



Meander Valley Council  
Working Together

# **ORDINARY AGENDA**

**COUNCIL MEETING**

**Tuesday 12 October 2021**

# MEETING CONDUCT

Meetings of Meander Valley Council will be conducted in accordance with Local Government (Meeting Procedures) Regulations 2015.

## ***COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.***

1. Council Meetings are currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. Meeting arrangements may change at short or without notice in order to comply with directives issued by the Tasmanian Government.
2. COVID restrictions mean that public attendance at meetings is currently restricted, and that meetings may be held virtually, and individual Councillors may participate remotely via online channels.
3. The current COVID-19 circumstance in Tasmania enables Council to conduct face-to-face meetings at the Council Chambers in Westbury with some restrictions.
4. Council seeks to enable access to Council meetings, while also managing and protecting the health of the public, Councillors and staff. Due to prevailing social distancing and other COVID requirements the following arrangements apply to public attendance:
  - a. Numbers are restricted in the public gallery area of the Council Chamber (denoted by markers on the floor at the rear of the room) to **seven members** of the public (including media or other representatives), with attendance prioritised as follows:
    - First priority is to any person making representations to the Council, typically on planning applications. If more than seven representors have an interest in an Agenda item, some may be asked to leave the meeting room after their representation to allow others to make their representation to Council.
    - Second priority is to members of the public. Members of the public are asked to be flexible with their attendance for the entire meeting and when asked, consider vacating the meeting to permit others to attend. If more than seven members of the public register to attend a Council Meeting, priority will be given to those first to register but in line with the order of priority assigned to representors, public and then media.
    - Third priority is to members of the media.
    - At the sole discretion of the Chairperson, attendees may be asked to leave the meeting at the conclusion of an Agenda item. Members of the media may be asked to leave the meeting room to allow other higher priority persons to attend.
    - Where more than seven people are in attendance, the Chairperson may (at their absolute discretion) consent to the Council Chamber doors remaining open to enable additional persons to listen to proceedings.

- b. All persons attending must comply with Council's COVID Safety Plan and the directions of Council officers.
- c. Any member of the public or media is to pre-register their interest in attending with Council's Customer Service Centre by phoning (03) 6393 5300. Council reserves its discretion to refuse or reprioritise entry to anyone not pre-registered.
- d. Immediately on arrival, attendees must check in via the 'Check in TAS" mobile phone application, or by providing their name, address and contact number in the register provided.
- e. To enable those not attending a meeting to review proceedings, Council will, within the limits of available technology, ensure meeting Agendas, Minutes and audio recordings of meetings are available. Information and recordings will be posted on Council's website as soon as practicable after the meeting. Council will not provide individual copies of recordings.

### ***General Standards of Conduct and Behaviour***

- 1. Council provides a safe workplace for Councillors, Council staff, visitors and the public and has a zero tolerance policy for all forms of aggression, harassment, bullying, encroachment on personal space, inappropriate gesturing, or discrimination which may be associated with a person's sex, race, disability, or other protected attributes.
- 2. Any person who hinders or disrupts a meeting is liable to a penalty under section 41 of the *Local Government (Meeting Procedures) Regulations 2015*. The Chairperson may also take reasonable steps to remove the person from the meeting or closed meeting, including requesting the assistance of a police officer in removing the person.
- 3. Under the *Work Health and Safety Act 2012* the General Manager of Council is the person conducting the business of Council and is obligated to provide a safe working environment for staff, Councillors and those attending the workplace. The General Manager may, through the Chairperson or directly, take action to ensure the safety and wellbeing of all persons in attendance.

### ***Access and Inclusion of People with a Disability***

Where a person has a disability or requests assistance in accessing or participating in a meeting, Council will make reasonable adjustments to accommodate and support the person's participation in the meeting.

Any needs should be discussed with Council's Customer Service Centre by phoning (03) 6393 5300 as soon as possible before the scheduled day of the meeting.

# SECURITY PROCEDURES

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

- Evacuation details and information are located on the wall near the entry to Chambers.
- 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.



## Meander Valley Council

Working Together

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 12 October 2021, commencing at 3.00pm.**

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 12 October 2021 at 3.00pm.

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

Councillor Tanya King notified she would be an apology for today's meeting on 6 October 2021.

## IN ATTENDANCE

## CONFIRMATION OF MINUTES

(Reference No. 175/2021)

Councillor xx moved and Councillor xx seconded, ***"that the minutes of the Ordinary Meeting of Council held on Tuesday 14 September 2021, be received and confirmed."***

## COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

(Reference No. 176/2021)

Date	Items discussed:
28 September 2021	<ul style="list-style-type: none"><li>• Meander Valley Council Economic "Health Check"</li><li>• Presentation: Parks and Wildlife - Draft Tasmanian Wilderness World Heritage Area Fire Management Plan</li><li>• Indigenous Recognition</li><li>• Presentation: Westbury Agriculture Society – History of the Westbury Show Book Project</li><li>• Operational Update</li><li>• Annual Plan</li><li>• Councillor Code of Conduct</li><li>• Survey – Development in Carrick</li><li>• Westbury Road Pedestrian Crossing , Prospect Vale</li></ul>



	<ul style="list-style-type: none"> <li>– Councillor Pop-Up</li> <li>• Deloraine Squash Courts Project Review of Budget</li> <li>• Meander Valley Council Voluntary Waste Levy Contribution</li> <li>• Kerbside Waste and Recycling Contract and Levels of Service</li> <li>• Review of Policy No. 56 – Recreation Grounds – Facility Pricing</li> <li>• Items for Noting: <ul style="list-style-type: none"> <li>a) Selbourne Road Meander River Bridge “Strathbridge” Tender Review</li> <li>b) Pump Track, Alveston Drive Deloraine – Project Update</li> <li>c) Review of Policy No. 83 – Fraud &amp; Corruption Control</li> <li>d) Review of Policy No. 88 – Related Party Disclosures</li> <li>e) Waste Strategy Principles – Status Update</li> </ul> </li> </ul>
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## **ANNOUNCEMENTS BY THE MAYOR**

(Reference No. 177/2021)

### **16 September 2021**

Northern Tasmania Development Corporation (NTDC) meeting

### **17 September 2021**

Meeting with The Honourable Roger Jaensch MP, Minister for Local Government

### **21 September 2021**

Meeting with Mr John Tucker MP

### **22 September 2021**

The Tamar Estuary Management Taskforce (TEMT) meeting  
Northern COVID Regional Recovery Committee meeting

### **23 September 2021**

Opening of Neighbourhood House Tasmania Conference

### **28 September 2021**

Council Workshop

### **2 October 2021**

Bracknell Football Club Dinner

### **3 October 2021**

Deloraine Bowls Club opening

## **ANNOUNCEMENTS BY COUNCILLORS**

(Reference No. 178/2021)

Nil.

## **DECLARATIONS OF INTEREST**

Councillor Tanya King has advised of a conflict of interest in respect of Agenda Item PA 2

(Reference No. 179/2021)

## **TABLING AND ACTION ON PETITIONS**

(Reference No. 180/2021)

## **PUBLIC QUESTION TIME**

### **General Rules for Question Time**

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

At the beginning of public question time, the Chairperson will firstly refer to any questions with notice. The Chairperson will ask each person who has a question with 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 and may be made public or be discoverable under the *Right to Information Act 2009* and other legislation.

## PUBLIC QUESTION TIME

(Reference No. 181/2021)

### 1. PUBLIC QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2021

#### 1.1 Chris Donaldson, Westbury

In view of the government's decision to close the Ashley Youth Detention Centre within the next three years, and today's statement in parliament by Attorney-General that the government is "looking at its options" in relation to the site of the proposed Northern Regional Prison, I ask: will the Meander Valley Council now commit that it will undertake a thorough and widespread consultation with ratepayers, especially Deloraine and Exton residents, before it makes any decision on the Ashley site?

#### ***Further response from Wayne Johnston, Mayor:***

***This matter was subsequently dealt with by Council in the September Meeting (refer 164/2021) and the outcomes minuted. In determining its response to the public meeting over the Northern Regional Prison proposal, Council has resolved that previous positions on the Ashley site (notably expressed in resolution 265/17 by the previous Council) no longer have relevance or are a factor in decision making or representations to the Tasmanian Government over any northern prison proposal. Like the rest of the community, Council will await further information from the Tasmanian Government on the northern prison; including any consideration of the Ashley site.***

#### 1.2 Emma Hamilton, Westbury

Since the full submissions around the public meeting are not part of the agenda for the September Council meeting, will each Councillor please acknowledge if they have read each submission in its entirety?

#### ***Response from Wayne Johnston, Mayor:***

***This question is a matter for individual Councillors to determine if they wish to answer. I note that some Councillors have responded and I confirm in respect of myself that I had not, at the time the question was asked, read all submissions in full.***

### 2. PUBLIC QUESTIONS WITH NOTICE – OCTOBER 2021

Nil.

**3. PUBLIC QUESTIONS WITHOUT NOTICE – OCTOBER 2021**

**COUNCILLOR QUESTION TIME**

(Reference No. 182/2021)

**1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – SEPTEMBER 2021**

Nil.

**2. COUNCILLOR QUESTIONS WITH NOTICE – OCTOBER 2021**

Nil.

**3. COUNCILLOR QUESTIONS WITHOUT NOTICE – OCTOBER 2021**

**DEPUTATIONS BY MEMBERS OF THE PUBLIC**

(Reference No. 183/2021)

## **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

## **DECISION:**

# PLANNING AUTHORITY 1

(Reference No. 184/2021)

## 751 BLACK HILLS ROAD, WESTBURY

**Planning Application:** PA\22\0045  
**Proposal:** Single dwelling, outbuilding and associated works  
**Author:** George Walker  
Consultant Town Planner

### 1) Proposal

Council has received an application for the construction of a single dwelling, outbuilding and associated works on land located at 751 Black Hills Road, Westbury (CT: 51229/1 – “the site” refer to Figure 1). A summary of the application is provided in Table 1 below.

<b>Applicant:</b>	S and L Coull
<b>Owner:</b>	Mr A H Coull
<b>Property:</b>	751 Black Hills Road WESTBURY (CT:51229/1)
<b>Zoning:</b>	Agriculture
<b>Discretions:</b>	21.3.1 P4 Discretionary uses
	21.4.2 P2 Setbacks
	C7.6.1 P1.1 Buildings and works within a waterway and coastal protection area of a future coastal refugia area
<b>Existing Land Use:</b>	Agriculture
<b>Number of Representations:</b>	Two (2)
<b>Decision Due:</b>	13 October 2021
<b>Planning Scheme:</b>	Tasmanian Planning Scheme – Meander Valley (“the Scheme”)

Table 1 – Summary of application.



Figure 1 - Aerial view identifying the site within the context of its surrounding area.

The site comprises a single internal lot that has an area of 38ha. Topography within the site is undulating with a gentle slope in a north-easterly direction. The access strip has a width of 16.5m and length of 706m. The northern end of the access strip abuts Black Hills Road. The body of the lot is rectangular in shape and has an average width of 500m and average depth of 774m.

With respect to the body of the lot, the northern half comprises improved pasture and the southern half comprises woodland vegetation with rock outcrops and a mix of native and introduced grass species. The two (2) halves are used for cattle grazing and are delineated by a wire fence and gate.

A dam is located on the eastern side of the body of the site. A minor stream is located on the northern side of the dam wall. The stream flows in a northerly direction crossing into the adjoining lot to the north (755 Black Hills Road – CT: 51067/2) where it traverses a series of dams before re-entering the site at the northern end of the access strip. The stream crosses the access strip where it continues parallel to the access strip through the adjoining lot to the east (555 Black Hills Road – CT: 135778/1) into a culvert that crosses Black Hills Road (refer to Figure 2).





Figure 2 - Aerial image illustrating the location of the dam within the site and the spatial extent and flow direction of the stream.

The proposed dwelling will be located approximately 150m to the south-west of the dam within the southern half of the site (refer to Figure 3).



Figure 3 - Photograph taken from the proposed dwelling building area looking north towards the dam.

The site adjoins a single lot to the east which is currently under common ownership and farmed in conjunction with the site. The site adjoins two (2) lots to the north and single lots to the west and south. The site and all adjoining and adjacent lots are zoned Agriculture in accordance with the Scheme.

## 2) Summary of Assessment

The application proposes to construct a single dwelling and outbuilding. The application is made on the basis that the single dwelling is required to support a cattle grazing operation.

The proposed dwelling will be rectangular in shape with a gross floor area of approximately 202m<sup>2</sup> and maximum building height of 5.6m. It will comprise four (4) bedrooms, bathroom, toilet and open plan kitchen, dining and living area. A deck will be located at the north-western end of the dwelling and will be accessed from the open plan living area.

The proposed outbuilding will have a roofed area of 200m<sup>2</sup> and a maximum building height of 5.88m. One half of the outbuilding will be enclosed with walls and one half will be open walled. The enclosed half will be accessed by two roller doors.

Boundary setbacks of the proposed single dwelling and outbuilding are illustrated in Table 2 below.

Building	Boundary Setback			
	North	East	South	West
Dwelling	472m	121m	286m	355m
Outbuilding	508m	107m	254m	373m

Table 2 - Boundary setbacks of proposed buildings.

A new access driveway is proposed to be constructed between the frontage of the site and the dwelling and outbuilding curtilage. The proposed driveway will include a new crossing over the section of the stream that dissects the access strip and upgrading of an existing crossing over the section of the stream that is adjacent to the dam wall. The driveway will be constructed of a compacted gravel surface.

The location of the proposed buildings and driveway within the context of the site is illustrated in Figure 4 (overleaf).

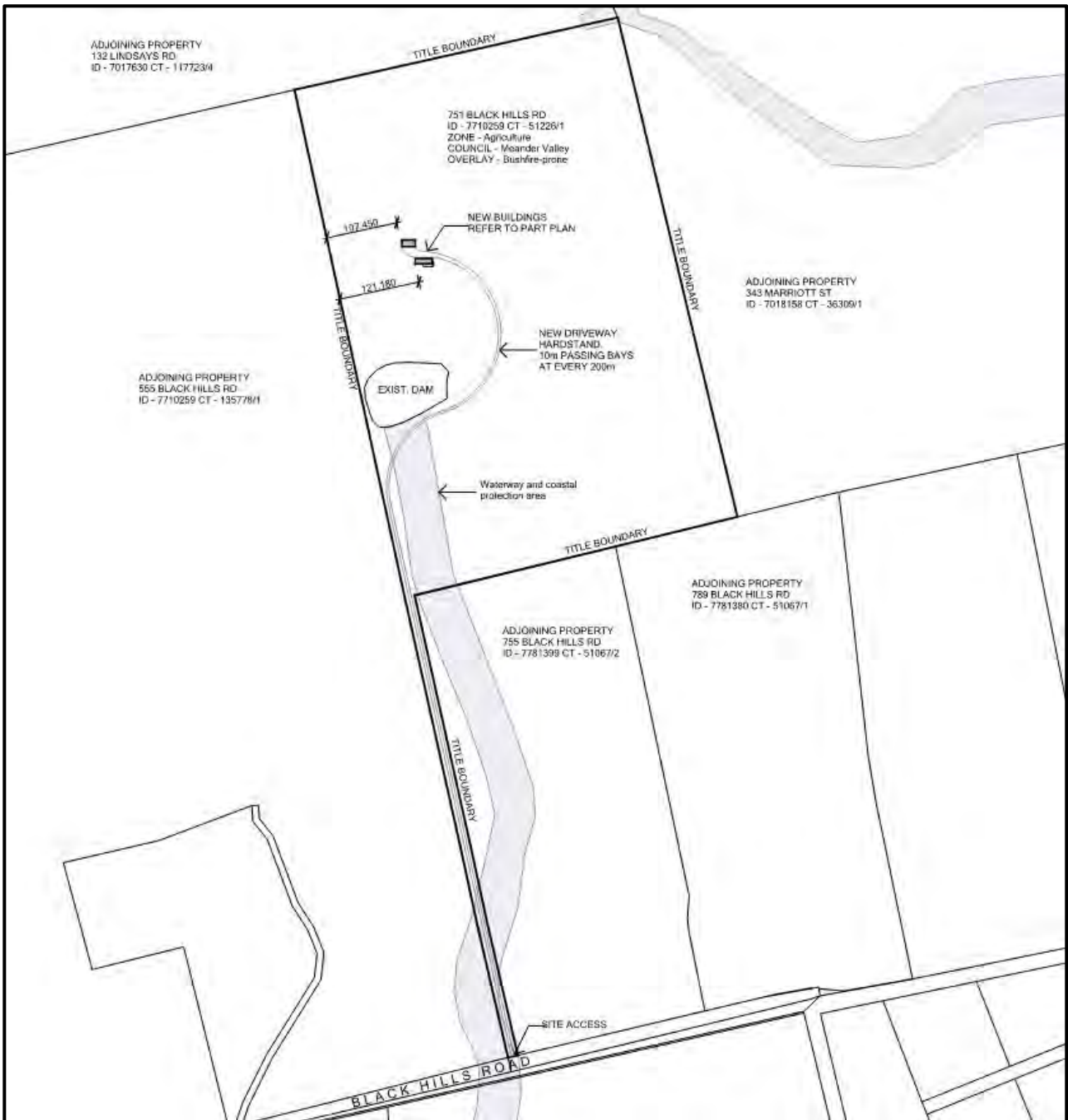


Figure 4 - Excerpt of the submitted site plan showing the location of the proposed building and driveway within the site.

### 3) Recommendation

***It is recommended that the application for Use and Development for Single Dwelling, Outbuilding & Associated Works on land located at 751 Black Hills Road WESTBURY (CT:51226/1) by S and L Coull, be REFUSED, for the following reason/s:***

- 1. The proposed use and development does not satisfy clause 21.3.1 P4 of the Tasmanian Planning Scheme - Meander Valley in that:***
  - a. it does not satisfy P4(a) because the scale, complexity and operational requirements of the cattle grazing operation are not of a quantum that necessitates a Residential use; and***
  - b. it does not satisfy P4(b) because the site is capable of supporting an agricultural use and is capable of being included with other agricultural land (regardless of ownership) for agricultural use.***

### 4) Representations

The application was advertised for the statutory 14-day period from 4 September to 18 September 2021. During the advertising period two (2) representations were received.

In this instance, both representations raised concerns relating to the works within the waterway and coastal protection area. Land associated with both representors is located downstream of the site.

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.

#### **Representation 1**

##### Overall concerns

- 1. Primary concern relating to potential impacts on the volume, energy and quality of water resulting from the works within proximity to the watercourse. Specific concerns are:*
  - a. construction of the road and crossings including the positioning and sizing of the culverts;*
  - b. monitoring of the silt fencing and revegetation commitments made by the applicant;*
  - c. whether the existing dam on the site meet the future needs of the proposed cattle enterprise.*

Response

1. It is noted that the existing condition of the watercourse is impacted by cattle which currently graze up to and within the watercourse. This results in degradation of the streambed and sediment transport into the watercourse. The applicant proposes to fence the stream line and revegetate it with native vegetation which will improve upon the existing condition of the watercourse in terms of water quality.

The proposed works within the watercourse will not reduce the quantity of water that flows in the stream. In this regard, the size of the replacement culvert for the crossing to be upgraded will remain the same size as the existing culvert. Similarly, the proposed new culvert will be the same size as the culvert at the existing crossing.

In the event that a permit is granted for the proposal, a condition has been recommended requiring a works plan to be prepared in accordance with the applicable principles of the *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* which will include matters relating to sizing of culverts, siltation management, and revegetation. The permit will be subject to enforcement proceedings under the *Land Use Planning and Approvals Act 1993*.

The dam will continue to be used for stock water purposes which does not require consideration under the Scheme.

On review of this representation, there are no changes recommended to the proposal.

**Representation 2**

Overall concerns

1. *Primary concern that the proposed driveway and stream crossings will impact the quantity and quality of water. Specific concerns are:*
  - a. *the proposed culverts will cause changes to the channel form and water volume;*
  - b. *a hydraulic assessment has not been provided in accordance with the requirements of Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands.*

Response

1. The size of the replacement culvert for the crossing to be upgraded will remain the same size as the existing culvert. Similarly, the proposed new culvert will be the same size as the culvert at the existing crossing. On this basis, the proposed culverts will not materially alter the form of the channel

or water volume flowing through the stream.

A full hydraulic assessment is not required given the minor scale of the proposed works. Notwithstanding, in the event that a permit is granted for the proposal, a condition has been recommended requiring a works plan to be prepared in accordance with the applicable principles of the *Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands* which will ensure all works proposed within the waterway and coastal protection area minimise impacts on the watercourse.

On review of this representation, there are no changes recommended to the proposal.

## 5) Consultation with State Government and other Authorities

Not Applicable

## 6) Scheme Assessment

**Use Class:** Residential

### Performance Criteria

#### 21.0 Agriculture Zone

##### 21.3.1 Discretionary uses

###### **Objective**

*That uses listed as Discretionary:*

- (a) support agricultural use; and*
- (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.*

###### **Performance Criteria P4**

*A Residential use listed as Discretionary must:*

- (a) be required as part of an agricultural use, having regard to:
  - (i) the scale of the agricultural use;*
  - (ii) the complexity of the agricultural use;*
  - (iii) the operational requirements of the agricultural use;*
  - (iv) the requirement for the occupier of the dwelling to attend to the agricultural**

*use; and*

*(v) proximity of the dwelling to the agricultural use; or*

*(b) be located on a site that:*

*(i) is not capable of supporting an agricultural use;*

*(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and*

*(iii) does not confine or restrain agricultural use on adjoining properties.*

### **Response**

The application is made on the basis that the single dwelling is required to support a cattle grazing operation. Information contained in the application details that the site is currently used for rotational grazing and fodder production in conjunction with the adjoining lot to the east which is under common ownership. The adjoining lot to the east contains a dwelling. The applicant proposes to continue the existing use by way of agreement to adjoining landowners until such time as the proposed dwelling and outbuilding are constructed where the use will occur as a standalone operation.

