amendment.

10) Voting Requirements

Simple Majority

DECISION:

GOVERNANCE 1

Reference No. 243/2020

2021 COUNCIL MEETING DATES & TIMES

AUTHOR: John Jordan
General Manager

1) Recommendation

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

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

2) Officers Report

The purpose of this report is for Council to approve dates and times for Council ordinary meetings in 2021.

The ordinary monthly meeting of Council occurs on the second Tuesday of each month, apart from January where it is held on the third Tuesday. Council has previously held the January meeting on the third Tuesday reflecting the lower volume of items to be dealt with due to the end of calendar year closure and subsequent holiday period. This is proposed to continue in 2021.

Meander Valley Council started its meetings at 1:30pm between 1993 and 2018 with a change to the 4:00pm start time during 2019.

Council discussed the dates and times for Council ordinary meetings in 2021, at the 24 November Workshop. Council resolved to conduct its pre-meetings at 2.00pm and for the formal meetings to commence at 3.00pm.

3) Council Strategy and Policy

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

- Future direction (5) – Innovative leadership and community governance.

4) Legislation

The recommendation meets the requirements of the *Local Government Act 1993* in that Council meets at least once per month. Meetings are advertised in accordance with the Act.

The recommendation meets the requirements of the *Local Government (Meeting Procedures) Regulations 2015*.

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

There may be a minor costs associated with Council officers working above a standard work day, should meetings continue past 5.00pm standard office closure.

9) Alternative Recommendations

Council can elect to amend the starting time for Council meetings and/or the meeting dates.

10) Voting Requirements

Absolute Majority

DECISION:

GOVERNANCE 2

Reference No. 244/2020

APPOINTMENT OF COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES AND ORGANISATIONS

AUTHOR: John Jordan
General Manager

1) Recommendation

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

LEGISLATIVE COMMITTEE/ORGANISATION

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

EXTERNAL COMMITTEES/ORGANISATION

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

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

INTERNAL COMMITTEES

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

2) Officers Report

The purpose of this report is for Council to appoint representatives for various committees and organisations. At the Council Workshop on 24 November 2020, representatives were discussed for the following committees:

- Legislated Committee or organisation:
 - *Audit Panel*
 - *MVC Emergency Management and Community Recovery Committee*
 - *TasWater*

- External Committee or organisation:
 - *Great Western Tiers Tourism Association*
 - *Note: proposed rotational representation by Councillors is subject to Association approval.*
 - *Northern Tasmanian Development Corporation*
 - *Local Government Association of Tasmania*
 - *Tamar Fire Management Area Committee*
 - *Central North Fire Management Area Committee*

- Internal Committee
 - *Australia Day Awards Committee*
 - *Community Grants Committee*
 - *Development Assessment Group*

3) Council Strategy and Policy

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

- Future direction (5) – Innovative leadership and community governance.

4) Legislation

Not applicable

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

Reimbursement of Councillor's expenses will apply as per Council Policy No. 24.

9) Alternative Recommendations

Council can elect to amend elect amend the representatives.

10) Voting Requirements

Simple Majority

DECISION:

GOVERNANCE 3

Reference No. 245/2020

APPOINTMENT OF MEMBERS TO SPECIAL COMMITTEES OF COUNCIL

AUTHOR: John Jordan
General Manager

1) Recommendation

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

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

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

2) Officers Report

Council has a number of special hall and recreation ground committees together with the Deloraine and Westbury Community Car Committees. Each year it is necessary to formalise the appointment of members of all Special Committees as member representation changes.

An updated membership list is obtained from each Special Committee following their Annual General meetings.

3) Council Strategy and Policy

Not applicable

4) Legislation

The *Local Government Act 1993*, Section 24(2).

5) Risk Management

All Special Committees of Council operate under a signed Memorandum of Understanding with Council which outlines the ongoing arrangements for the effective management of the respective Council owned properties. Each individual member of every Special Committee of Council has completed a Member Information Sheet for insurance purposes.

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:

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 4 CONFIRMATION OF MINUTES

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

GOVERNANCE 5 LEAVE OF ABSENCE

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

GOVERNANCE 6 LEASE - MEANDER PRIMARY SCHOOL (137 MAIN ROAD, MEANDER)

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

GOVERNANCE 7 COMMUNITY CONSULTATION OPTIONS - MEANDER PRIMARY SCHOOL (137 MAIN ROAD, MEANDER)

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

GOVERNANCE 8 AUSTRALIA DAY AWARD NOMINATIONS

(Reference Part 2 Regulation 15(2)(g) 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

.....
Wayne Johnston
Mayor