Compliance with the Standard requires clause 21.3.1 A4(a) or clause 21.3.1 A4(b) to be satisfied. Compliance with clause 21.3.1 P4(a) requires all subclauses (i-v) to be satisfied. Compliance with clause 21.3.1 P4(b) requires all subclauses (i-iii) to be satisfied.

### **Clause 21.3.1 P4(a)**

The Scheme defines "agricultural use" as:

*"use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry".*

Accordingly, cattle grazing and fodder production is an agricultural use.

To assist with the assessment against clause 21.3.1 A4(a), advice was sought from a suitably qualified and experienced agricultural consulting firm. Their advice is paraphrased as follows:

*"The information contained in the application indicates that the dwelling is required to be located on-site for animal welfare purposes, especially during*

*extreme weather events and calving season. The site is currently utilised for cattle grazing with the adjoining land that has a dwelling and, as such, animal welfare issues would already be managed for the site. The land is proximate to Westbury, which would allow cattle to be looked after by someone living in Westbury, if the site was managed separate to adjoining and adjacent agricultural land.*

*A beef cattle enterprise on the site, being 38ha<sup>1</sup>, could not support a 'viable' enterprise and off-farm income would be required. A beef cattle enterprise on this title alone would be considered a 'hobby scale' activity. A dwelling on this site reduces the potential for the land to be farmed in conjunction with adjacent land as part of a larger enterprise in the future. Without a dwelling the title is more likely to be farmed in conjunction with a larger holding with commercial scale characteristics."*

The advice indicates that the scale, complexity and operational requirements of the cattle grazing operation are not of a quantum that necessitates an onsite Residential use. Further to this, the application does not include a business plan (or similar) which details information such as the market size, number of employees, an estimate of production volumes, budgeted sales figures or forecasts or how the site will be improved to support the cattle grazing use. In addition, minimal information has been provided guaranteeing the financial sustainability and longevity of the cattle grazing operation.

It is therefore submitted that the Residential use is not required to support an agricultural use and will not protect land for agricultural use by minimising the conversion of land to non-agricultural use.

Accordingly, clause 21.3.1 P4(a) is not satisfied and compliance with the Standard is not achieved.

### **Clause 21.3.1 P4(b)**

The Scheme defines "site" as:

*"use the lot or lots on which a use or development is located or proposed to be located".*

A site is therefore the whole of a lot and is not a part or parts of a lot.

The site is capable of supporting an agricultural use and is capable of being included with other agricultural land (regardless of ownership) for agricultural use. This is evidenced by the information contained within the application which details that the site is currently used for rotational grazing and fodder production in

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<sup>1</sup> Noting that only ~11ha of the site is under improved pasture.



conjunction with the adjoining lot to the east and intention to agist the land in the future to adjoining landowners.

Accordingly, clause 21.3.1 P4(b) is not satisfied and compliance with the Standard is not achieved.

#### **21.4.2 Setbacks**

##### **Objective**

*That the siting of buildings minimises potential conflict with use on adjoining properties.*

##### **Performance Criteria P2**

*Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:*

- (a) the size, shape and topography of the site;*
- (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;*
- (c) the location of existing buildings on the site;*
- (d) the existing and potential use of adjoining properties;*
- (e) any proposed attenuation measures; and*
- (f) any buffers created by natural or other features.*

##### **Response**

The siting of the proposed dwelling will minimise potential conflict with use on the adjoining property to the east.

The proposed dwelling will be setback approximately 121m from the adjoining property to the east.

The land on the adjoining property to the east immediately adjacent to the building area of the proposed dwelling forms part of the band of woodland vegetation with rock outcrops and a mix of native and introduced grass species that comprises the southern half of the site and follows through to the adjoining property to the west. It has not been converted to improved pasture due to the presence of significant rock and is currently used for supplementary roaming area for cattle as part of rotational grazing of the improved pasture.

The proposed dwelling setback is considered adequate to provide appropriate attenuation between the dwelling and the nature of the existing agricultural use of the adjoining property to the east. It will also provide sufficient space between the proposed dwelling and boundary of the adjoining property to the east to install

additional vegetative buffers, should there be a need in the future.

The setback of the proposed dwelling, relative to the adjoining property to the east, will be greater than prevailing setbacks of any existing buildings for sensitive uses on adjoining and adjacent properties. In this regard, the following dwelling setbacks are observed:

Property	Position	Setback	Setback Direction
821 Black Hills Road	adjacent	98m	east
789 Black Hills Road	adjoining	7m	east
701 Black Hills Road	adjacent	12m	east

Accordingly, clause 21.4.2 P1 is satisfied and compliance with the Standard is achieved.

## C7.0 Natural Asset Code

### C7.6.1 Buildings and works within waterway and coastal protection area or a future coastal refugia area

#### **Objective**

*That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.*

#### **Performance Criteria P1.1**

*Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:*

- (a) impacts caused by erosion, siltation, sedimentation and runoff;*
- (b) impacts on riparian or littoral vegetation;*
- (c) maintaining natural streambank and streambed condition, where it exists;*
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (e) the need to avoid significantly impeding natural flow and drainage;*
- (f) the need to maintain fish passage, where known to exist;*
- (g) the need to avoid land filling of wetlands;*
- (h) the need to group new facilities with existing facilities, where reasonably practical;*

- (i) minimising cut and fill;*
- (j) building design that responds to the particular size, shape, contours or slope of the land;*
- (k) minimising impacts on coastal processes, including sand movement and wave action;*
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;*
- (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*
- (n) the guidelines in the Tasmanian Coastal Works Manual.*

**Response**

The watercourse is classified as a Class 2 watercourse in accordance with Table C7.3 of the Scheme. Notwithstanding this classification, the watercourse is a minor ephemeral stream that transports water from dam overflow and seepage and has a minor channel and scoured streambank. Cattle currently graze up to, and within, the watercourse where it is located within the site.

The works that are proposed within the waterway and coastal protection area will include the construction of a new culvert over the section of the stream that dissects the access strip, upgrading of an existing crossing over the section of the stream that is adjacent to the dam wall and construction of the access road either side of each crossing.

Supplementary information provided by the applicant describe the works required within the waterway and coastal protection area as follows:

- the existing culvert adjacent to the dam wall has a diameter of 450mm and a width of 3m. The crossing will be upgraded to a width of 4m to satisfy necessary bushfire safety regulations. The existing concrete culvert will be replaced with a new culvert with the same diameter;
- the proposed new crossing will be constructed with a culvert that will have the same dimensions as the existing culvert to be upgraded;
- silt fences will be installed adjacent to the watercourse to prevent sediment transport into the watercourse during construction of the culverts and driveway;
- exposed surfaces adjacent to the watercourse will be revegetated to prevent

erosion;

- construction works will occur during drier periods where water flow does not occur or is minimal;
- it is intended to fence the watercourse to prevent cattle from entering and degrading the watercourse. Alternatively, cattle will be watered through troughs. It is also intended to revegetate the stream line which will improve the health of the riparian zone.

### **Clause C7.6.1 P1.1**

The proposed works within the waterway and coastal protection area will minimise adverse impacts on the natural asset, having regard to the following:

- (a) erosion, siltation and sedimentation will be minimised by installing sediment traps adjacent to the watercourse where the works are proposed and by revegetating exposed surfaces following construction;
- (b) the area where the culvert works and driveway construction is proposed does not require the removal of vegetation;
- (c) the existing streambank and streambed condition will be improved by preventing cattle from using the area and revegetating the stream line with native vegetation;
- (d) observations from an on-site visit indicates that the stream does not contain significant natural habitat such as fallen logs, bank overhangs, rocks and trailing vegetation;
- (e) the proposed culvert works will not impede the natural flow of the stream;
- (f) the stream is not known to be used as a fish passage;
- (g) the site does not contain a wetland;
- (h) the site is vacant and the new work is required to provide access to the proposed dwelling and outbuilding;
- (i) the works require minimal cut and fill;
- (j) works that are proposed within the waterway and coastal protection area will not include any buildings;

- (k) the site is not located within a coastal zone;
- (l) the proposed works are unlikely to be exposed to damage from the natural processes of the stream;
- (m) the works described by the applicant will generally accord with the *Wetlands and Waterways Works Manual*<sup>2</sup>. Notwithstanding, and in the event a permit is issued for the proposal, it is recommended that the following condition be applied to the permit to manage works within the waterway and coastal protection area:

*Prior to the construction of any works, a works plan must be prepared in accordance with the applicable principles of the Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands and submitted to Council to the satisfaction of Council's Town Planner. The works plan must be prepared or endorsed by a suitably qualified and experienced civil engineer and must outline and describe the works to be undertaken within the waterway protection area and the measures that will be implemented to minimise the risk of disturbance to the watercourse.*

- (n) the site is not located within a coastal zone and the guidelines in the *Tasmanian Coastal Works Manual* are not applicable.

### Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below.

<b>21.0 Agriculture Zone</b>		
Scheme Standard	Comment	Assessment
<b>21.3 Use Standards</b>		
21.3.1 Discretionary uses		
A1	The proposal involves Residential use.	Not Applicable
A2	The proposal involves Residential use.	Not Applicable
A3	The proposal involves Residential use.	Not Applicable
A4	There is no acceptable solution.	<b>Relies on Performance Criteria</b>
<b>21.4 Development Standards for Building and Works</b>		
21.4.1 Building Height		
A1	The proposed dwelling will have a building height of 5.6m and the proposed outbuilding will have a	Complies

<sup>2</sup> [Environmental Best Practice Guidelines 2. Construction Practices in Waterways and Wetlands.](#)

	building height of 5.8m.																					
<b>21.4.2 Setbacks</b>																						
A1	<p>The proposed buildings will have the following setbacks:</p> <p><b>Dwelling:</b></p> <table border="1"> <thead> <tr> <th>Boundary</th> <th>Setback</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>472m</td> </tr> <tr> <td>South</td> <td>286m</td> </tr> <tr> <td>East</td> <td>121m</td> </tr> <tr> <td>West</td> <td>355m</td> </tr> </tbody> </table> <p><b>Outbuilding:</b></p> <table border="1"> <thead> <tr> <th>Boundary</th> <th>Setback</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>508m</td> </tr> <tr> <td>South</td> <td>254m</td> </tr> <tr> <td>East</td> <td>107m</td> </tr> <tr> <td>West</td> <td>373m</td> </tr> </tbody> </table>	Boundary	Setback	North	472m	South	286m	East	121m	West	355m	Boundary	Setback	North	508m	South	254m	East	107m	West	373m	Complies
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West	355m																					
Boundary	Setback																					
North	508m																					
South	254m																					
East	107m																					
West	373m																					
A2	The site is a vacant lot. The proposed dwelling will be setback 121m from the eastern boundary.	<b>Relies on Performance Criteria</b>																				
<b>21.4.3 Access for new dwellings</b>																						
A1	The site has 15m of frontage to Black Hills Road.	Complies																				
<b>21.5 Development Standards for Subdivision</b>																						
<b>21.5.1 Lot Design</b>																						
A1	The proposal does not involve subdivision of land.	Not Applicable																				
A2	The proposal does not involve subdivision of land.	Not Applicable																				

## Codes

<b>C2 Parking and Sustainable Transport Code</b>		
Scheme Standard	Comment	Assessment
<b>C2.2 Application of this Code</b>		
	The code applies to all use and development.	Code applies
<b>C2.4 Development exempt from this Code</b>		
	There are no exemptions.	Code Applies
<b>C2.5.1 Car parking numbers</b>		

A1	Table C2.1 requires one (1) car parking space per bedroom or two (2) car parking spaces per three (3) bedrooms for a dwelling in a zone other than the General Residential zone. In this instance, the proposed dwelling will comprise four (4) bedrooms and three (3) car parking spaces are required to be provided (two (2) for three (3) bedrooms plus one (1) for the remaining bedroom). The proposed outbuilding will be capable of accommodating more than three (3) car parking spaces.	Complies with Acceptable Solution
<b>C2.5.2 Bicycle parking numbers</b>		
A1	Table C2.1 does not set a requirement for bicycle parking to be provided for single dwellings in any zone.	Not Applicable
<b>C2.5.3 Motorcycling parking numbers</b>		
A1	Clause C2.5.3 does not apply to single dwellings in accordance with Clause C2.2.2.	Not Applicable
<b>C2.5.4 Loading bays</b>		
A1	Clause C2.5.4 does not apply to the residential use class in accordance with Clause C2.2.3.	Not Applicable
<b>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone</b>		
A1	The proposal does not involve non-residential development.	Complies with Acceptable Solution
<b>C2.6.1 Construction of parking areas</b>		
A1	The road surface is capable of being drained, where necessary, to a legal stormwater discharge point. The site is located within the Agriculture zone.	Complies with Acceptable Solution
<b>C2.6.2 Design and layout of parking areas</b>		
A1.1	The proposed driveway and parking spaces will have a gradient of less than 25% (maximum grade allowed by AS2890). The proposal requires less than four (4) car parking spaces. The proposal will utilise an existing access and the car parking spaces will have minimum widths of 2.6m and minimum lengths of 5.4m which are allowable for	Complies with Acceptable Solution

	an access manoeuvring width of greater than 5.8m which is the case in this instance.	
A1.2	The proposal does not involve parking spaces that are designated for use by persons with a disability.	
<b>C2.6.3 Number of accesses for vehicles</b>		
A1	The site only has one (1) access.	Complies with Acceptable Solution
A2	The site is not located within the Central Business zone.	Not Applicable
<b>C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone</b>		
A1	The site is not located within the General Business or Central Business zone.	Not Applicable
<b>C2.6.5 Pedestrian access</b>		
A1.1	The proposed use requires three (3) parking spaces.	Not Applicable
A1.2	The proposal does not involve parking spaces that are designated for use by persons with a disability.	
<b>C2.6.6 Loading bays</b>		
A1	The proposal is not required to provide loading bays.	Not Applicable
A2	The proposal is not required to provide loading bays.	Not Applicable
<b>C2.6.7 Bicycles parking and storage facilities within the General Business Zone and Central Business Zone</b>		
A1	The site is not located within the General Business or Central Business zone.	Not Applicable
A2	The site is not located within the General Business or Central Business zone.	Not Applicable
<b>C2.6.8 Siting of parking and turning areas</b>		
A1	The site is not located in any of the listed zones.	Not Applicable
A2	The site is not located within the Central Business zone.	Not Applicable
<b>C2.7.1 Parking precinct plan</b>		
A1	The site is not part of a parking precinct plan.	Not Applicable



<b>C3 Road and Railway Assets Code</b>		
Scheme Standard	Comment	Assessment
<b>C3.2 Application of this Code</b>		
	The proposal is capable of increasing the amount of vehicular traffic using the existing vehicle crossing.	Code applies
<b>C3.4 Development exempt from this Code</b>		
	There are no exemptions.	Exempt
<b>C3.5 Use Standards</b>		
<b>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</b>		
A1.1	Black Hills Road is not a category 1 or limited access road.	Not Applicable
A1.2	Written consent from Council as the road authority was provided on 27 August 2021 for the installation and use of a new crossover.	Complies with Acceptable Solution
A1.3	The proposal does not involve a new private level crossing.	Not Applicable
A1.4	The proposal will not increase the AADT to and from the site at the existing crossing by more than 40 vehicle movements per day.	Complies with Acceptable Solution
A1.5	Black Hills Road is not a major road.	Not Applicable
<b>C3.6 Development Standards for Building or Works</b>		
<b>C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area</b>		
A1	The site is not located within a road or railway attenuation area.	Not Applicable
<b>C3.7 Development Standards for Subdivision</b>		
<b>C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area</b>		
A1	The proposal does not involve subdivision of land and the site is not located within a road or railway attenuation area.	Not Applicable
<b>C7 Natural Assets Code</b>		
Scheme Standard	Comment	Assessment
<b>C7.2 Application of this Code</b>		
	The proposal involves the construction of an access road across part of a waterway protection area.	Code applies
<b>C7.4 Use or Development exempt from this Code</b>		
	There are no applicable exemptions.	Exempt

<b>C7.5 Use Standards</b>		
C7.5.1 There are no use standards in the Code.		
	There are no use standards.	Code applies
<b>C7.6 Development Standards for Buildings and Works</b>		
C7.6.1 Development Standards for Buildings and Works		
A1	The proposed access road will not be located within a building area on a sealed plan approved under this planning scheme.	<b>Relies on Performance Criteria</b>
A2	The site is not subject to a future coastal refugia area.	Not Applicable
A3	The proposal does not involve a new stormwater point discharge into the watercourse.	Not Applicable
A4	The proposal does not involve dredging or reclamation of the watercourse.	Not Applicable
A5	The proposal does not involve watercourse erosion or inundation works.	Not Applicable
C7.6.2 Clearance within a priority vegetation area		
A1	The site is not subject to a priority vegetation area.	Not Applicable
<b>C7.7 Development Standards for Subdivision</b>		
C7.7.1 Subdivision within a waterway and costal protection area or a future coastal refugia area		
A1	The proposal does not involve subdivision of land.	Not Applicable
C7.7.2 Subdivision with a priority vegetation area		
A1	The proposal does not involve subdivision of land.	Not Applicable

## Internal Referrals

### Environmental Health

*"The site has sufficient area to accommodate an on-site wastewater management system for the proposed dwelling."*

### Infrastructure Services

*"The risk to Council infrastructure associated with the proposed new access onto Black Hills Road is deemed to be low. The following conditions and notes are recommended:*

*Conditions:*

1. *The proposed new driveway access must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.*

**Notes:**

1. *Works must be completed by a suitably qualified contractor. 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. *The property owner is responsible for selecting the appropriate materials, pipe sizes and construction methods for the proposed culvert and driveway, and is responsible for all maintenance of the culvert and driveway due to any damage from stormwater flows."*

With respect to recommended Note 2, the condition recommended by clause C7.6.1 P1.1 (m) addresses the matters raised in the note. Accordingly, in the event that a permit is granted, it is recommended that Note 2 be excluded from the permit to avoid confusion and duplication of requirements.

**Conclusion**

It is considered that the application for the construction of a single dwelling, outbuilding and associated works on land located at 751 Black Hills Road, Westbury is not acceptable in the Agriculture Zone and is recommended for refusal.

**DECISION:**

# APPLICATION FORM



Meander Valley Council  
Working Together

## PLANNING PERMIT

### Land Use Planning and Approvals Act 1993

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

#### OFFICE USE ONLY

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

- 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:  Certificate of Title:

Suburb:   Lot No:

Land area:  m<sup>2</sup> /

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

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

#### DETAILS OF USE OR DEVELOPMENT:

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

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

Description of work:

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

New floor area:  m<sup>2</sup> New building height:  m

Materials: External walls:  Colour:   
Roof cladding:  Colour:

SEARCH OF TORRENS TITLE

VOLUME 51226	FOLIO 1
EDITION 2	DATE OF ISSUE 22-Feb-2011

SEARCH DATE : 02-Sep-2021

SEARCH TIME : 02.01 PM

DESCRIPTION OF LAND

Parish of QUAMBY, Land District of WESTMORLAND  
 Lot 1 on Diagram 51226  
 Derivation : Part of 1000 Acres Gtd. to William Bryan  
 Prior CT 4807/27

SCHEDULE 1

B442338 & D5653 ALEXANDER HUGH COULL Registered  
 22-Feb-2011 at noon

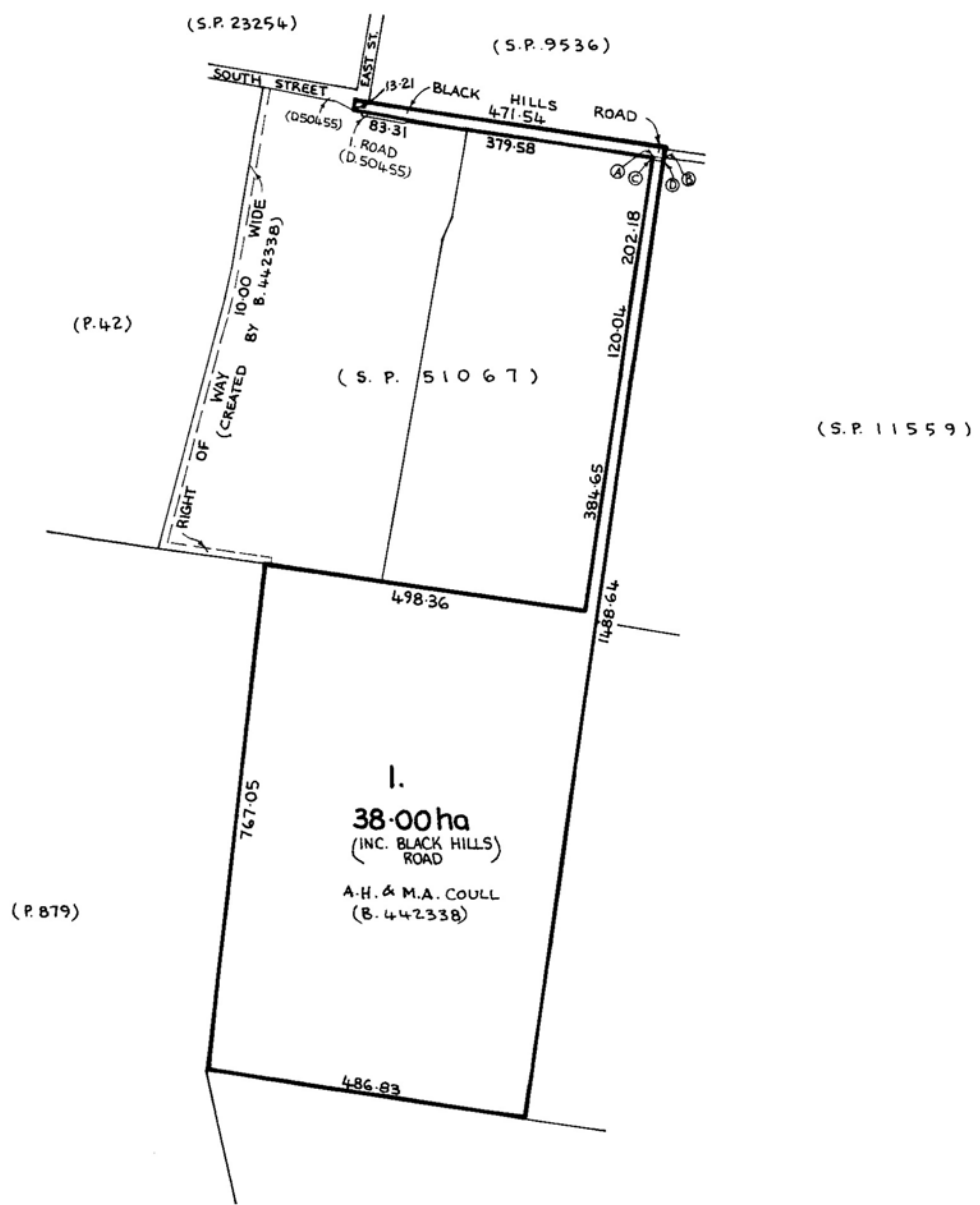
SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 B442338 CONVEYANCE: Benefitting Easement: Right of carriage  
 way over the strip of land marked "Right of Way 10.00  
 Wide" shown on D. 51226  
 EXCEPT AND ALWAYS RESERVED unto William Lachlan Jordan his  
 heirs and assigns a free and uninterrupted way or  
 passage at all times hereafter with or without horses  
 cattle carts and carriages loaded or unloaded in  
 through over along across and upon the strip of land  
 marked A.B.D.C. ON D.51226

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Owner:	<p align="center"><b>PLAN OF TITLE</b></p> <p align="center">of land situated in the</p> <p align="center"><b>LAND DISTRICT OF WESTMORLAND</b></p> <p align="center"><b>PARISH OF QUAMBY</b></p> <p align="center">COMPILED FROM.....</p> <p>SCALE 1: 7500    MEASUREMENTS IN METRES</p>	Registered Number:	
Title Reference:    C.T. 2729-24		<b>D.51226</b>	Approved.....
Grantee:		Recorder of Titles	





SCHEDULE OF EASEMENTS

PLAN NO.

**SP51067**

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

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

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

Each lot on the plan is subject to:—

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

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

Lot 1 on the plan is subject to a right of carriage way over the strip of land marked Right of Way (Private) 10.00 wide. (as appurtenant to Lot 1 on Diagram No. D S 1226)

Lot 1 on the plan is together with a "pipeline easement 2.00 wide" as defined below over Lot 2.

Lot 2 on the plan is subject to the "pipeline easement 2.00 wide" (appurtenant to Lot 1 on the Plan) as defined below.

Lot 2 on the plan is subject to a "power supply easement 5.00 wide" appurtenant to Lot 1 as defined below.

Lot 1 on the plan is together with a "power supply easement 5.00 wide" over Lot 2 as defined below.

Lot 1 on the plan is together with a "water storage easement" over Lot 2 as defined below.

Lot 2 on the plan is subject to a "water storage easement" (appurtenant to Lot 1) as defined below.

The "pipeline easement 2.00 wide" shall mean a right to construct lay and maintain water pipes under the surface of the strip of land shown on the plan and marked "Pipeline Easement 2.00 wide" together with the full and free right and liberty at a'l times to use the pipes and reticulation systems lying under the surface of the said strip of land marked "Pipeline Easement 2.00 wide" for the purposes hereinafter specified only to run and to pass water through under and along the said pipes and for the supply of water for domestic purposes for the house now erected on Lot 1 and for the supply of water to five existing stock troughs on Lot 1 and for such purposes the owner of the





51067

The Common Seal of Tasmanian Trustees Limited was herewith affixed by authority of the Directors in the presence of

*[Handwritten signatures]*  
DIRECTORS  
SECRETARY



51067

This is the schedule of easements attached to the plan of P. J. & S. D. Blackwood Pty. Ltd.  
(Insert Subdivider's Full Name)

..... affecting land in

Certificate of Title Volume 2729 Folio 24  
(Insert Title Reference)

Sealed by MUNICIPALITY OF WILSON on 12<sup>TH</sup> AUGUST 1991

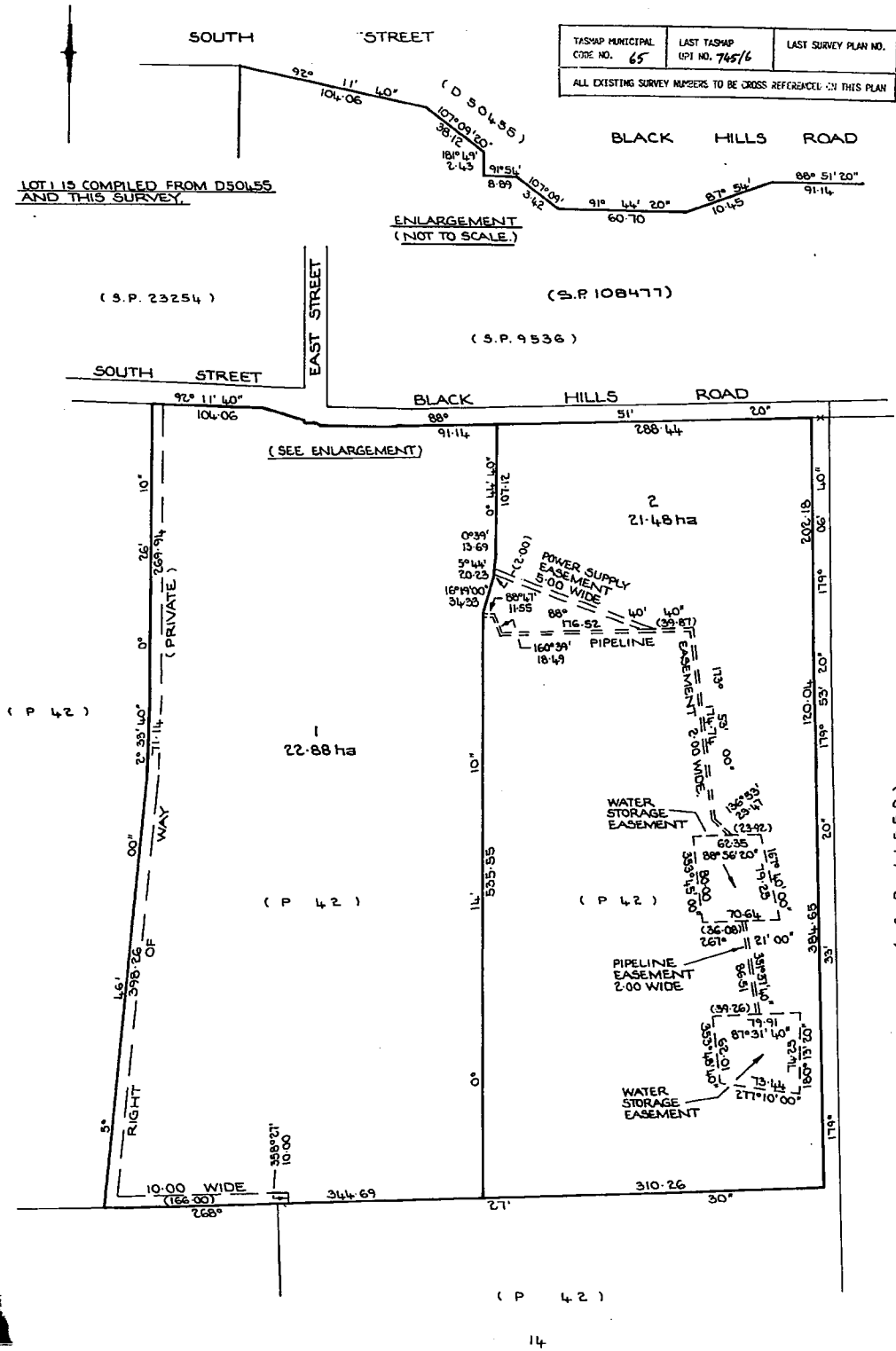
Solicitor's Reference Mrs. J. M. French  
Shields Heritage - 914139.



OS-K 3134

5/9/91

Owner: P. J. & S. D. BLACKWOOD PTY. LTD	<b>PLAN OF SURVEY</b> by Surveyor... R. V. TAIT, OF COHEN AND... of land situated in the ASSOCIATES PTY. LTD.  LAND DISTRICT OF WESTMORLAND PARISH OF QUAMBY  SCALE 1: 3000 MEASUREMENTS IN METRES	Registered Number: <b>SP51067</b>
Title Reference: C.T. 2729-24		Approved: <b>24 SEP 1991</b> Effective from: <i>[Signature]</i> Recorder of Titles
Grantee: PART OF LOT 21, 64.0 ACRES AND PART OF 1000 ACRES, GRANTED TO WILLIAM BRYAN.		



Applicant: Simon and Linda Coull

Property: 751 Black Hills Road  
Westbury 7303

Date: 14<sup>th</sup> August 2021

The applicant is seeking to gain discretionary approval to use the land at 751 Black Hills Road, Westbury for the purpose of a residence.

The land is located at 751 Black Hills Road, Westbury Tasmania and comprises 38 ha as described in Certificate of Title Volume 51226 Folio 1.

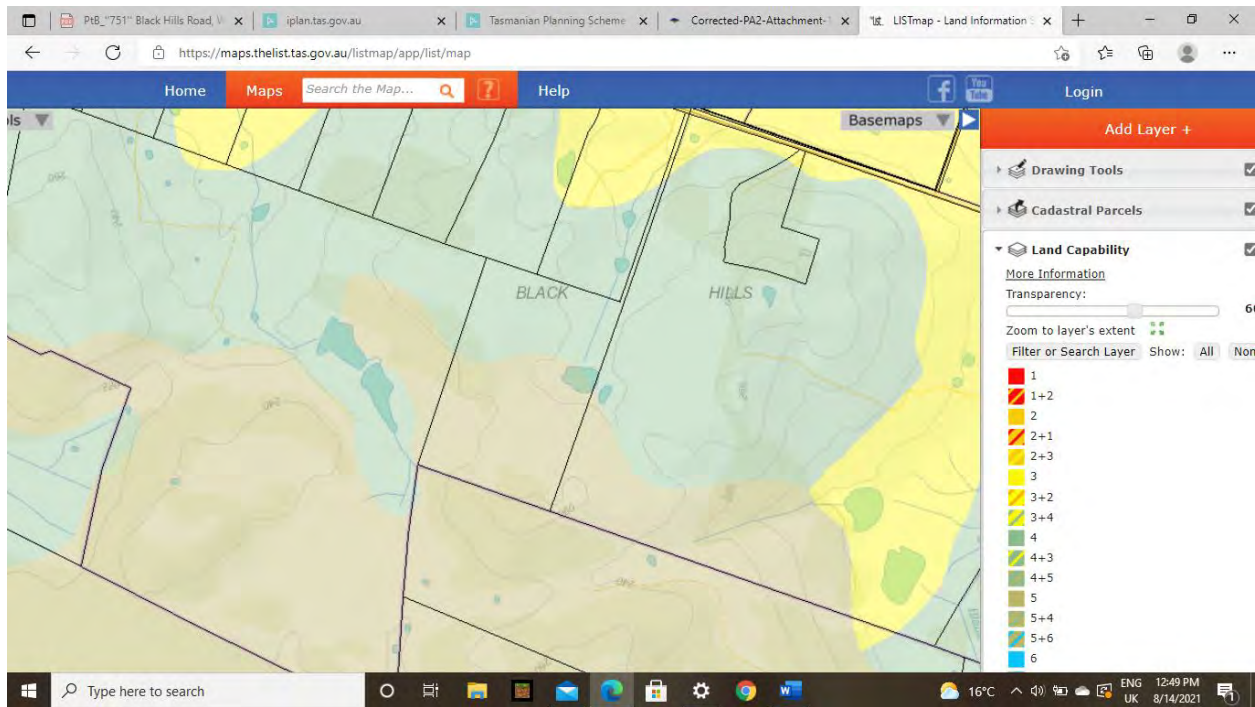
The land is zoned Agriculture under the Tasmanian Planning Scheme and is currently used for rotational grazing and fodder (hay) in conjunction with the property to the east. The proposal is to continue to use the subject property for rotational grazing, at first by way of agistment to adjoining landowners and once infrastructure is established as a standalone cattle operation. Building a residence on the property will allow the applicant to ensure the wellbeing of stock, especially during extreme weather but also throughout calving season when it's essential to perform twice daily checks.

The majority of the land, including the proposed building envelope is class 5 and currently used solely for grazing. It is unsuitable for producing crops (including fodder), due to rocks and vegetation. The balance of the land, which is divided by a fence is class 4 and has been used to produce an annual fodder crop for stock (hay). Please see the attached image from The List showing the land capability overlay.

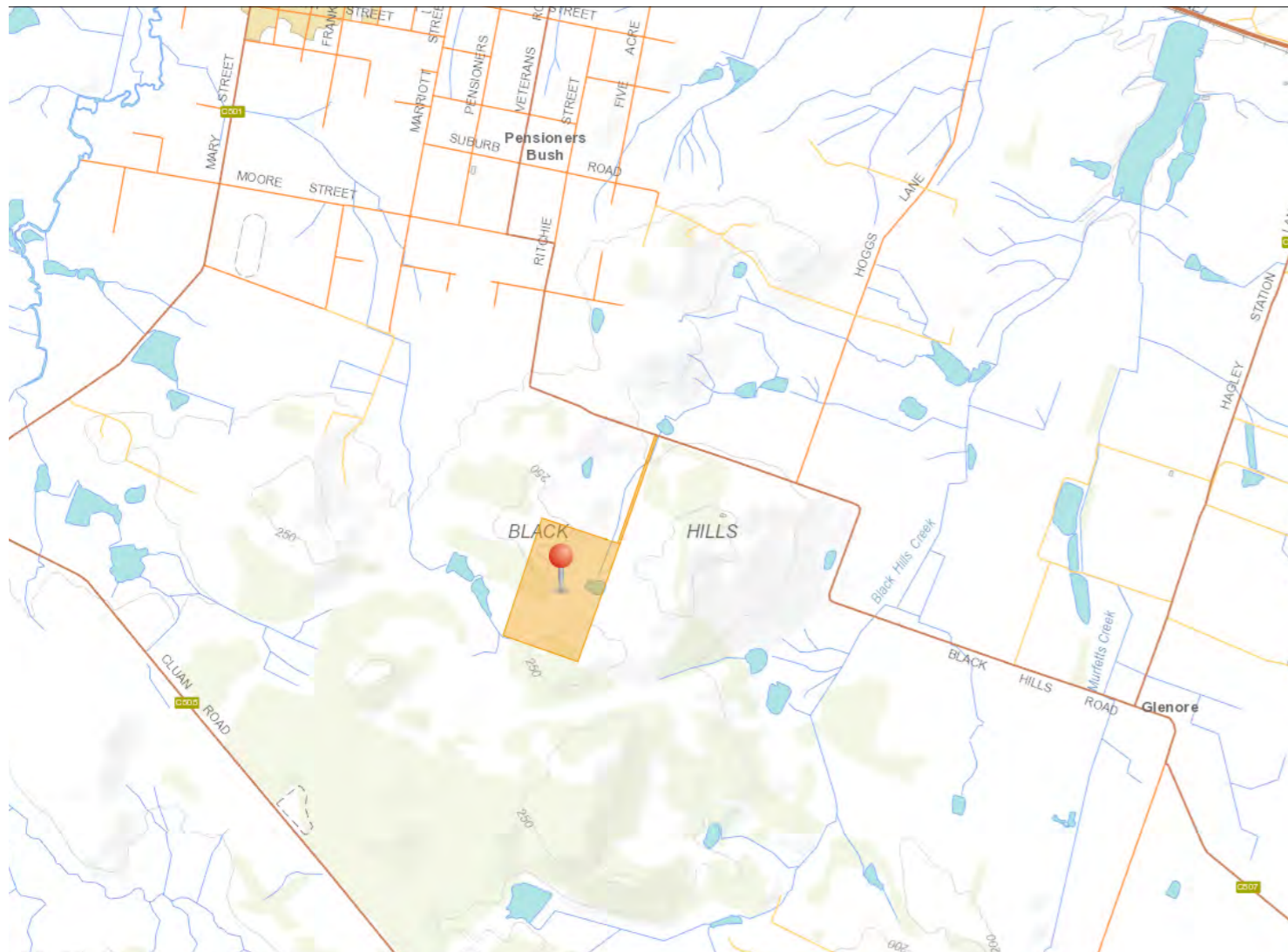
The neighboring properties are all used for the purposes of grazing cattle and/or sheep.

The property to the east, currently farmed in conjunction with the subject property runs cattle. The paddocks adjacent to the subject property are unsuitable for cropping due to rocks. There is potential to establish additional vegetation between this boundary and the building envelope to provide a buffer if needed.

The property to the south west is a dairy operation. With the prevailing wind being south westerly, the bush between the building envelope and this property, combined with the distance will limit any issues relating to spray drift, dust or odours.



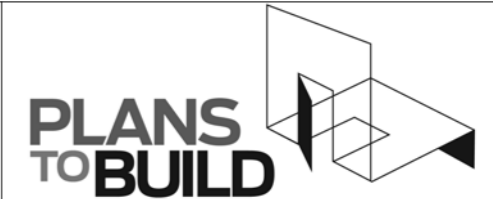
# NEW DWELLING AND SHED at 751 BLACK HILLS RD WESTBURY TAS 7303 for SIMON AND LINDA



LOCATION PLAN

## DRAWING SCHEDULE

- A00 COVER PAGE
- A01 OVERALL SITE PLAN
- A02 PART SITE PLAN
- A03 FLOOR PLAN
- A04 ELEVATION
- A05 PERSPECTIVES
- A06 PERSPECTIVES



ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**GENERAL NOTES:**

IN ACCORDANCE WITH THE N.C.C.S BUILDING CODE OF AUSTRALIA VOLUME TWO, ALL BUILDING WORK SHALL BE IN STRICT COMPLIANCE WITH COUNCIL LAWS, REFERENCED AUSTRALIAN STANDARDS, BUILDING ACTS & REGULATIONS REFER ALSO TO THE GENERAL REQUIREMENTS PAGE.

THE BUILDER SHALL SECURE AND MAKE SAFE THE WORKSITE IN ACCORDANCE WITH WORK SAFE TASMANIA & WHS GUIDELINES & REGULATIONS.

THE BUILDER SHALL CARRY OUT DIAL BEFORE YOU DIG REFERRAL FOR LOCATIONS OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EARTHWORKS.

THE BUILDER SHALL INSTALL SILT TRAPS & SCREENS AT THE PROPERTY BOUNDARY TO PREVENT SILT RUNOFF INTO THE COUNCIL MAIN SYSTEM FOR THE DURATION OF SITE WORKS.

THE BUILDER SHALL BE RESPONSIBLE FOR THE CORRECT SETOUT OF ALL WORKS. A LAND SURVEYOR IS RECOMMENDED BY THE DESIGNER FOR ALL SETOUT. USE FIGURED DIMENSIONS IN PREFERENCE TO SCALED DIMENSIONS.

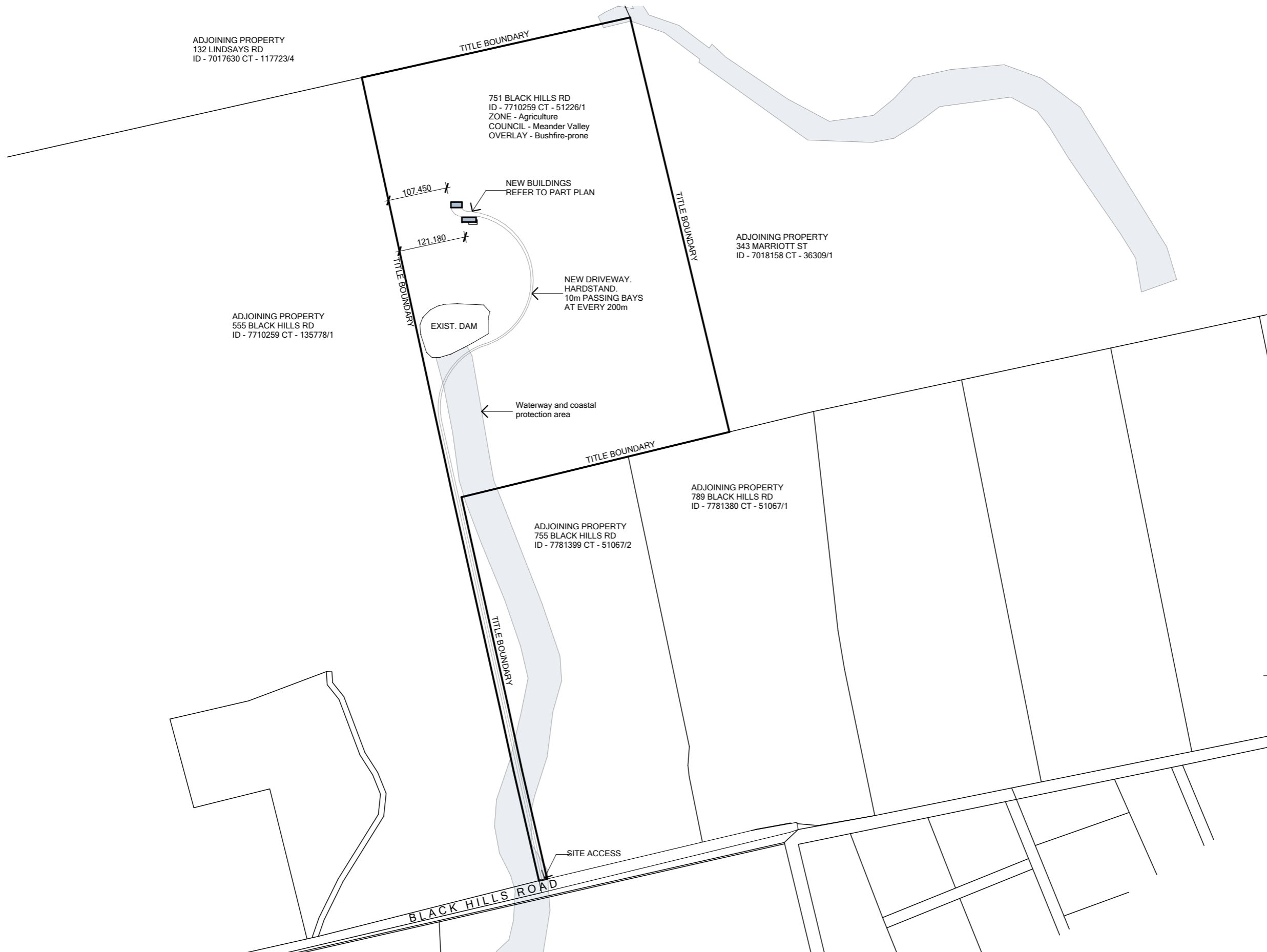
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ENGINEERING DRAWINGS AND SPECIFICATIONS. THE DESIGNER SHALL BE NOTIFIED OF ANY DISCREPANCIES WITH THE DRAWINGS.

ALL FITTINGS & FIXTURES INSTALLED SHALL BE PURCHASED AS NEW CONDITION & QUALITY & CARRY THE RELEVANT AUSTRALIAN STANDARD COMPLIANCES.

**PROJECT INFORMATION:**

FLOOR AREAS: DWELLING FLOOR AREA - 216m <sup>2</sup> DECK AREA - 70m <sup>2</sup>		SITE AREA: 401,787m <sup>2</sup>	WIND SPEED	LAND TITLE, VOLUME & FOLIO <b>CT 51226/1</b>
SITE OVERLAYS: Bushfire-prone	SITE CLASSIFICATION :	CLIMATE ZONE: <b>7</b>	ALPINE AREA: <b>N/A</b>	BUSHFIRE ATTACK LEVEL:
COUNCIL: Meander Valley	WIND REGION: <b>A3</b>	CORROSION ENVIRONMENT <b>SEVERE</b>	TERRAIN CLASSIFICATION:	
SCHEME / ZONE: Agriculture	SCALE: IF IN DOUBT ASK <b>SCALE @ A3</b>	PRINT DATE: <b>13/08/2021</b>	PROJECT NUMBER: <b>21092</b>	rev. Amendment

DRAWING No: <b>A00</b>		ISSUE: APPROVAL
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ADJOINING PROPERTY  
132 LINDSAYS RD  
ID - 7017630 CT - 117723/4

751 BLACK HILLS RD  
ID - 7710259 CT - 51226/1  
ZONE - Agriculture  
COUNCIL - Meander Valley  
OVERLAY - Bushfire-prone

ADJOINING PROPERTY  
343 MARRIOTT ST  
ID - 7018158 CT - 36309/1

ADJOINING PROPERTY  
555 BLACK HILLS RD  
ID - 7710259 CT - 135778/1

NEW BUILDINGS  
REFER TO PART PLAN

NEW DRIVEWAY,  
HARDSTAND,  
10m PASSING BAYS  
AT EVERY 200m

EXIST. DAM

Waterway and coastal  
protection area

TITLE BOUNDARY

ADJOINING PROPERTY  
789 BLACK HILLS RD  
ID - 7781380 CT - 51067/1

ADJOINING PROPERTY  
755 BLACK HILLS RD  
ID - 7781399 CT - 51067/2

SITE ACCESS

BLACK HILLS ROAD

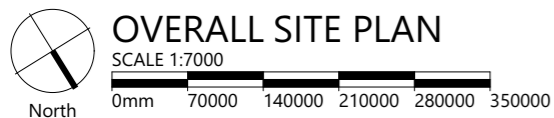
**SITE PLAN NOTES**

**SURFACE AND SUBSURFACE DRAINAGE SYSTEMS**  
IN ACCORDANCE WITH PART D2, NCC PLUMBING  
CODE OF AUSTRALIA VOLUME THREE THE DESIGN,  
CONSTRUCTION AND INSTALLATION OF A  
STORMWATER DRAINAGE SYSTEM MUST BE IN  
ACCORDANCE WITH AS/NZS 3500.3

**SOIL AND WATER MANAGEMENT**  
PRIOR TO THE COMMENCEMENT OF THE  
DEVELOPMENT WORKS THE APPLICANT OR BUILDER  
MUST INSTALL ALL NECESSARY SILT FENCES AND CUT-  
OFF DRAINS TO PREVENT THE SOIL, GRAVEL AND  
OTHER DEBRIS FROM ESCAPING THE SITE.  
ADDITIONAL WORKS MAY BE REQUIRED ON COMPLEX  
SITES.

NO MATERIAL OR DEBRIS IS TO BE TRANSPORTED  
ONTO THE ROAD RESERVE (INCLUDING THE NATURE  
STRIP, FOOTPATH AND ROAD PAVEMENT).  
ANY MATERIAL THAT IS DEPOSITED ONTO THE ROAD  
RESERVE AS A RESULT OF THE DEVELOPMENT ACTIVITY  
IS TO BE REMOVED BY THE APPLICANT OR BUILDER.

THE SILT FENCING, CUT-OFF DRAINS AND OTHER  
WORKS TO MINIMISE EROSION ARE TO BE MAINTAINED  
ON THE SITE UNTILL SUCH TIME AS THE SITE HAS  
REVEGETATED SUFFICIENTLY TO MITIGATE EROSION  
AND SEDIMENT TRANSPORT.



**NEW DWELLING AND SHED**

**PLANS TO BUILD**

ABN 23 269 055 701  
Level 2, 93 York Street, Launceston  
Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**SIMON AND LINDA**

rev.	Amendment	Date

DRAWING No: **A01**  
ISSUE: APPROVAL  
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REV: 0  
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**751 BLACK HILLS RD WESTBURY TAS 7303**

Meander Valley Council Ordinary Meeting Agenda - October 2021

PLANNING AUTHORITY 1

PROJECT NUMBER:  
**21092**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**13/08/2021**

**A01**

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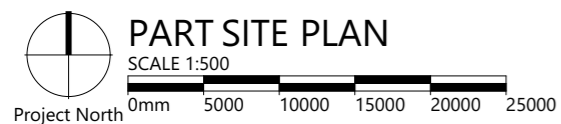
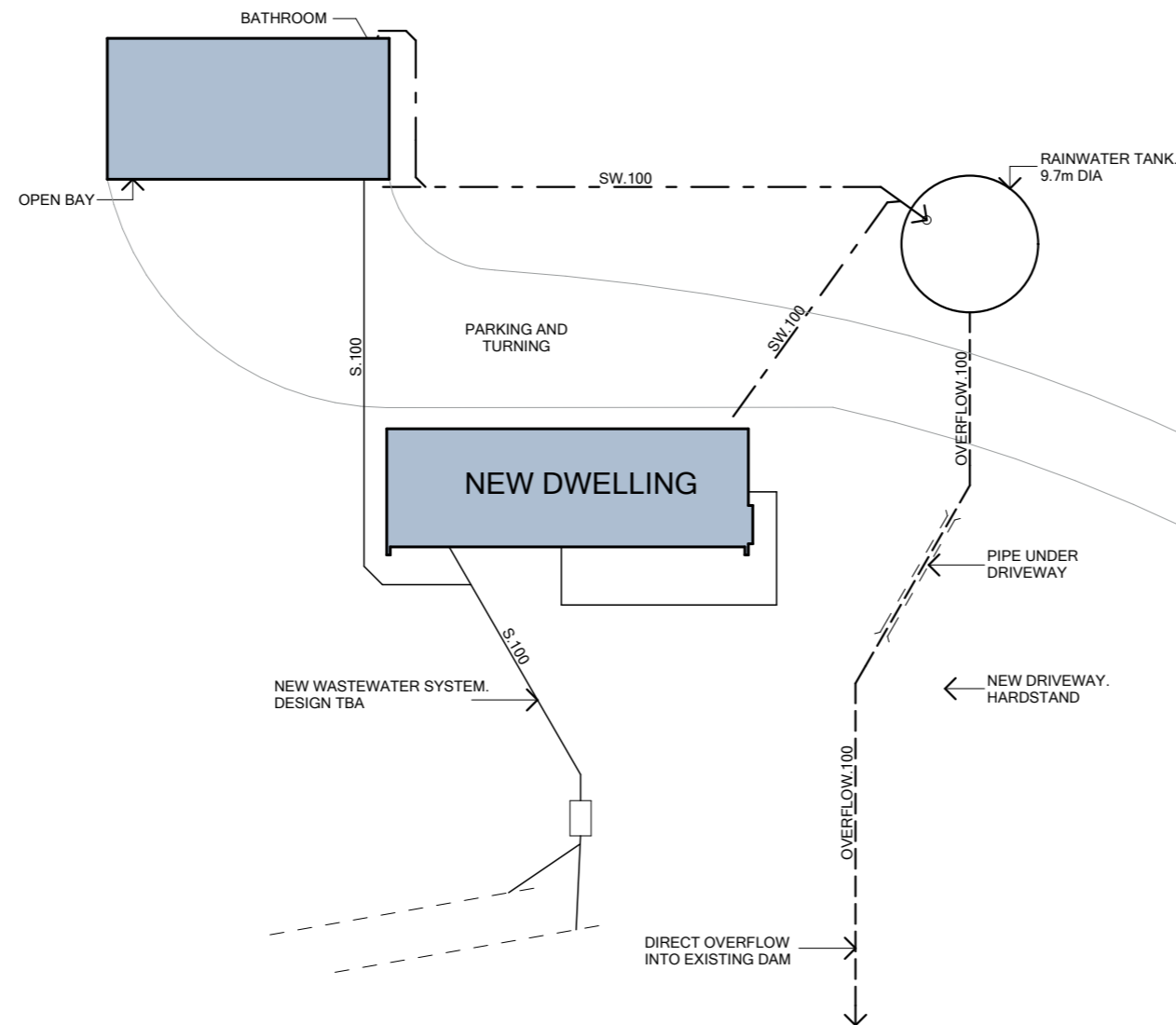
**SITE PLAN NOTES**

**SURFACE AND SUBSURFACE DRAINAGE SYSTEMS**  
 IN ACCORDANCE WITH PART D2, NCC PLUMBING CODE OF AUSTRALIA VOLUME THREE THE DESIGN, CONSTRUCTION AND INSTALLATION OF A STORMWATER DRAINAGE SYSTEM MUST BE IN ACCORDANCE WITH AS/NZS 3500.3

**SOIL AND WATER MANAGEMENT**  
 PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT WORKS THE APPLICANT OR BUILDER MUST INSTALL ALL NECESSARY SILT FENCES AND CUT-OFF DRAINS TO PREVENT THE SOIL, GRAVEL AND OTHER DEBRIS FROM ESCAPING THE SITE. ADDITIONAL WORKS MAY BE REQUIRED ON COMPLEX SITES.

NO MATERIAL OR DEBRIS IS TO BE TRANSPORTED ONTO THE ROAD RESERVE (INCLUDING THE NATURE STRIP, FOOTPATH AND ROAD PAVEMENT). ANY MATERIAL THAT IS DEPOSITED ONTO THE ROAD RESERVE AS A RESULT OF THE DEVELOPMENT ACTIVITY IS TO BE REMOVED BY THE APPLICANT OR BUILDER.

THE SILT FENCING, CUT-OFF DRAINS AND OTHER WORKS TO MINIMISE EROSION ARE TO BE MAINTAINED ON THE SITE UNTILL SUCH TIME AS THE SITE HAS REVEGETATED SUFFICIENTLY TO MITIGATE EROSION AND SEDIMENT TRANSPORT.



**NEW DWELLING AND SHED**

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**Owner:**  
**SIMON AND LINDA**

rev.	Amendment	Date
	DRAWING No:	ISSUE: APPROVAL
	<b>A02</b>	3 of 7

**751 BLACK HILLS RD WESTBURY TAS 7303**  
 Meander Valley Council Ordinary Meeting Agenda - October 2021

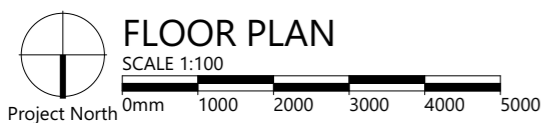
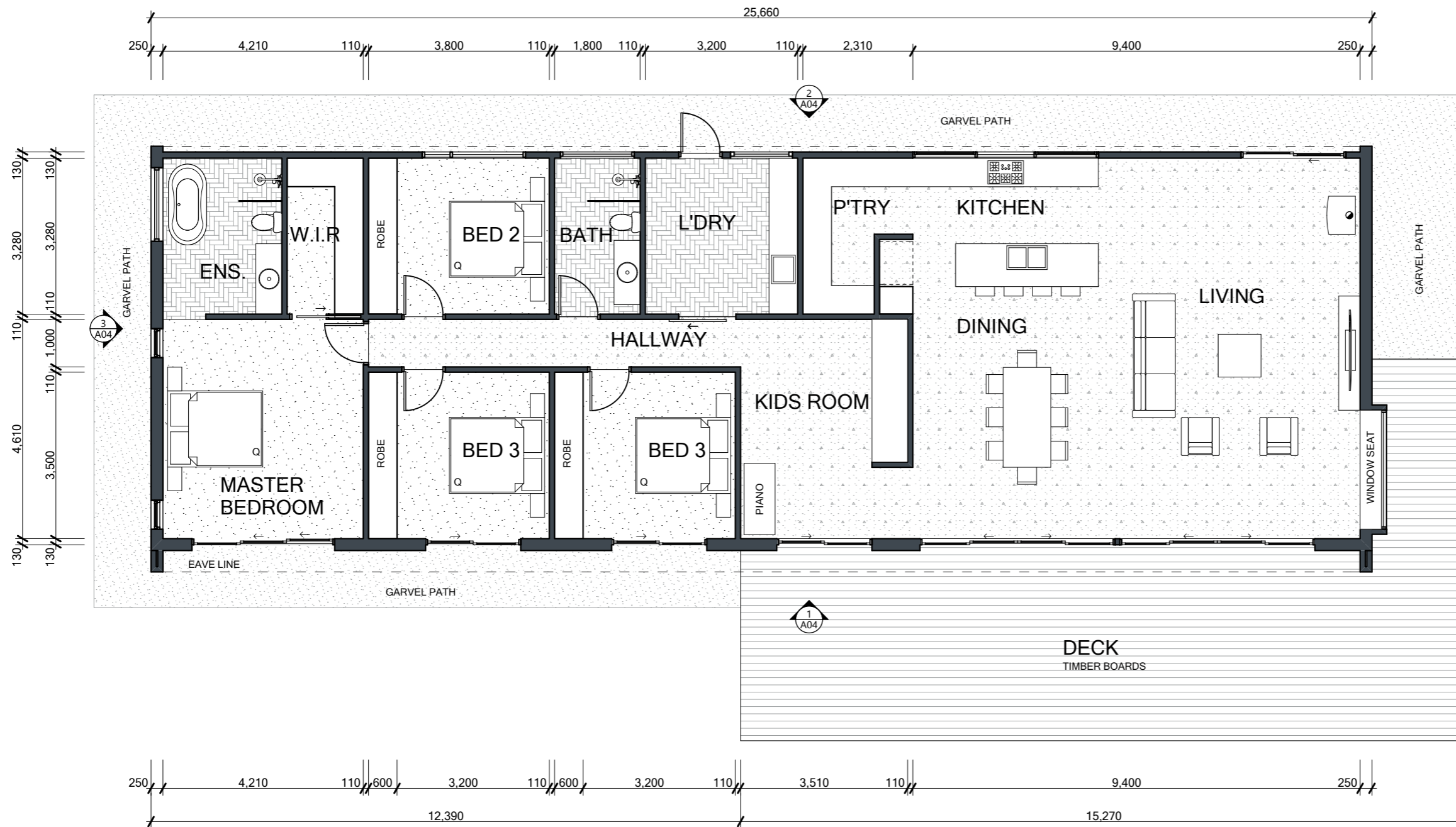
PROJECT NUMBER:  
**21092**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**13/08/2021**

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**PLANS TO BUILD**  
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**Owner:**  
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**NEW DWELLING AND SHED**

**751 BLACK HILLS RD WESTBURY TAS 7303**

Meander Valley Council Ordinary Meeting Agenda - October 2021

PLANNING AUTHORITY 1

PROJECT NUMBER:  
**21092**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

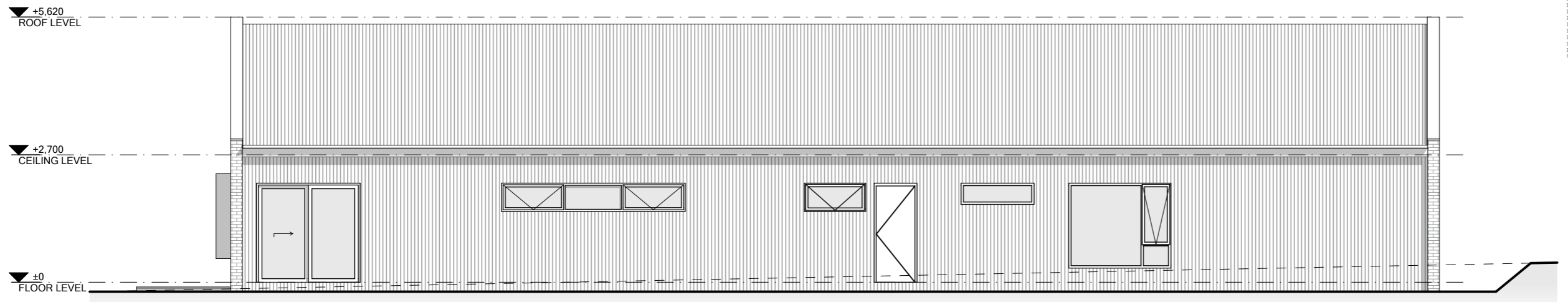
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**13/08/2021**

rev. Amendment  
 DRAWING No:  
**A03**

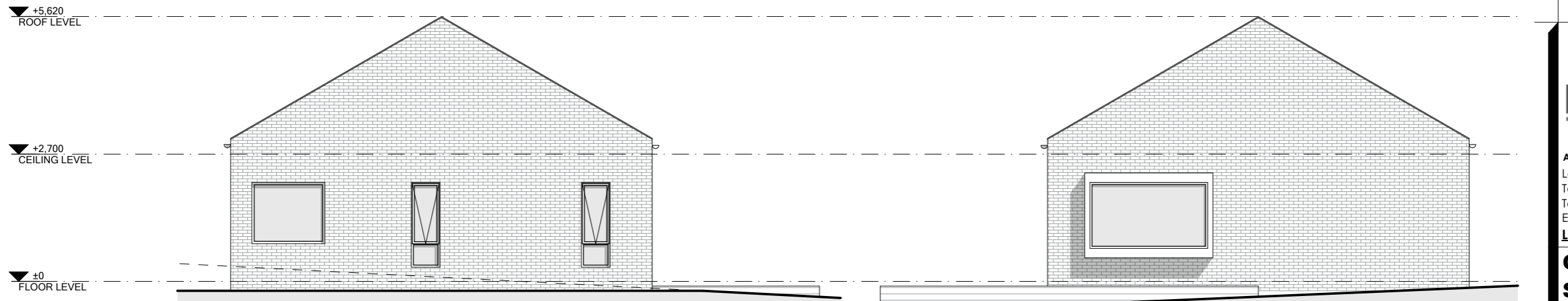
Date  
 ISSUE: APPROVAL  
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**1 NORTHERN ELEVATION**  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000





**2 SOUTHERN ELEVATION**  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000



**3 EASTERN ELEVATION**  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000

**4 WESTERN ELEVATION**  
SCALE 1:100  
0mm 1000 2000 3000 4000 5000

**ELEVATION NOTES**  
WALL CLADDING SYSTEMS MUST BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS, INSTRUCTIONS & SPECIFICATIONS.  
  
INSTALL THE WALL CLADDING SYSTEM COMPLETE WITH JOINTS, TRIMS, FLASHINGS , SEALS , FIXINGS & FINISHES IN STRICT ACCORDANCE WITH MANUFACTURES DETAILS TO ENSURE A WEATHER-PROOF AND WATERTIGHT INSTALLATION.  
  
REFER TO GLAZING CALCULATOR FOR WINDOW & GLAZING DETAILS TYP.  
  
DAMP PROOF COURSE, CONTROL JOINTS AND WEEP HOLES PROVIDED TO BRICKWORK AT APPROPRIATE INTERVALS IN ACCORDANCE WITH AS/NZS 4456 AND ENGINEERING DRAWINGS

 'CUSTOM ORB' ZINCALUME SHEETING INSTALLED TO MANUFACTURER'S SPECIFICATIONS. 'COLOURS BY OWNER'  
  
 SELECTED FACE BRICK VENEER WALL. 'COLOURS BY OWNER'

**PLANS TO BUILD**  
ABN 23 269 055 701  
Level 2, 93 York Street, Launceston Tasmania, 7250.  
Tel - 6388 9287 - Mob - 0400 655 771  
Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**SIMON AND LINDA**

rev.	Amendment	Date
DRAWING No: <b>A04</b>		ISSUE: APPROVAL
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**NEW DWELLING AND SHED**

**751 BLACK HILLS RD WESTBURY TAS 7303**  
Meander Valley Council Ordinary Meeting Agenda - October 2021

PROJECT NUMBER:  
**21092**

SCALE: IF IN DOUBT ASK  
**SCALE @ A3**

PRINT DATE:  
**13/08/2021**

PLANNING AUTHORITY 1



## NEW DWELLING AND SHED

**751 BLACK HILLS RD WESTBURY TAS 7303**

Meander Valley Council Ordinary Meeting Agenda - October 2021

PLANNING AUTHORITY 1

PROJECT NUMBER:  
**21092**

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**SCALE @ A3**

PRINT DATE:  
**13/08/2021**

rev.	Amendment	Date

DRAWING No:  
**A05**

ISSUE: APPROVAL

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**PLANS TO BUILD**

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**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**SIMON AND LINDA**



**NEW DWELLING AND SHED**

**751 BLACK HILLS RD WESTBURY TAS 7303**

Meander Valley Council Ordinary Meeting Agenda - October 2021

PLANNING AUTHORITY 1

PROJECT NUMBER:  
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**SCALE @ A3**

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**A06**

ISSUE: APPROVAL

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**PLANS TO BUILD** 

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Email - leigh@planstobuild.com.au  
**L.M.DELL LIC. No. CC5932 G**

**Owner:**  
**SIMON AND LINDA**



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### CLADDING

ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	CUSTOM ORB 0.42 BMT	CB	AA
WALLS	TRIMDEK 0.42 BMT	CB	AA
CORNERS	-	CB	AA
BARGE	-	CB	AA
GUTTER	HI-QUAD	CB	AA

0.35bmt=0.40tct; 0.42bmt=0.47tct; 0.48bmt=0.53tct

### ACCESSORY SCHEDULE & LEGEND

QTY	MARK	DESCRIPTION
2	RD1	Steel-Line R.D, Chain "B", 3525 high x 3660 wide Clear Opening C/B
1	B650-13	Larnec Door & Frame Kit, 650/37, Std. 2040 x 820 C/Bond

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

### WIND DESIGN

IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	A	2	1.0

CLIENT

**Simon Coull**

SITE

**tba**  
**WESTBURY TAS 7303**

BUILDING

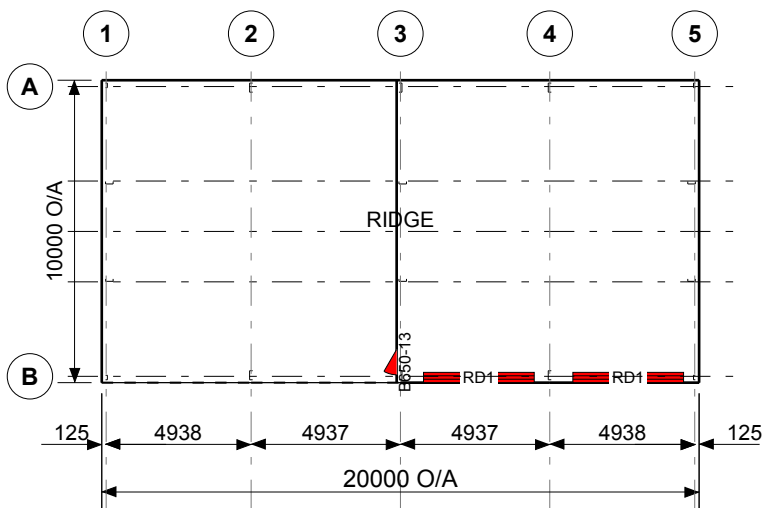
**BIG G**  
**10000 SPAN x 5000 EAVE x 20000 LONG**

TITLE

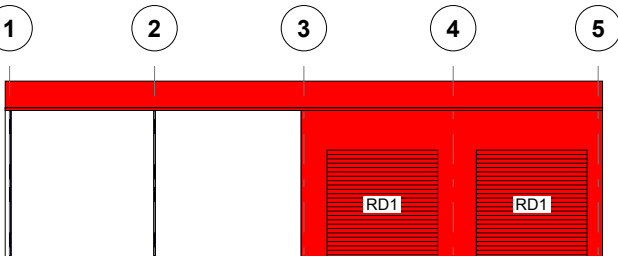
**GENERAL ARRANGEMENT**

LICENSE NO: CC2747G

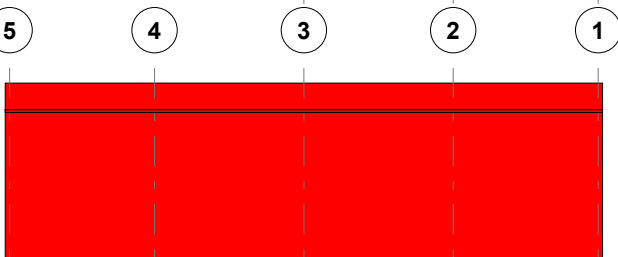
SCALE	DRAWING NUMBER	REV	PAGE
A4 SHEET 1:250	LAUNC2-8090	A	1/1



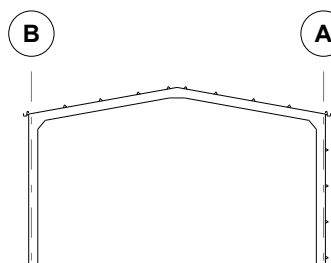
**GROUND FLOOR PLAN**



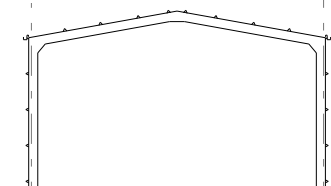
**ELEVATION GRID B**



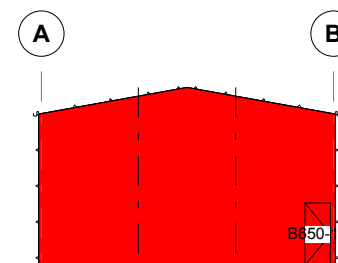
**ELEVATION GRID A**



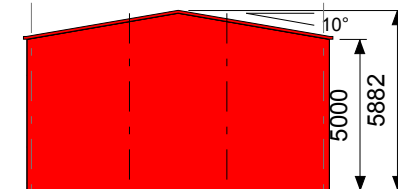
**SECTION GRID 2**



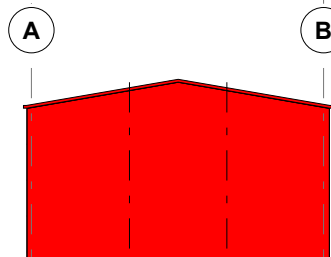
**SECTION GRID 4**



**SECTION GRID 3**



**ELEVATION GRID 5**



**ELEVATION GRID 1**

**From:** "Jennifer Hodgson" [REDACTED]  
**Sent:** Tue, 14 Sep 2021 21:55:31 +1000  
**To:** "Planning @ Meander Valley Council" <Planning.AtMeander@mvc.tas.gov.au>  
**Subject:** PA/22/0045

Hi Laura,

We own and farm the land directly opposite the proposed access to PA/22/0045.

Our address is 798 Black Hills Rd.

Following our phone conversation today there are a few queries that mostly relate to the waterhole on our place that is the continuation of the waterway in the proposal and any ongoing effects on the volume, energy and quality of water that enters our dam.

Our waterhole/dam is critical to our farming business and is also used for domestic water including drinking.

- what is the proposed construction of the road including positioning and sizing of culverts ?
- under the site plan notes silt fencing etc are to be maintained until there has been sufficient revegetation, who monitors and determines this ?
- on the map the waterway is marked as "waterway and coastal protection area". Is this "area" already covered by existing rules ?
- Is it anticipated that the existing dam will meet the future needs of the proposed cattle enterprise ?

Regards

John McKimmie  
[REDACTED]

**From:** "Office - Andrea Trezise" [REDACTED]  
**Sent:** Mon, 20 Sep 2021 15:28:13 +1000  
**To:** "Planning @ Meander Valley Council" <Planning.AtMeander@mvc.tas.gov.au>  
**Subject:** PA\22\0045  
**Attachments:** Letter to Meander Valley Council .pdf, 20092021152259.pdf

ATTENTION: John Jordan

Dear Sir,

Please see attached correspondence for your attention.

## Jordan

**Andrea Trezise**  
**Barrister & Solicitor**

P: 03 6334 3348

F: 03 6334 3347

**Reply to:** [office@treziselegal.com](mailto:office@treziselegal.com)

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P J & A Osborne  
100 Shadforth Street  
WESTBURY TAS 7303

**20 September 2021**

General Manager  
Meander Valley Council  
PO Box 102  
WESTBURY TAS 7303  
By email: [planning@mvc.tas.gov.au](mailto:planning@mvc.tas.gov.au)

ATTENTION: John Jordan

Dear Sir,

**Applicant:** S & L Coull - PA\22\0045  
**Location:** 751 Black Hills Road, Westbury (CT:51226/1)  
**Development:** Single Dwelling, Outbuilding & Associated Works -  
discretionary use, setbacks, access & buildings and works  
within a waterway

We are the registered proprietors of the property "Marathon" 755 Black Hills Road, Westbury.

Our primary concern in relation to the Planning Application is the possible impact the driveway crossing in two (2) places over the Waterway and Coastal Protection Area - at the entrance from Black Hills Road and across the existing dam on the subject land - may impact the quantity and quality of water flowing through our property.

We **enclose** a copy of the Schedule of Easements Plan Number SP 51067 which affects our property.

We have two (2) sizeable dams, as shown on the map attached to the Schedule of Easements, with water continuing to flow to two (2) smaller dams on the northeast side of the property, not shown on that map.

To date we have utilised the property for the purpose of growing and developing cattle and agistment of horses. It is our ultimate hope to build and live on the property.

Whilst we have recently sold our cattle we have had up to thirty-two (32) head of cattle running on the property at one time. We intend to purchase more cattle to replace those sold early next year. In summer months we are required to replace water in our storage tank by pumping each day from the bottom (southern) dam.



We may seek to grow crops on our property in the future, grow grapes or similar.

Our property is subject to a water easement in favour of our neighbours Colin and Gabrielle Jessup "...for the supply of water for domestic purposes for the house now erected on Lot 1 and for the supply of water to 5 existing stock troughs on Lot 1..."

We are aware of the existence of the Environmental Best Practice Guidelines when undertaking works on Waterways & Wetlands in Tasmania. Our concerns are that there have been inadequate investigations and consideration by Council as to the impact upon the quantity and quality of water flowing down the Waterway and Coastal Protection Area upon our property, which will also impact our obligations under the water rights to our neighbours.

It is our understanding that under the Waterway Management Code, any water crossings need a hydrological assessment, exploration of all alternatives to the construction of crossings, consideration of structure type, with the proposed pipe culvert as the least preferred.

The subject area floods in winter months. It is our concern that the developments of driveway will cause changes to channel form and/or flow volume. Confining the stream flow to the proposed plastic culverts may alter the flow regime triggering erosion, deposition at the inlet and scouring at the outlets.

It is our understanding that it is intended to replace existing concrete culverts of the same size which currently exist under a narrow walkway with plastic culverts of the same dimension but under a considerably larger, longer and wider driveway. Motor vehicles, including probably cattle transport vehicles (given that the Applicants say they intend to farm cattle), will be travelling along this wider and longer driveway impacting upon the soil beneath.

The Planning Officer that we have been conversing with in relation to this matter has described herself as "no expert in this area".

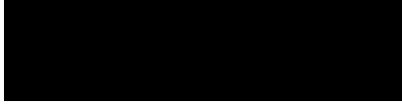
We query why the Council, in considering this Planning Application, has not obtained a hydrological assessment, and obtained expert opinion as to appropriate placement and design. We have been advised by the relevant Planning Officer that the engineering department of Council have suggested that the culvert design should be left to the Applicants. This is not satisfactory.

The impact upon us and all our neighbours in terms of water supply, quantity and quality should the development proceed is our primary concern.

Yours,



Paul & Andrea Osborne



## PLANNING AUTHORITY 2

(Reference No. 185/2021)

### 277 JONES STREET, WESTBURY

**Planning Application:** PA\22\0041  
**Proposal:** Subdivision (3 lots)  
**Author:** Heidi Goess  
Consultant Town Planner

#### **1) Proposal**

Council has received an application for a three (3) lot subdivision at 277 Jones Street South, Westbury.

Applicant	6ty Pty Ltd
Owner	S. J. Pyke
Property	277 Jones Street South, Westbury (CT:22796/4)
Zoning	Low Density Residential Zone
	10.6.1 Lot Design – P2
Discretions	10.6.3 Services – P2 & P3
	MEA-S11.8 Lot Design – P1
Existing Land Use	Residential
Number of Representations	Six (6)
Decision Due	13 October 2021
Planning Scheme:	Tasmanian Planning Scheme – Meander Valley (the Planning Scheme)

If approved, the application will result in the creation of two (2) additional lots at 277 Jones Street South, Westbury within the Low Density Residential Zone. The application will also result in the construction of two (2) additional vehicle crossings on Jones Street South.

The proposed plan of subdivision and site photos are shown on the following pages.



Figure 1: Proposed plan of subdivision.



Photo 1: Aerial photo of 277 Jones Street South, Westbury.



Photo 2: From Jones Street South looking toward the access of proposed Lot 3 and South Street.



Photo 3: From the intersection of Jones Street South and South Street looking toward the access of proposed Lot 3 and South Street.



Photo 4: The existing access to Lot 1.



Photo 5: The house and outbuilding to be contained on Lot 1.



Photo 6: At the access and internal driveway of proposed Lot 1 looking towards the access strip of Lot 2 behind the existing outbuilding.

## 2) Summary of Assessment

The application proposes to subdivide the land at 277 Jones Street South, Westbury to create a total of three (3) lots. The subject site is at the southern periphery of the Low Density Residential Zone and is at the corner of Jones Street South and South Street and is 3.46ha in area. While the site has frontage to South Street, this is a private road not maintained by the road authority.

A single dwelling and outbuildings are located towards the north-western corner of the lot. The property is located in the Low Density Residential Zone and is also within the MEA-S11.0 Westbury Specific Area Plan (Specific Area Plan).

Table 1 below provides a summary of the proposed lots.

Lot	Area	Frontage	Access	Feature
Lot 1	18185m <sup>2</sup>	Jones Street South	Existing access Jones Street South	Existing dwelling with established vegetation around the buildings.
Lot 2	9231m <sup>2</sup>	Jones Street South	Proposed access from Jones Street South.	Vacant and vegetation cleared.
Lot 3	7202m <sup>2</sup>	Jones Street South	Proposed access from Jones Street South.	Vacant and vegetation cleared.

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 subdivision will create two (2) additional lots at 277 Jones Street South, Westbury.
- Two (2) new access are required to be installed to service proposed Lots 2 and 3.
- The proposal relies on Performance Criteria for Lot Design and Services and, therefore has a Discretionary status.
- Six (6) representations were received during the advertising period. The representations are concerned with the approval of the subdivision for future development, the division of the original five (5) acre lots, increased traffic, loss of amenity and lifestyle, servicing of lots, loss of the rural feel of Westbury and impact on adjacent agricultural uses.
- The application is recommended for approval as it is demonstrated to comply with each applicable standard of the Planning Scheme.

### 3) Recommendation

***It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 277 Jones Street South, WESTBURY (CT: 22796/4) by 6ty Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:***

- a) **6ty Pty Ltd; Dated: 6 July 2021; Project No: 21.093; Plan Number: P01; Subdivision & Services Plan;**
- b) **6ty Pty Ltd; Dated: 15 August 2021; Document Set ID: Planning Submission, Development Application 3-4 Lot Subdivision – 277 Jones Street South;**
- c) **Scott Livingston; Dated: 27 July 2021; Bushfire Hazard Management Report: Subdivision; All Pages contained within;**

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

1. **Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
  - a) **Such covenants or controls are expressly authorised by the terms of this permit or by the consent in writing of Council; and**
  - b) **Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a**



**Plan of Survey and associated title documentation is submitted to Council for sealing.**

- 2. The driveway access servicing Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.**
- 3. The works required by the endorsed Bushfire Hazard Management Plan are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council's Town Planner.**
- 4. The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.**
- 5. The developer must pay to council a public open space contribution of \$5,340.00 equivalent to 5% of the unimproved value of the approved lots.**
- 6. Prior to the sealing of the final plan of subdivision the following must be completed to the satisfaction of Council:**
  - a) Installation of driveway accesses to Lots 2 and 3 in accordance with condition 2;**
  - b) The document of compliance submitted to Council demonstrating that the works as required by the endorsed Bushfire Hazard Management Plan have been completed, in accordance with condition 3; and**
  - c) Payment of public open space contribution in accordance with condition 5.**

**Notes:**

- 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 (03) 6393 5312.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development and Regulatory Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**

3. **This permit takes effect after:**
  - a) **The 14 day appeal period expires; or**
  - b) **Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
  - c) **Any other required approvals under this or any other Act are granted.**
  
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
  
5. 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.
  
6. 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.
  
7. If any Aboriginal relics are uncovered during works:
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto:aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

#### **4) Representations**

The application was advertised for the statutory 14-day period from 4 September to 20 September 2021. During the advertising period six (6) representations were received. 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.

Representation 1

Overall concerns

1. Objects to the proposed subdivision application and also the Planning Scheme.
2. At the inception of the MEA-S11.- Westbury Specific Area Plan concerns were raised that the controls would result in the intensification of the number dwellings in an area intended for lifestyle opportunities. The number of subdivision applications since the introduction of MEA-S11.0 has proved the concern to be valid. The applications are coming at the expense of lifestyle amenity, now experiencing deleterious effects of these changes.
3. Numerous issues now experienced include, but not limited to:
  - a. Intensification of living density detrimentally impacting on the amenity and lifestyle of the long-term residents;
  - b. These are unserviced blocks – three to four times the number of septic tanks, on flat and in some cases poorly draining substrate are a potential environmental health risk. When was the last time an environmental health officer inspected a septic tank in Westbury? – for that matter – when was the first time?
  - c. Unsealed roads provide access to these unserviced blocks – increasing the living density will increase the traffic volumes, and therefore the dust from the road – settling on all our drinking water catchment surfaces – yet another environmental health risk.
4. The long term effects of these planning changes are already being felt. The fabric Westbury is changing. The outlying blocks being reduced in size can never be recreated. The lifestyle blocks in Westbury are unique.
5. Request that the planning department of the Meander Valley Council take all reasonable steps to reverse these planning changes.
6. Encourages the Councillors to refuse this application.

Response

1. The objection is noted. The the Planning Scheme provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.
2. The MEA-S11.0 Westbury Specific Area Plan (Specific Area Plan) has been developed in consultation with the local community. A survey was undertaken with Westbury residents regarding subdivision in the Low Density Zone of Westbury. Council received 87 responses to this survey. 57 of these responses thought that subdivision should be allowed. There were varying responses regarding lot size (1.1ha -27 responses; 4500-5000m<sup>2</sup> – 24

responses; 5 acres – 11 responses; 4 acres – 1 response; and 1200m<sup>2</sup> – 1 response). 59 people thought that battle-axed blocks should be allowed. The responses from this survey assisted in the formation of the requirements for the Specific Area Plan.

Amenity is a consideration of the Planning Scheme. The provisions in the Specific Area Plan are intended to maintain amenity for existing residents by limiting the lot yield available for subdivision through specific lot size requirements. Increased boundary setbacks for new buildings have also been included in the Specific Area Plan to maintain the separation distance between buildings which is a character of the area. These inclusions are considered to allow for subdivision and future development whilst maintaining the amenity of the area.

3. The Planning Scheme provides the ability for land zoned Low Density Residential in Westbury to be subdivided providing the application complies with the applicable standards of the scheme. All subdivisions that have been approved have been assessed in accordance with the Planning Scheme in operation at the time.

The Environmental Health related matters raised includes concerns about an increase in septic tanks in the area; risks from poorly draining substrate and drainage from septic systems being installed on flat land; questions about Environmental Health Officers not inspecting on-site wastewater management systems; potential for noise and heavy machinery operating on nearby streets; and concerns about increased traffic volumes and dust from unsealed roads settling on drinking water catchment surfaces.

The proposed new lots (9231m<sup>2</sup> and 7202m<sup>2</sup>) are suitably sized to manage wastewater on-site from a residential dwelling. A site specific design report completed by a designer accredited with the Department of Justice is required to accompany an application for a plumbing permit. When determining which type of system is most appropriate for a block, a designer will consider a number of factors including soil type, slope, the number of bedrooms in the house, and proximity to waterways and dams. Council's Environmental Health Officers undertake site visits for all applications relating to the installation of an on-site wastewater management system. It is noted that a conventional septic tank with absorption drains may not be suitable for all sites, however there are a range of on-site wastewater management systems approved for installation in Tasmania. Taking these factors into consideration it is deemed that the Performance Criteria MEA-S11.8.1 P1 (c)(iii)f is satisfied in this instance.

Whilst not matters that can be addressed in the planning application assessment, noise from equipment typically used during construction of a

dwelling can be regulated by the Environmental Management and Pollution Control (Noise) Regulations 2016. Noise from increased traffic volumes and dust from unsealed public roads are not issues that are regulated by Council. Options for property owners with concerns relating to potential contamination of roof catchment water supplies include the installation of first flush diverters, and external and/or internal screens or filters on pipework.

The assessment also considers traffic generation as a result of the need to provide new vehicle crossings by Council's Road Authority. The assessment of the traffic considers matters such as: sight distance from the new vehicle crossings; the volume of traffic likely to be generated from the future use of the site; and the road conditions, including the width of the road carriageway and road network. The road network in Westbury, including the width of roads is largely considered to be sufficient to handle the volume of traffic that has increased as a result of development.

Council's Road Authority, in accordance with the Road and Railway Asset Code (C3.0) has granted consent for the new vehicle crossings to service Lot 2 and 3.

4. An amendment the Planning Scheme is not considered through the statutory assessment of the application being considered by the Council. Any changes to the Planning Scheme must be initiated and pursued through a separate process to this application being considered by the Council.
5. The proposed subdivision has been assessed in accordance with Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme.

On review of this representation, there are no changes recommended to the proposal.

Representation 2

Overall concerns

1. Objects to the proposed subdivision.
2. The area is unable to support the number of dwellings intended for the structure of the land and the position of the proposed new battleaxe

entrances.

The proposed battleaxe entrances, large swathes of English Hawthorn will have to be removed and infrastructure implemented so that the block has services.

3. The block is typical to the area, it is flat so drainage of the septic system is of great concern to the environment and nearby neighbours.
4. Jones Street South is a small, unmade road reserve Street which has enabled people to ride their horse, walk their dogs in a relative peace and quiet, without the fear of being mown down by 'townies'.
5. The proposal will result in not only noise, dust, heavy machinery, and increased vehicle traffic. Nearby neighbours will be over-looked and crowded by extra neighbours, vehicles, kids.
6. Increased residential blocks create an urbanised feel. The 5 acre blocks were never to be subdivided. Westbury is no longer the charming English Village the Meander Valley Council perceive it to be.

#### Response

1. The objection is noted. The Tasmanian Planning Scheme – Meander Valley (the Planning Scheme) provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.
2. The provisions in the Specific Area Plan are intended to maintain amenity for existing residents by limiting the lot yield available for subdivision through specific lot size requirements. Increased boundary setbacks for new buildings have also been included in the Specific Area Plan to maintain the separation distance between buildings which is a character of the area. These inclusions are considered to allow for subdivision and future development whilst maintaining the amenity of the area.

The assessment also considers traffic generation as a result of the need to provide new vehicle crossings by Council's Road Authority. Council's Road Authority, in accordance with the Road and Railway Asset Code (C3.0) has granted consent for the new vehicle crossing to service Lot 2 and 3.

The Environmental Health related matters raised includes concerns about an increase in septic tanks in the area; risks from poorly draining substrate and drainage from septic systems being installed on flat land; questions about Environmental Health Officers not inspecting on-site wastewater management systems; potential for noise and heavy machinery operating on nearby streets; and concerns about increased traffic volumes and dust from

unsealed roads settling on drinking water catchment surfaces. Please refer to the response in Representation 1, point 3, paragraph 2 onwards.

3. The assessment includes the consideration of the lot providing sufficient area for the disposal of onsite wastewater. A plumbing permit is required at the building permit stage which will assess onsite wastewater to ensure it is compliant.
4. Refer to point 2, paragraph 2 above.
5. Refer to point 2, paragraph 1 above.
6. The original division of the 5 acre allotments and the intentions of the division of land in the past are not matters that are considered in the Tasmanian Planning Scheme – Meander Valley. The Planning Scheme provides the ability for the land to be considered for subdivision. Therefore the planning authority must assess an application against the applicable standards. This subdivision is considered to comply with the requirements of the Planning Scheme. The site at 277 Jones Street South, Westbury is not subject to the provision of the Local Historic Heritage Code and is not heritage listed. As such, any heritage values cannot be assessed.

On review of this representation, there are no changes recommended to the proposal.

### Representation 3

#### Overall concerns

1. The subject site is adjoining property to the representor's residence.
2. The large lots in Westbury provided landholdings for a lifestyle that allows the keeping of pets, riding of horses and motorbikes.
3. Westbury is a unique and special town that provided for a country lifestyle where you could ride your horse to the local IGA. Westbury has a history of hobby farms and raising well rounded, country kids.
4. Would like her mother to retire to Westbury and enjoy her small rural lifestyle. Westbury has always been a place for the local farmers to retire to. Maintain a sense of country lifestyle.

#### Response

1. Noted. The issue confirms that the representor is a neighbour.
2. Noted. The provisions in the Specific Area Plan are intended to maintain amenity for existing residents by limiting the lot yield available for subdivision through specific lot size requirements. Increased boundary

setbacks for new buildings have also been included in the Specific Area Plan to maintain the separation distance between buildings which is a character of the area. These inclusions are considered to allow for subdivision and future development whilst maintaining the amenity of the area.

3. The proposed subdivision has been assessed in accordance with MEA-S11.0 Westbury Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme. The separation distances between buildings that can be achieved through this subdivision is considered to maintain the rural feel of the area.

4. Noted.

On review of this representation, there are no changes recommended to the proposal.

#### Representation 4

##### Overall concerns

1. Objects to the application.
2. Two additional houses is not in keeping with the area.
3. Representor trains racehorse in the vicinity and has done so over the last 50 years. Concerned that the proposal will affect the way he goes about his business with new residents in higher density close by.
4. Object to land owners being able to subdivide lifestyle blocks into smaller lot sizes. There are plenty of smaller blocks closer to the shops that can be built on without subdividing these larger blocks and ruining the hobby farm size blocks.
5. Intensifying the number of houses jeopardises the lifestyle that my neighbours have worked hard to achieve.

##### Response

1. The objection is noted. The Planning Scheme provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.



2. The proposed lots are assessed against the requirements of the Specific Area Plan. The proposed subdivision has been assessed in accordance with Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme.
3. Refer to point 2 above.
4. Refer to point 1 above.

On review of this representation, there are no changes recommended to the proposal.

#### Representation 5

##### Overall concerns

1. Objects to the subdivision.
2. Westbury is a rural area and the representor wants it to stay that way.
3. Traffic has increased enormously and wrong to increase it more.

##### Response

1. The objection is noted. The Planning Scheme provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.
2. The proposed lots are assessed against the requirements of the Specific Area Plan. The proposed subdivision has been assessed in accordance with Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme.
3. The assessment also considers traffic generation as a result of the need to provide new vehicle crossings by Council's Road Authority. The assessment of the traffic considers matters such as: sight distance from the new vehicle

crossings; the volume of traffic likely to be generated from the future use of the site; and the road conditions, including the width of the road carriageway and road network. The road network in Westbury, including the width of roads is largely considered to be sufficient to handle the volume of traffic that has increased as a result of development.

Council's Road Authority, in accordance with the Road and Railway Asset Code (C3.0) has granted consent for the new vehicle crossing to service Lot 2 and 3.

On review of this representation, there are no changes recommended to the proposal.

#### Representation 6

##### Overall concerns

1. Adjacent is farm land in which stock is held and moved along south Street, three lots will prevent stock movement as the South Street lane is used. Future owners or dwellers will prevent this act.
2. Land and weed management with annual seasonal spraying will pose a problem. Timing of spraying is deemed necessary for adequate pasture management therefore neighbouring properties at risk of spray drift.

##### Response

1. The Planning Scheme provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below. The Specific Area Plan or the Low Density Residential Zone does not require consideration of separation between Residential use and the Agriculture Zone. There will be no access from any of the proposed lots from South Street which minimises interferences of vehicle traffic with agricultural activities.
2. Refer to point 1 above.

On review of this representation, there are no changes recommended to the proposal.

## 5) Consultation with State Government and other Authorities

Not Applicable

## 6) Scheme Assessment

**Use Class:** The proposal is for a subdivision which does not need to be categorised into a Use Class in accordance with sub-clause 6.2.6 of the Planning Scheme. Clause 7.10 requires additional considerations where development is not required to be categorised into a Use Class which is assessed below.

### 7.10 Development Not Required to be Categorised into a Use Class

*7.10.1 An application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority.*

The application is not required to be categorised into a Use Class under sub-clause 6.2.6. Sub-clause 6.2.6 states that development which is for subdivision does not need to be categorised into one of the use Classes. Sub-clause 6.8.2 applies to the proposal as the application relies on the Performance Criteria of one (1) or more applicable standards. In accordance with sub-clause 6.8.2, the planning authority has discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under sub-clause 6.2.6. The proposal has been assessed as a discretionary planning application in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993*. The discretion of the planning authority has been exercised.

*7.10.2 An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.*

The proposed subdivision has been assessed under the development standards for subdivision of the Low Density Residential Zone and the MEA-S11.0 Westbury Specific Area Plan. Each lot proposed in the plan of subdivision achieves compliance with the applicable standards by complying with the relevant Acceptable Solutions or satisfying the Performance Criteria. Therefore, the proposed lots are consistent with the objective of the relevant standard. The proposed subdivision meets the requirements of the Lot Design standards and for these reasons, is not expected to have a detrimental impact on adjoining uses or the amenity of the surrounding area. It is noted that dwellings within this particular area of Westbury are separated from each other with an established range of approximately 70m to 150m (refer to Figure 2).

With the setback requirements in the MEA-S11.0 Westbury Specific Area Plan, it is considered that this established character can be maintained as a result of future development on the proposed lots, thus maintaining reasonable levels of amenity.



Figure 2: Aerial photo of subject property and nearby land demonstrating the separation between dwellings. Source: 6ty Pty Ltd

7.10.3 In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:

- (a) the purpose of the applicable zone;
- (b) the purpose of any applicable code;
- (c) any relevant local area objectives; and
- (d) the purpose of any applicable specific area plan.

(a) the purpose of the applicable zone

#### Low Density Residential Zone

##### 10.0 Zone Purpose

The purpose of the Low Density Residential Zone is:

10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.

The proposal is for the subdivision of land to create an additional two (2) lots in the Low Density Residential Zone. The subject site is not connected to reticulated sewerage and therefore larger size lots are required to facilitate on-site management of wastewater. The proposed subdivision has the potential to provide for future residential use and development, with wastewater managed on site. Future development will collect a water supply via tanks.

*10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.*

The subject site is located in the Low Density Residential Zone. It is expected that the proposed subdivision will allow for future residential development. Future non-residential development will be subject to the use and development standards of the Zone.

*(c) any relevant local area objectives*

There are no Local Area Objectives in the Low Density Residential Zone or the Westbury Specific Area Plan.

*(d) the purpose of any applicable specific area plan*

*MEA-S11.0 Westbury Specific Area Plan*

*MEA-S11.1 Plan Purpose*

*The purpose of the Westbury Specific Area Plan is:*

*MEA-S11.1.1 To provide for a subdivision density and the arrangement of future development in Westbury.*

The proposal will provide for an additional two (2) lots in the Low Density Residential Zone to allow for future development.

*MEA-S11.1.2 To provide for additional lot yield without diminishing the historic, low density grid arrangement to lots and roads.*

The proposal provides an additional two (2) lots, consistent with the requirements of the development standards for subdivision. The low density grid arrangement varies along Jones Street South particularly along the western frontage. The site is not subject to the provision of the Local Historic Heritage Code. Over time the historic pattern of development has evolved to facilitate the future development of Westbury. The two (2) additional lots are not considered to diminish the historic low density grid arrangement. While two new access will be constructed, from the road, the grid pattern will be maintained. The hedgerow along Jones Street South will maintain a visual barrier to future dwellings. Additionally, future dwellings, due to the proposed lot shape will be located behind the established dwelling on proposed Lot 1, further maintaining a low density grid arrangement. The proposed subdivision does not include any new roads which could alter the historic grid pattern and respects and maintains the safety and efficiency of Jones Street South and South Street. .

*MEA-S11.1.3 To provide for subdivision that facilitates separation distances between dwellings, consistent with the existing dwelling separation character.*

The proposed subdivision includes two (2) lots with more than 5000m<sup>2</sup> and one (1) 1.18ha lot. The proposed lot sizes allow for sufficient area to meet the setback distances required by the Westbury Specific Area Plan. Dwellings within the area are typically on larger lots. The dwelling separation character established within the area shows dwellings separated between 70m – 150m from each other. The proposed lots are large enough to provide for a separation distance consistent with that existing in the surrounding area.

*MEA-S11.1.4 To locate and design development to reinforce the low density character of the streetscape through building separation and minimizing, or mitigating, viewing opportunities from the road.*

The proposal is for subdivision only, no development is proposed. The subdivision proposes two (2) additional lots. All lots will have frontage onto Jones Street South. The layout of the proposed lots will provide for building separation consistent with that existing in the surrounding area. It is possible to site future development on proposed Lots 2 and 3 will result in small sections of the hedgerow being removed. The existing hedgerow will remain largely intact and will mitigate impacts on streetscape of future development.

*MEA-S11.1.5 To locate and design development to reinforce the low density residential character of the area through separation of buildings, minimizing, or mitigating, viewing opportunities between habitable rooms and views of development from adjoining properties or recreational pathways.*

The proposal is for a subdivision only. No residential development is proposed. The existing residential dwelling on Lot 1 will be separated from the proposed lot boundaries a distance consistent with the pattern of development in the surrounding area. The site does not adjoin a recreational pathway.

## Performance Criteria

<b>10.0 Low Density Residential</b>
<b>10.6.1 Lot design</b>
<p><b>Objective</b></p> <p><i>That each lot:</i></p> <ul style="list-style-type: none"> <li><i>(a) has an area and dimensions appropriate for use and development in the zone;</i></li> <li><i>(b) is provided with appropriate access to a road; and</i></li> <li><i>(c) contains areas which are suitable for residential development.</i></li> </ul>
<p><b>Performance Criteria P2</b></p> <p><i>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use,</i></p>

*having regard to:*

- (a) the width of frontage proposed, if any;*
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;*
- (c) the topography of the site;*
- (d) the functionality and useability of the frontage;*
- (e) the ability to manoeuvre vehicles on the site; and*
- (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.*

**Response**

The proposed subdivision does not comply with the requirements of the Acceptable Solution and relies on the assessment against the Performance Criteria.

The proposed subdivision is intended for Residential use.

- (a) Lot 3 will have a 5m wide frontage to Jones Street South which will provide access to Jones Street South. Jones Street South is a road maintained by the road authority, Meander Valley Council. Lot 3 will also have frontage onto South Street. The section of South Street is a private road not a road maintained by the road authority.
- (b) Lot 3 does not require a right of carriageway as their sole or principal means of access.
- (c) The topography of the site gently rises from the north-eastern corner towards Jones Street South. There is a change in elevation of approximately 5m across the subject site. The topography does not have any bearing on the width of the frontage.
- (d) The frontage will have a width of 5m and widens to a width of 10m for the access strip (refer to Figure 3) overleaf.



Figure 3: Frontage of proposed Lot 3 and access strip.

The title boundary at the south-western corner follows the road reserve boundary of Jones Street South and South Street. This portion of the road reserve is set aside to facilitate a future expansion of the junction between Jones Street South and the eastern side of South Street. Lot 3 is intended for Residential use for a single dwelling. Vehicular traffic to and from the subject site will generate approximately 9 vehicle movements per day. The access strip of Lot 3 has sufficient width to accommodate an internal driveway to comply with requirements Table C2.2 in C2.0 Parking and Sustainable Transport Code if Lot 3 is developed for Residential use. The width is also sufficient to provide access for firefighting and emergency vehicles.

- (e) The access strip occupies a land area of approximately 1380m<sup>2</sup>, leaving an area of ±5800m<sup>2</sup>. The area will provide for manoeuvrability on the subject site.
- (f) Lot 3 will facilitate a development pattern similar to the lots established on the eastern side of Marriott Street and Reid Street West.

The frontage is not less than 3.6m wide.

The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.



### 10.6.3 Services

#### **Objective**

*That the subdivision of the land provides services for the future use and development of the land.*

#### **Performance Criteria P2**

*Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for future use and development of the land.*

#### **Response**

The proposed lots cannot connect to a reticulated sewerage system as required by Acceptable Solution A2 and relies on assessment against the Performance Criteria.

There is an existing on-site wastewater system for the dwelling on Lot 1 and it is located approximately 25m from the proposed new boundary with Lot 2. No change to the wastewater system for Lot 1 is required or proposed.

The application was referred to a Council Environmental Health Officer for consideration of the proposed lots and their capability to accommodate on-site wastewater. The following comment was received from Council's Environmental Health Officer:

*"The proposed new lots are suitably sized to manage wastewater on-site from a residential dwelling. Council records indicate that the system servicing the existing house on Lot 1 is setback a satisfactory distance (approx. 25 metres) from the proposed new northern boundary with Lot 2.*

...

*The proposed new lots (9231m<sup>2</sup> and 7202m<sup>2</sup>) are suitably sized to manage wastewater on-site from a residential dwelling. A site specific design report completed by a designer accredited with the Department of Justice is required to accompany an application for a plumbing permit. When determining which type of system is most appropriate for a block, a designer will consider a number of factors including soil type, slope, the number of bedrooms in the house, and proximity to waterways and dams'.*

It is noted that an on-site wastewater system is assessed at the time an application for a dwelling is lodged.

The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

**Performance Criteria P3**

*Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:*

- (a) the size of the lot;*
- (b) topography of the site;*
- (c) soil conditions;*
- (d) any existing buildings on the site;*
- (e) any area of the site covered by impervious surfaces; and*
- (f) any watercourse on the land.*

**Response**

The proposal creates two (2) additional lots with on-site stormwater management. As such the proposal is considered to rely on the Performance Criterion P3, to consider the suitability of each lot to be serviced by on-site stormwater.

- (a) The proposed lots sizes are considered of an appropriate size to accommodate an on-site stormwater management system for future use and development.
- (b) The topography of the site gently rises from the north-eastern corner towards Jones Street South. These features are not considered to inhibit the on-site stormwater management for each lot.
- (c) The low density areas of Westbury are generally serviced by septic tanks and on-site stormwater systems. This characteristic indicates that the soil type is appropriate for an on-site stormwater management system for a future development. The List demonstrates that the soil is primarily made up of Cressy SPC (Cs) – structured brown clay loam surface soils overlying clayey subsoils containing shale fragments on gently undulating slopes. Cressy SPC (Cs) is moderately permeable and moderately well drained.
- (d) Proposed Lot 1 will contain the existing dwelling and outbuildings. Other than the driveway associated with the existing dwelling there are no other impervious surfaces on the site.
- (e) There is no mapped watercourse shown to traverse the subject site. Close to the eastern and southern edge of the site.

Each lot is capable of on-site stormwater management. The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

## MEA-S11.0 Westbury Specific Area Plan

### S11.8.1 Lot Design

#### **Objective**

To provide for:

- (a) density and dimensions of lots in an arrangement consistent with the low density grid arrangement of the area;
- (b) dimensions of lots that enables building to be separated;
- (c) lot areas and dimensions of lots that are appropriate to accommodate a dwelling and associated on-site drainage and on-site wastewater requirements; and
- (d) access to lots that minimises the number of driveway crossovers.

#### **Performance Criteria P1**

Subdivision must only be from an area of land not less than 2ha and:

- (a) provide not more than 3 lots for each 2ha;
- (b) provide 1 lot that has an area of not less than 1ha; and
- (c) each lot, or lot proposed in a plan of subdivision must:
  - (i) be capable of containing a circle of not less than 60m diameter;
  - (ii) have an area not less than 5,000m<sup>2</sup>; and
  - (iii) have sufficient useable area and dimensions suitable for its intended use, having regard to:
    - a. the plan purpose;
    - b. the relevant requirements for development of buildings on the lots;
    - c. the potential or intended location of buildings;
    - d. distances between new building areas and existing buildings;
    - e. the topography of the site;
    - f. adequate provision of drainage and on-site wastewater disposal;
    - g. the ability to screen development through retention of existing hedgerows or other vegetation, or the planting of new vegetation screening;
    - h. whether the location of access driveways and crossovers minimises vegetation clearance and viewing opportunities;
    - i. the use of adjoining land as a recreational pathway; and
    - j. any constraints to development.

#### **Response**

The proposed subdivision does not comply with the requirements of the Acceptable Solution and relies on the assessment against the Performance Criteria.

The subject site at 277 Jones Street South has a site area of 3.46 ha and:

- (a) will create a total of three (3) lots.
- (b) Lot 1 will have an area of 1.18ha.
- (c) each lot is:
  - (i) capable of containing a circle of not less than 60m diameter.



Figure 4: Plan of subdivision demonstrating compliance with the 60m diameter circle.

- (ii) Lot 1 has an area of 1.818ha; Lot 2 has an area of 9231m<sup>2</sup> and Lot 3 has an area of 7202m<sup>2</sup>.
- (iii) each lot will have sufficient usable area and dimensions having regard to:
  - a. the purpose of the Plan of Subdivision is to create an additional two (2) lots within the Low Density Residential Zone. Each proposed lot is intended for Residential use which is a No Permit Required use in the MEA-S11.0 Westbury Specific Area Plan.
  - b. the Low Density Residential Zone allows for site coverage of 30% (Acceptable Solution A1 of Clause 10.4.4). Dwellings must be setback a minimum distance of 15m from a frontage and 15m from side and rear boundaries (Acceptable Solution A1 & A2 of MEA-S11.7). The size and shape of the lots proposed will allow for residential development to occur in accordance with the Acceptable Solutions within the Low Density Residential Zone and the Westbury Specific Area Plan.

## Bushfire Hazard Management Plan:

Construction: BAL 19/ BAL 12.5 as shown

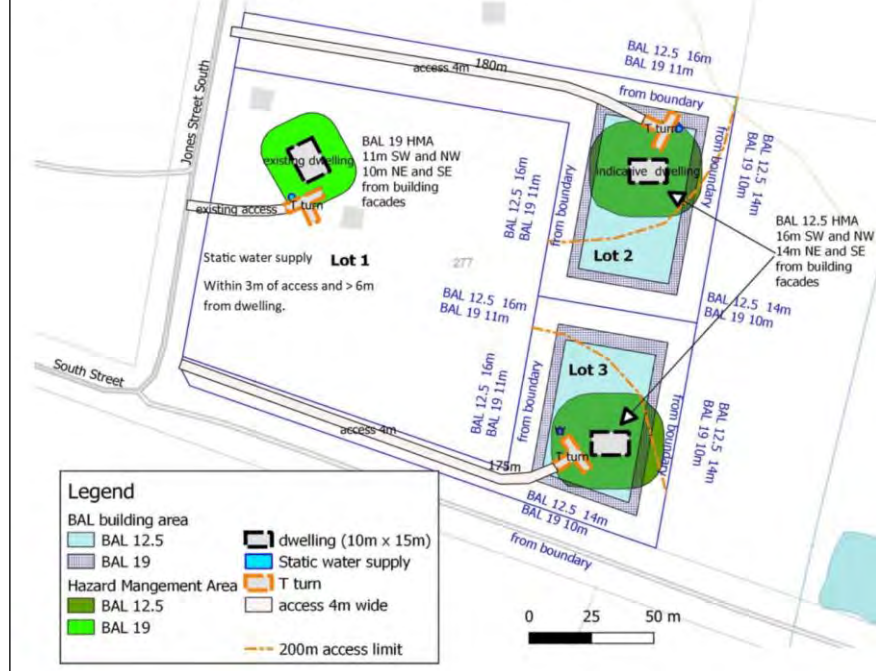


Figure 5: Bushfire Hazard Management Plan.

The proposed subdivision is also supported by a Bushfire Hazard Management Plan (BHMP) (refer Figure 5 above) contained in the *Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan* prepared by Scott Livingston. The BHMP demonstrates that each lot has sufficient area and dimensions to achieve the required setbacks and sufficient area for the required bushfire hazard management areas within the proposed lot title boundaries. It is noted that a Discretionary process is available if future development cannot comply with the Acceptable Solution A1.

- c. as above – the proposed lots are capable of providing for residential development in accordance with the setbacks required by the development standards of the Low Density Residential Zone and the Westbury Specific Area Plan.



Figure 6: Aerial photo of subject property and nearby land demonstrating the separation between dwellings. Source: 6ty Pty Ltd.

- d. the existing dwelling contained on Lot 1 is setback more than 50m from the proposed eastern boundary with Lot 2 and more than 50m from the proposed south-eastern boundary with Lot 3. There are no buildings on proposed Lot 2 and Lot 3. The distances between existing building areas and new building areas are capable of retaining a horizontal separation distance of more than 80m (refer to Figure 7). The separation distance will replicate a development pattern that is compatible with the surrounding area, namely around the Jones Street South, Marriott Street and Reid Street as shown in Photo 7 below.

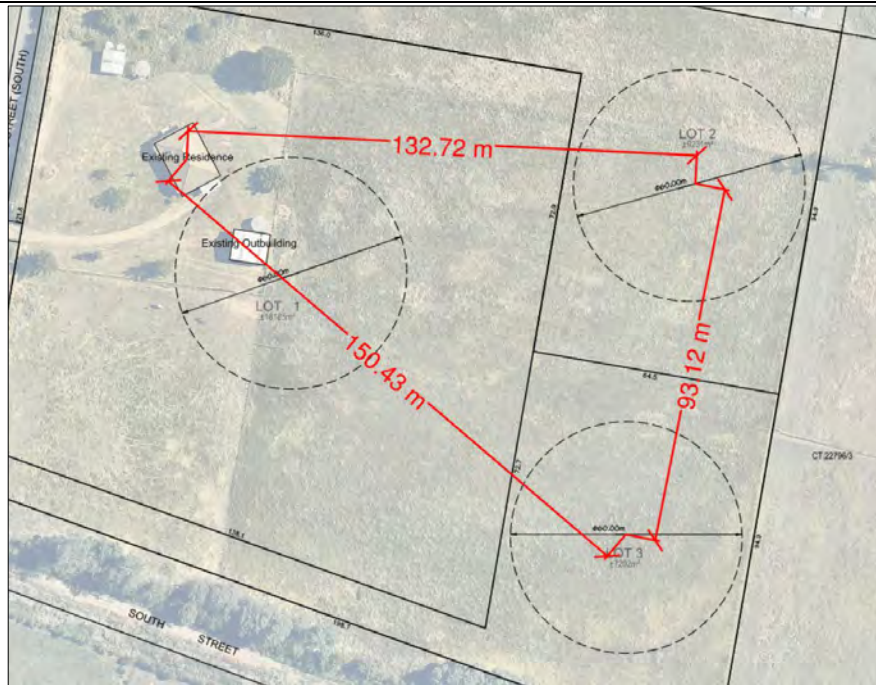


Figure 7: Theoretical distances between the established dwelling on Lot 1 and future dwellings on Lot 2 and Lot 3. Source: 6ty Pty Ltd.

- e. The topography of the site gently rises from the north-eastern corner towards Jones Street South. There is a change in elevation of approximately 5m across the site. The topography does not restrict the useable area of any lot.
- f. Council's Environmental Health Officer has advised that each lot has adequate area to accommodate an on-site wastewater management system. Sufficient area will remain on each lot to construct a dwelling.
- g. Mature vegetation within the curtilage of the established dwelling on Lot 1. A hedgerow is established along the frontage of Jones Street South. Lot 2 and Lot 3 are mostly cleared of any standing vegetation. No vegetation is proposed to be removed or required to be removed as part of the Bushfire Hazard Management Plan. The vegetation along South Street is in the road reserve and will not be removed.
- h. the application proposes two (2) new access located off Jones Street South. Sections of the hedgerow will be removed to facilitate the two (2) new accesses. The frontages of Lot 2 and 3 are kept to a minimum to reduce the necessity to remove the established hedgerow. The existing access will service Lot 1 and will not require removal of vegetation.
- i. adjoining land is not used as a recreational pathway.

j. There are no other development constraints present on site.

It is therefore considered that the proposed lots will have sufficient useable area and dimensions suitable for the intended residential use.

The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

### Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below.

Low Density Residential Zone		
Scheme Standard	Comment	Assessment
<b>10.3 Use Standards</b>		
10.3.1 Discretionary Uses		
A1 – A4	In accordance with clause 6.2.6 a subdivision does not need to be categorised into a use class.	Not Applicable
10.3.2 Visitor Accommodation		
A1 – A2	The application is for subdivision and not for visitor accommodation.	Not Applicable
<b>10.4 Development Standards for Dwellings</b>		
10.4.1 Residential Density for multiple dwellings		
A1	The application is for subdivision and not for multiple dwellings.	Not Applicable
10.4.2 Building Height		
A1	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.3 Setback		
A1 – A2	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.4 Site Coverage		
A1	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.5 Frontage Fences for all dwellings		
A1	The proposal is for subdivision and does not include the development of frontage fences.	Not Applicable



<b>10.5 Development Standards for Non-Dwellings</b>										
10.5.1 Non-dwelling Development										
A1 – A7	The proposal is for subdivision and does not include the development of non-dwellings.	Not Applicable								
<b>10.6 Development Standards for Subdivision</b>										
10.6.1 Lot Design										
A1	This clause is substituted by MEA-S11.8.1.	Not Applicable								
A2	Lot 1 and Lot 2 have frontages of more than 20m. Lot 3 does not meet the Acceptable Solution for a frontage of 20m. <table border="1" data-bbox="395 769 971 948"> <thead> <tr> <th>Lots</th> <th>Frontage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>121.6m</td> </tr> <tr> <td>2</td> <td>23.1m</td> </tr> <tr> <td>3</td> <td>5m</td> </tr> </tbody> </table>	Lots	Frontage	1	121.6m	2	23.1m	3	5m	Relies on Performance Criteria
Lots	Frontage									
1	121.6m									
2	23.1m									
3	5m									
A3	Each lot is provided with vehicular access. Road Authority consent was issued on 27 August 2021 consenting to the construction of new vehicle accesses onto Jones Street South to service Lots 2 and 3. Lot 1 will use the existing accesses off Jones Street South.  The accesses are required to be constructed or upgraded in accordance with the Tasmanian Standard Drawings TSD-R03 & R04 – Refer to Infrastructure Services comments below.	Complies with Acceptable Solution								
10.6.2 Roads										
A1	No new road will be created by the subdivision.	Not Applicable								
10.6.3 Services										
A1	The land is serviced by reticulated water.	Complies								
A2	The subject site and proposed lots will not have connections to a reticulated sewerage system.	Relies on Performance Criteria								
A3	The subject site and proposed lots are not capable of connecting to a public stormwater system. The proposed subdivision does not demonstrate connection to the public stormwater system, nor is connection required from	Relies on Performance Criteria								

	Council's Stormwater Authority. In order to satisfy the objective, the performance criteria is to be relied upon.	
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## Codes

<b>C2 Parking and Sustainable Transport Code</b>		
Scheme Standard	Comment	Assessment
<b>C2.2 Application of this Code</b>		
	This code applies to all use and development.	Code applies
<b>C2.4 Development exempt from this Code</b>		
	There are no exemptions.	Code Applies
<b>C2.5.1 Car parking numbers</b>		
A1	The car parking for the residential dwelling on Lot 1 is existing and will not be altered by the proposed subdivision. In accordance with sub-clause 6.2.6 of the Planning Scheme no use class is required to be assigned for Lot 2 and Lot 3 and therefore no car parking is required.	Complies with Acceptable Solution
<b>C2.5.2 Bicycle parking numbers</b>		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme no use class is required to be assigned for Lot 2 and Lot 3 and therefore this standard is not applicable. There is no requirement for Residential use.	Not Applicable
<b>C2.5.3 Motorcycling parking numbers</b>		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme a use class is not required to be assigned for subdivision and therefore this standard is not applicable. In accordance with C2.2.2 this standard is not applicable for Residential use (Single Dwelling).	Not Applicable
<b>C2.5.4 Loading bays</b>		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme a use class is not required to be assigned for subdivision and therefore this standard is not	Not Applicable

	applicable. In accordance with C2.2.3 this standard is not applicable for Residential use (Single Dwelling).	
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.1 Construction of parking areas		
A1	All parking, access ways, manoeuvring and circulation spaces exist for Lot 1 and will not be altered or impacted by the proposed development. The proposal does not include the construction of internal driveways or parking areas for Lots 2 & 3.	Not Applicable
C2.6.2 Design and layout of parking areas		
A1.1	All parking, access ways, manoeuvring and circulation spaces exist for Lot 1 and will not be altered or impacted by the proposed development. The proposal does not include the construction of internal driveways or parking areas for Lots 2 & 3.	Not Applicable
A1.2		
C2.6.3 Number of accesses for vehicles		
A1	Each lot will be serviced by one (1) access.	Complies with Acceptable Solution
A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.5 Pedestrian access		
A1.1	The residential use on Lot 1 does not require 10 or more car parking spaces.	Not Applicable
A1.2	No disabled car parking is provided on Lot 1.	
C2.6.6 Loading bays		
A1	The residential use on Lot 1 does not require a loading bay.	Not Applicable
A2		Not Applicable

<b>C2.6.7</b> Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
<b>C2.6.8</b> Siting of parking and turning areas		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
<b>C2.7.1</b> Parking precinct plan		
A1	The subject site is not located within a parking precinct plan.	Not Applicable

<b>C3 Road and Railway Assets Code</b>		
Scheme Standard	Comment	Assessment
<b>C3.2</b> Application of this Code		
	The proposal includes two (2) new vehicle crossings.	Code applies
<b>C3.4</b> Development exempt from this Code		
	There are no exemptions from this code.	Not exempt
<b>C3.5 Use Standards</b>		
<b>C3.5.1</b> Traffic generation at a vehicle crossing, level crossing or new junction		
A1.1	Not Applicable – Jones Street South is not a Category 1 road.	Complies with Acceptable Solution
A1.2	Road Authority provided consent for two (2) additional access on 27 August 2021. Conditions on the standard of work have been recommended.	
A1.3	Not applicable – The site is not within proximity of the rail network.	
A1.4	Vehicle traffic to and from Lot 1 for the existing residential use is not expected to increase. Single dwellings are calculated to have 9 vehicle movements per day.	
A1.5	Not applicable – Jones Street South is not a major road.	

<b>C3.6 Development Standards for Building or Works</b>		
C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area		
A1	The proposal is for subdivision and does not include the development of habitable buildings within a road or railway attenuation area.	Not Applicable
<b>C3.7 Development Standards for Subdivision</b>		
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area		
A1	The subject site is not located within an road or rail attenuation area.	Not Applicable
<b>C13 Bushfire-Prone Areas Code</b>		
Scheme Standard	Comment	Assessment
C13.2 Application of this Code		
	The subject site is shown on the overlay maps as Bushfire-Prone.	Code applies
C13.4 Development exempt from this Code		
	The proposal does not meet an exemption listed.	Not exempt
<b>C13.5 Use Standards</b>		
C13.5.1 Vulnerable uses		
A1 – A3	The proposal is for subdivision and not for a vulnerable use.	Not Applicable
C13.5.2 Hazardous uses		
A1 – A3	The proposal is for subdivision and not for a hazardous use.	Not Applicable
<b>C13.6 Development standards for Subdivision</b>		
C13.6.1 Provision of hazard management areas		
A1	A Bushfire Hazard Management Plan for Subdivision prepared by an accredited person was submitted in the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with A1(b).	Complies with Acceptable Solution
C13.6.2 Public and firefighting access		
A1	A Bushfire Hazard Management Plan for Subdivision was prepared by an accredited person and submitted with the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with A1(b).	Complies with Acceptable Solution

C13.6.3 Provision of water supply for firefighting purposes		
A1	Not within an area serviced with reticulated water.	Not Applicable
A2	<p>A Bushfire Hazard Management Plan for Subdivision was prepared by an accredited person and submitted with the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with A2(b).</p> <p>It is noted that the existing dwelling on Lot 1 is required to be provided with a dedicated firefighting tank to meet the standard prior to the sealing of the final plan of survey.</p>	Complies with Acceptable Solution

### Specific Area Plan

Scheme Standard	Comment	Assessment								
<b>MEA-S11.7 Development Standards for Buildings and Works</b>										
MEA-S11.7.1 Setback – in substitution for Low Density Residential Zone – Clause 10.4.3										
A1	The proposal is for subdivision and does not include any buildings or works.	Not Applicable								
A2										
<b>MEA-S11.8 Development Standards for Subdivision</b>										
MEA-S11.8.1 Lot Design – in substitution for Low Density Residential Zone – Clause 10.6.1 A1 & P1										
A1	<p>The proposal does not satisfy (a). Lot 2 and Lot 3 have an area less than 1ha.</p> <table border="1" data-bbox="391 1575 778 1749"> <thead> <tr> <th>Lots</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>18185m<sup>2</sup></td> </tr> <tr> <td>2</td> <td>9231m<sup>2</sup></td> </tr> <tr> <td>3</td> <td>7202 m<sup>2</sup></td> </tr> </tbody> </table>	Lots	Area	1	18185m <sup>2</sup>	2	9231m <sup>2</sup>	3	7202 m <sup>2</sup>	<b>Relies on Performance Criteria</b>
Lots	Area									
1	18185m <sup>2</sup>									
2	9231m <sup>2</sup>									
3	7202 m <sup>2</sup>									

### Internal Referrals

#### Environmental Health

*The proposed new lots are suitably sized to manage wastewater on-site from a residential dwelling. Council records indicate that the system servicing the existing*

house on Lot 1 is setback a satisfactory distance (approx. 25 metres) from the proposed new northern boundary with Lot 2.

### Infrastructure Services

*"The risk to Council Infrastructure associated with the proposed subdivision is considered to be low. The applicant, or applicant's contractor, will be required to apply to Council for permission to undertake work in the road reserve prior to commencing work on driveway accesses.*

#### *Recommended Conditions:*

- 1) The proposed driveway accesses servicing Lot 2 and Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.*

#### *Recommended Notes:*

- 1) Works must be completed by a suitably qualified contractor. 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."*

### **Conclusion**

It is considered that the application for Subdivision (3 lots) on land at 277 Jones Street South, Westbury is acceptable in the Low Density Residential Zone and is recommended for approval.

### **DECISION:**

# APPLICATION FORM

## PLANNING PERMIT

### Land Use Planning and Approvals Act 1993

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

#### OFFICE USE ONLY

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

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

#### PROPERTY DETAILS:

Address:	<input type="text" value="277 Jones Street South"/>	Certificate of Title:	<input type="text" value="22796"/>
Suburb:	<input type="text" value="Westbury"/>	<input type="text" value="7303"/>	Lot No: <input type="text" value="4"/>
Land area:	<input type="text" value="3.46ha"/>	<i>m<sup>2</sup> / ha</i>	
Present use of land/building:	<input type="text" value="Single dwelling"/>	<i>(vacant, residential, rural, industrial, commercial or forestry)</i>	

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

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

Description of work:

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

New floor area:  m<sup>2</sup>      New building height:  m

Materials: External walls:  Colour:

Roof cladding:  Colour:



SEARCH OF TORRENS TITLE

VOLUME 22796	FOLIO 4
EDITION 3	DATE OF ISSUE 15-Jul-2019

SEARCH DATE : 15-Aug-2021

SEARCH TIME : 08.27 AM

DESCRIPTION OF LAND

Parish of WESTBURY, Land District of WESTMORLAND  
 Lot 4 on Sealed Plan 22796  
 Derivation : Whole of 35A-3R-15Ps (Section A.W.) Gtd to A  
 Beveridge  
 Prior CT 4085/32

SCHEDULE 1

M418321 TRANSFER to SARAH JANE PYKE Registered 17-Jun-2013  
 at 12.01 PM

SCHEDULE 2

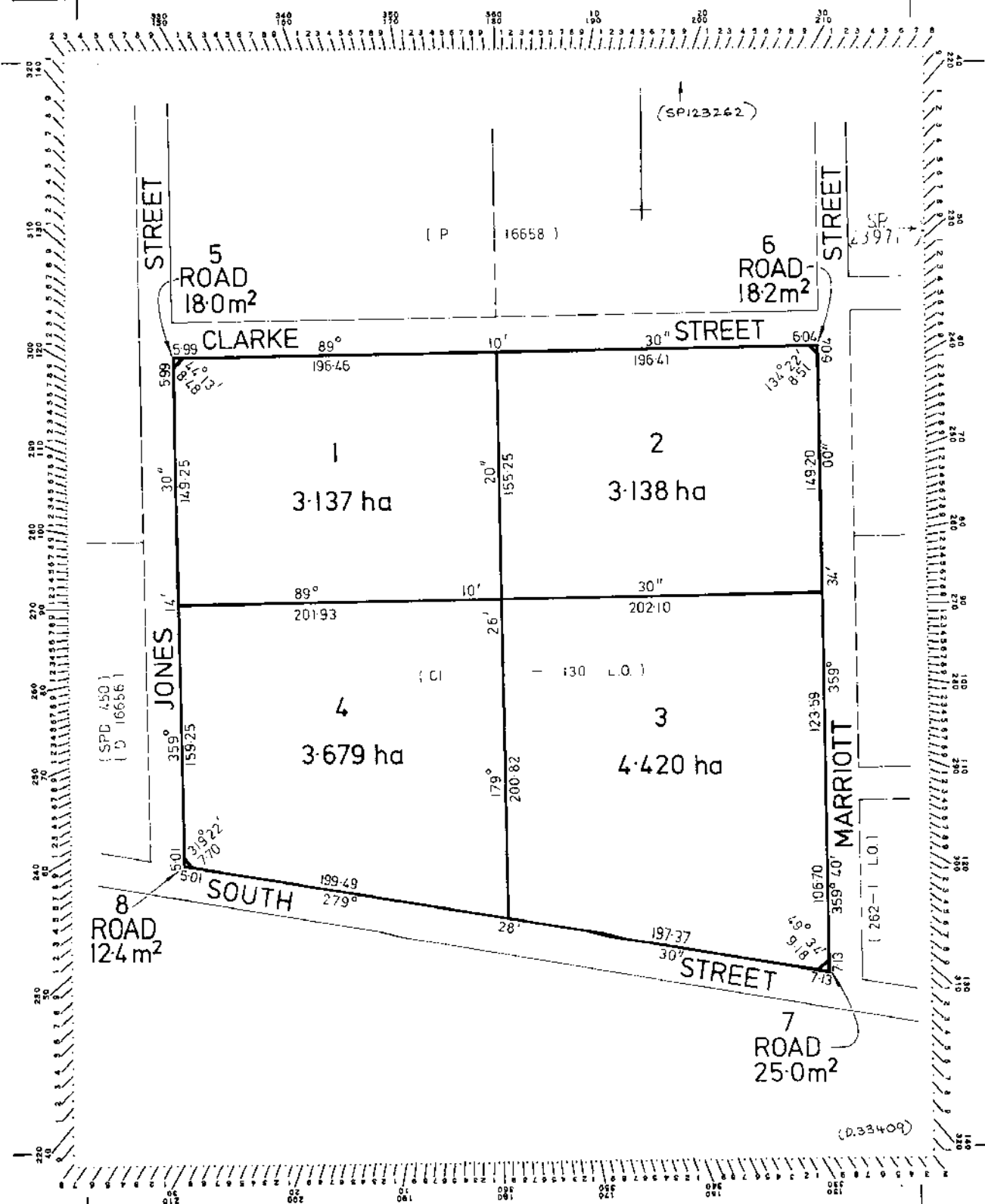
Reservations and conditions in the Crown Grant if any  
 SP 22796 FENCING PROVISION in Schedule of Easements  
 SP 22796 COUNCIL NOTIFICATION under Section 468(12) of the  
 Local Government Act 1962  
 E184299 MORTGAGE to National Australia Bank Limited  
 Registered 15-Jul-2019 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

00-3-81

<p>Owner: Francis Edward Tunney</p>	<p><b>PLAN OF SURVEY</b> By Surveyor R.V. Tait of land situated in the</p>	<p>Registered Number: <b>S.P.22796</b></p>
<p>Title Reference: C.T. Vol 2822 Fo. 75</p>	<p>LAND DISTRICT OF WESTMORLAND</p>	<p>Effective from: - 2 MAY 1984</p>
<p>Grantee: Whole of 35a.3r.15p. granted to Anne Beveridge</p>	<p>TOWN OF WESTBURY PARISH SECTION A.W.  SCALE 1: 2500 MEASUREMENTS IN METRES</p>	<p><i>E.R. Thayer</i> Recorder of titles</p>



Our Ref: 21.093

Measured form and function



15 August 2021

6ty Pty Ltd  
ABN 27 014 609 900

Mr John Jordan  
General Manager  
Meander Valley Council  
By Email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Postal Address  
PO Box 63  
Riverside  
Tasmania 7250  
W [6ty.com.au](http://6ty.com.au)  
E [admin@6ty.com.au](mailto:admin@6ty.com.au)

Tamar Suite 103  
The Charles  
287 Charles Street  
Launceston 7250  
P (03) 6332 3300

57 Best Street  
PO Box 1202  
Devonport 7310  
P (03) 6424 7161

Dear Mr Jordan,

**DEVELOPMENT APPLICATION – 3-LOT SUBDIVISION – 277 JONES STREET SOUTH, WESTBURY**

Please find enclosed a development application for a 3-lot subdivision located at 277 Jones Street South, Westbury (“the site” - refer to Figure 1). The development application includes the following documents:

1. completed permit application form;
2. certificate of title for the site;
3. plan of subdivision; and
4. bushfire hazard management report.

Figure 1 - aerial image illustrating the location of the site within the context of its surrounding area.



Source: base image and data from the LIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)) © State of Tasmania

## 1 Planning Overview

<b>Location</b>	277 Jones Street South, Westbury
<b>Title Information</b>	Certificate of Title Volume 22796 Folio 4
<b>Area</b>	3.462ha
<b>Planning Instrument</b>	<i>Tasmanian Planning Scheme – Meander Valley</i>
<b>Zoning</b>	10.0 - Low Density Residential Zone
<b>Overlays</b>	Bushfire Prone Area, Westbury Specific Area
<b>Applicable Codes</b>	C13.0 - Bushfire-Prone Areas Code
<b>Specific Area Plan</b>	MEA-S11.0 Westbury Specific Area Plan
<b>Use Class</b>	N/A
<b>Development</b>	Subdivision of one (1) lot into three (3) lots
<b>Status</b>	Discretionary

## 2 Subject Site and Adjacent Land

The site comprises a single rectangular-shaped lot that has an area of 3.462ha. It has frontage and an existing access to Jones Street South which connects to the Westbury general business district predominately via Moore Street.

The site is one of four similar size and shape lots that form a 'block' which is bounded by Clarke Street (partially made) to the north, Marriott Street to the east, an unmade section of South Street reserved road to the south and Jones Street South to the west. All lots within the block contain a single dwelling.

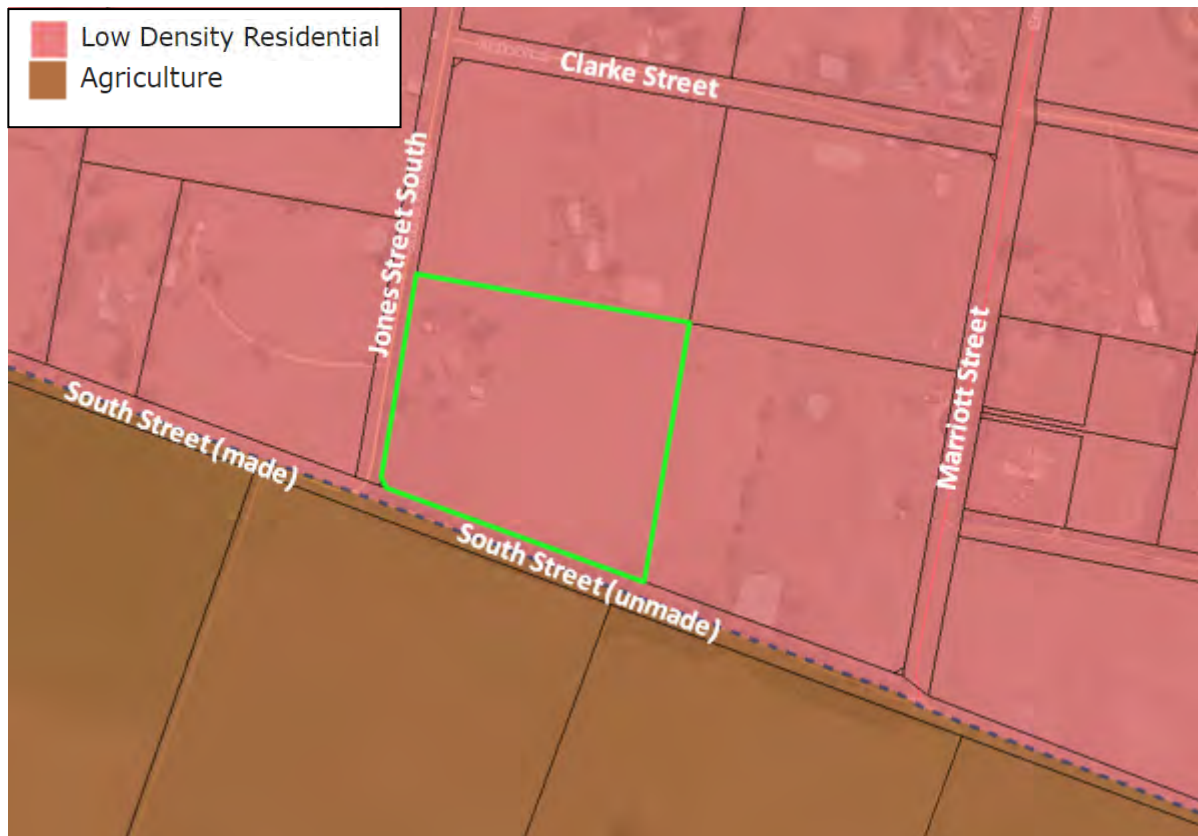
The dwelling that is located within the site is located in the north-western corner. Its curtilage contains scattered trees, driveway, two outbuildings and associated water tanks.

An existing dwelling and associated outbuildings are located toward the north-west corner of the site. Existing fencing surrounding the dwelling separates the dwelling from the northern and eastern portions of the site.

The site and surrounding land to the north, east and west is zoned Low Density Residential and the adjacent land to the south is zoned Agriculture (refer to Figure 2).

To the west, north and east are low-density residences. To the south is agricultural land. The site is also located within the boundaries of the Westbury Specific Area Plan.

**Figure 2 - zone map of the site and surrounding area.**



Source: base image and data from the LIST ([www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)) © State of Tasmania

### 3 Proposed Use and Development

The application seeks planning approval to subdivide one (1) lot into three (3) lots. The existing single dwelling and appurtenant facilities will be contained within proposed Lot 1. Proposed Lots 2 and 3 will be internal in character and have crossover access to Jones Street South via access strips to the north and south of the proposed Lot 1, respectively. Details of the proposed lots are provided in Table 1.

**Table 1 - details of each lot within the proposed subdivision.**

Lot	Area	Type	Frontage
1	1.8ha	standard	121.6m
2	9,231m <sup>2</sup>	internal	23.1m
3	7,202m <sup>2</sup>	Internal	5m

### 4 Planning Assessment

#### 4.1 Application Status

As a subdivision, the proposal is not required to be classified into a use class in accordance with clause 6.2.6 of the scheme. Clause 6.8.2 is applicable to the proposal due to the reliance on performance criteria for lot design. Due to the applicability of the abovementioned clause, Council has discretion to approve the proposal without assigning a use class in accordance with clause 7.10 of the Scheme.

Clause 7.10.3 states:

*In exercising its discretion under subclauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:*

- a) the purpose of the applicable zone;*
- b) the purpose of any applicable code;*
- c) any relevant local area objectives; and*
- d) the purpose of any applicable specific area plan.*

An assessment against the provisions of clause 7.10.3 is provided in Table 2.

**Table 2 - Assessment against Clause 7.10.3.**

Clause	Description	Requirement	Comment
10.1	Zone Purpose Statements	The purpose of the Low Density Residential Zone is:	
		10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.	<i>The proposal will provide for additional lots on land within the Westbury township that is assigned to the Low Density Residential zone. The proposed new lots will be capable for future residential use and development in an area not suited to higher density development due to lack of service infrastructure.</i>
		10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.	<i>Notwithstanding clause 6.2.6 of the scheme, the proposed new lots are not intended for non-residential use.</i>
		10.1.3 To provide for Visitor Accommodation that is compatible with residential character.	<i>The proposed subdivision has the capability of providing visitor accommodation use.</i>
C3.1	Road and Railway Assets Code Purpose Statement	The purpose of the Road and Railway Assets Code is:	
		C3.1.1 To protect the safety and efficiency of the road and railway networks; and	<i>The proposed subdivision will adequately space proposed access away from existing accesses to allow separation and safe sight distances to be achieved.</i>
		C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.	<i>The site is not proximate to a major road or the rail network.</i>

Clause	Description	Requirement	Comment
C13.1	Bushfire-Prone Areas Code Purpose Statement	The purpose of the Bushfire-Prone Areas Code is:	
		C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.	<i>The Bushfire Management Plan prepared by Scott Livingstone (BFP-105) concludes compliance with the Code.</i>
MEA-S11.1	Westbury Specific Area Plan Purpose Statement	The purpose of the Westbury Specific Area Plan is:	
		MEA-S11.1.1 To provide for a subdivision density and the arrangement of future development in Westbury.	<i>The proposed subdivision density will be compatible with existing subdivisions within the Westbury Specific Area Plan.</i>
		MEA-S11.1.2 To provide for additional lot yield without diminishing the historic, low density grid arrangement of lots and roads.	<i>The proposed subdivision will provide for additional lot yield without diminishing the historic arrangements of lots and roads. In this regard, no new roads are proposed which will enable the established pattern of roads to be retained.</i>
		MEA-S11.1.3 To provide for subdivision that facilitates separation distances between dwellings, consistent with the existing dwelling separation character.	<i>The bushfire hazard management plan shows a minimum of 50m between both proposed building areas and existing building areas on the same site and adjoining sites.</i>
		MEA-S11.1.4 To locate and design development to reinforce the low density character of the streetscape through building separation and minimizing, or mitigating, viewing opportunities from the road.	<i>Vegetation along the site's western boundary to Jones Street South and the site's southern boundary to an unmade reserved road will be retained except for the location of the proposed crossovers to Jones Street West. This will maintain the existing low density residential streetscape character.</i>
		MEA-S11.1.5 To locate and design development to reinforce the low density residential character of the area through separation of buildings, and minimizing, or mitigating, viewing opportunities between habitable rooms and	<i>The minimum 50m distances between building areas and the retaining of maximal vegetation will maintain privacy for residents of adjoining sites, the recreational pathway and residents of the subject site.</i>

Clause	Description	Requirement	Comment
		views of development from adjoining properties or recreational pathways.	

Due to the requirement for Council discretion regarding lot design and the non-classification of the proposal into a use class, the application has a discretionary pathway in accordance with the Scheme and Section 57 of the *Land Use Planning and Approvals Act*.

The general provisions, zone, code and specific area plan standards that apply to the proposed use and development are addressed in Sections 4.2 to 4.4 below. Performance criteria are addressed in Section 5.

## 4.2 Low Density Residential Zone

10.6 Development Standards for Subdivision			
Standard/Requirement		Assessment	Compliance
10.6.1 Lot design			
A1	<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>a) have an area of not less than 1,500m<sup>2</sup> and:                             <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:                                     <ul style="list-style-type: none"> <li>a. all setbacks required by clause 10.4.3 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</li> </ul> </li> </ul>	Clause MEA-S11.8.1 prevails over clause 10.6.1 A1 and P1.	Not applicable.



**10.6 Development Standards for Subdivision**

Standard/Requirement	Assessment	Compliance
<ul style="list-style-type: none"> <li>b) be required for public use by the Crown, a council or a State authority;</li> <li>c) be required for the provision of Utilities; or</li> <li>d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>		
<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p>Proposed Lot 3 will have a frontage of 5m.</p>	<p>Relies on performance criteria.</p>
<p>A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>Each lot proposed lot will be provided with an access between the road pavement and frontage boundary in accordance with the requirements of Council who is the road authority for Jones Street South.</p>	<p>Complies with acceptable solution.</p>
<b>10.6.2 Roads</b>		
<p>A1 The subdivision includes no new roads.</p>	<p>The proposed subdivision does not include a new road.</p>	<p>Complies with acceptable solution.</p>
<b>10.6.3 Services</b>		
<p>A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or</li> <li>b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,</li> </ul>	<p>The frontage of each lot is located a minimum of 1km from a full reticulated water supply.</p> <p>The site is not proximate to a limited water supply service.</p>	<p>Not applicable.</p> <p>Not applicable.</p>

**10.6 Development Standards for Subdivision**

Standard/Requirement		Assessment	Compliance
	unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.		
A2	Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	The site is not located in an area that is serviced by reticulated sewerage infrastructure.	Relies on performance criteria.
A3	Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	Each proposed lot will contain stormwater onsite.	Relies on performance criteria.

**4.3 Westbury Specific Area Plan**

**MEA-S118 Development Standards for Subdivision**

Standard/Requirement		Assessment	Compliance
<b>MEA-S11.8.1 Lot Design</b>			
A1	Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>a) have an area not less than 1ha and:                             <ul style="list-style-type: none"> <li>(i) be able to contain a 70m diameter circle with a gradient not steeper than 1 in 5; and</li> <li>(ii) existing buildings are consistent with the setback required by clause MEA-S11.7.1 A1 and A2; or</li> </ul> </li> </ul>	Proposed Lot 1 has an area of 1.819ha, proposed Lot 2 has an area of 9231m <sup>2</sup> and proposed Lot 3 has an area of 7202m <sup>2</sup> .	Relies on performance criteria.

<b>MEA-S118 Development Standards for Subdivision</b>		
<b>Standard/Requirement</b>	<b>Assessment</b>	<b>Compliance</b>
b) be required for public use by the Crown, a council or a State authority;	The lots are not required for public use.	
c) be required for the provision of Utilities; or	The lots are not required for the provision of Utilities.	
d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	The subdivision will not consolidate proposed lots with other lots.	

#### 4.4 Road and Railway Assets Code

The Road and Railway Assets Code is triggered due to seeking planning approval for two new vehicle crossings to the Jones Street South frontage.

Since the proposal is not within a road or rail attenuation area, the development, works and subdivision standards do not apply in accordance with clause 7.5.2 of the Scheme.

<b>E4.6 Development Standards</b>		
<b>Standard/Requirement</b>	<b>Assessment</b>	<b>Compliance</b>
<b>E4.6.1 Development adjacent to roads and railways</b>		
A1.1	For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <ul style="list-style-type: none"> <li>a) a new junction;</li> <li>b) a new vehicle crossing; or</li> <li>c) a new level crossing.</li> </ul>	Jones Street South is not a Category 1 road or limited access road.
A1.2	For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.	Written consent for the two proposed crossovers is required from Council as the road authority.
		Not applicable.
		Written consent for the two proposed crossovers is sought from Council.

#### E4.6 Development Standards

Standard/Requirement		Assessment	Compliance
A1.3	For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	The proposal does not involve a new private level crossing to serve use and development.	Not applicable.
A1.4	<p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>a) the amounts in Table C3.1; or</p> <p>b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p>	Each proposed lot, which will be, or is intended to be, used for residential purposes will not generate greater than 40 vehicle movements per day (on average).	Complies with acceptable solution.
A1.5	Vehicular traffic must be able to enter and leave a major road in a forward direction.	Jones Street South is not a major road.	Not applicable.

#### 4.5 Bushfire-Prone Areas Code

The code is applicable due to the proposal being within a bushfire-prone area and seeking planning approval for a subdivision. A Bushfire Hazard Management Report and Bushfire Hazard Management Plan has been prepared for the proposed subdivision. It concludes that the proposed subdivision is capable of complying with applicable acceptable solutions of the code including:

- C13.6.1 A1(b) Subdivision: Provision of hazard management areas;
- C13.6.2 A1(b) Subdivision: Public and firefighting access;
- C13.6.3 A2(b) Subdivision: Provision of water supply for firefighting purposes.

## 5.0 Performance Criteria Assessment

### 5.1 Clause 10.6.1 Lot design – Performance Criteria P2

#### Objective

*That each lot:*

- a) *has an area and dimensions appropriate for use and development in the zone;*
- b) *is provided with appropriate access to a road; and*
- c) *contains areas which are suitable for residential development.*

#### Performance Criteria P2 of Clause 10.6.1:

*Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:*

- a) *the width of frontage proposed, if any;*
- b) *the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;*
- c) *the topography of the site;*
- d) *the functionality and useability of the frontage;*
- e) *the ability to manoeuvre vehicles on the site; and*
- f) *the pattern of development existing on established properties in the area,*

*and is not less than 3.6m wide.*

#### 6ty° Response:

Proposed Lot 3 will be provided with a frontage and access strip to Jones Street South that will be sufficient for the intended use of the lot. The frontage will have a width of 5m and the access strip will have a width of 10m. The difference between the two dimensions is due to the south-western corner of the access strip being chamfered to facilitate future expansion of the junction between Jones Street South and the eastern side of South Street. The width of the frontage and access strip will be sufficient for residential use including for the purposes of firefighting ingress and egress and emergency vehicle access. The proposed internal lot will be compatible with existing internal lots located south of Reid Street West and Reed Street East, on the eastern side of Marriott Street and southern end of Ritchie Street. The proposed subdivision will therefore be compatible with the pattern of existing subdivision development in the area.

The proposal satisfies P2 for the standard.

### 5.2 Clause 10.6.3 Services – Performance Criteria P2

#### Objective

*That the subdivision of land provides services for the future use and development of the land.*

**Performance Criteria P2 of Clause 10.6.1:**

*Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.*

**6ty° Response:**

Proposed Lot 1 will contain the existing dwelling including its associated on-site wastewater management system. The new boundaries for proposed Lot 1 will be sufficiently clear from the curtilage of the dwelling to ensure the on-site wastewater system will be contained entirely within the lot including any backup area that may be required in the future.

The main body associated with proposed Lots 2 and 3 will have minimum dimensions of 64.5m by 94.5m which are sufficient to allow future buildings to be located to accord with setback standards required by clause MEA-S11.7.1 A2 and to accommodate an on-site domestic wastewater management in accordance with Australian and New Zealand Standard AS/NZS 1547:2000.

**5.2 Clause 10.6.3 Services – Performance Criteria P3**

**Objective**

*That the subdivision of land provides services for the future use and development of the land.*

**Performance Criteria P2 of Clause 10.6.1:**

*Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:*

- a) *the size of the lot;*
- b) *topography of the site;*
- c) *soil conditions;*
- d) *any existing buildings on the site;*
- e) *any area of the site covered by impervious surfaces; and*
- f) *any watercourse on the land.*

**6ty° Response:**

Each proposed lot will have sufficient size and dimensions to enable stormwater generated from future roof and hardstand areas to be drained, collected and disposed on-site. The site has a gradient of approximately 2.8% which will ensure movement of stormwater in any surplus drains will be gradual, allowing time for water to be absorbed. Approximately 97.5% of the area of proposed Lot 1 will be free from impervious surfaces and, assuming a development area of 1,000m<sup>2</sup> (inclusive of driveways and buildings), proposed Lots 2 and 3 will have approximately 89% and 86% of their area free from impervious surfaces, respectively. This

will leave sufficient pervious area on each for the purposes of on-site stormwater absorption. The site is not subject to a watercourse.

The proposal satisfies P2 for the standard.

#### **5.4 Clause MEA-S11.8.1 Lot Design – Performance Criteria P1**

##### **Objective**

*To provide for:*

- a) density and dimensions of lots in an arrangement consistent with the low density grid arrangement of the area;*
- b) dimensions of lots that enables building to be separated;*
- c) lot areas and dimensions of lots that are appropriate to accommodate a dwelling and associated on-site drainage and on-site wastewater requirements; and*
- d) access to lots that minimises the number of driveway crossovers.*

##### **Performance Criteria P1 of Clause MEA-S11.8.1:**

*Subdivision must only be from an area of land not less than 2ha and:*

- a) provide not more than 3 lots for each 2ha;*
- b) provide 1 lot that has an area of not less than 1ha; and*
- c) each lot, or lot proposed in a plan of subdivision must:*
  - (i) be capable of containing a circle of not less than 60m diameter;*
  - (ii) have an area not less than 5,000m<sup>2</sup>; and*
  - (iii) have sufficient useable area and dimensions suitable for its intended use, having regard to:*
    - a. the plan purpose;*
    - b. the relevant requirements for development of buildings on the lots;*
    - c. the potential or intended location of buildings;*
    - d. distances between new building areas and new building areas and existing buildings;*
    - e. the topography of the site;*
    - f. adequate provision of drainage and on-site wastewater disposal;*
    - g. the ability to screen development through retention of existing hedgerows or other vegetation, or the planting of new vegetation screening;*

- h. whether the location of access driveways and crossovers minimises vegetation clearance and viewing opportunities;*
- i. the use of adjoining land as a recreational pathway; and*
- j. any constraints to development.*

**6ty° Response:**

The site has an area of 3.462ha. The proposed subdivision is for three (3) lots and proposed Lot 1 will have an area of 1.816ha. The proposed subdivision therefore satisfies subclauses P1(a) and P1(b).

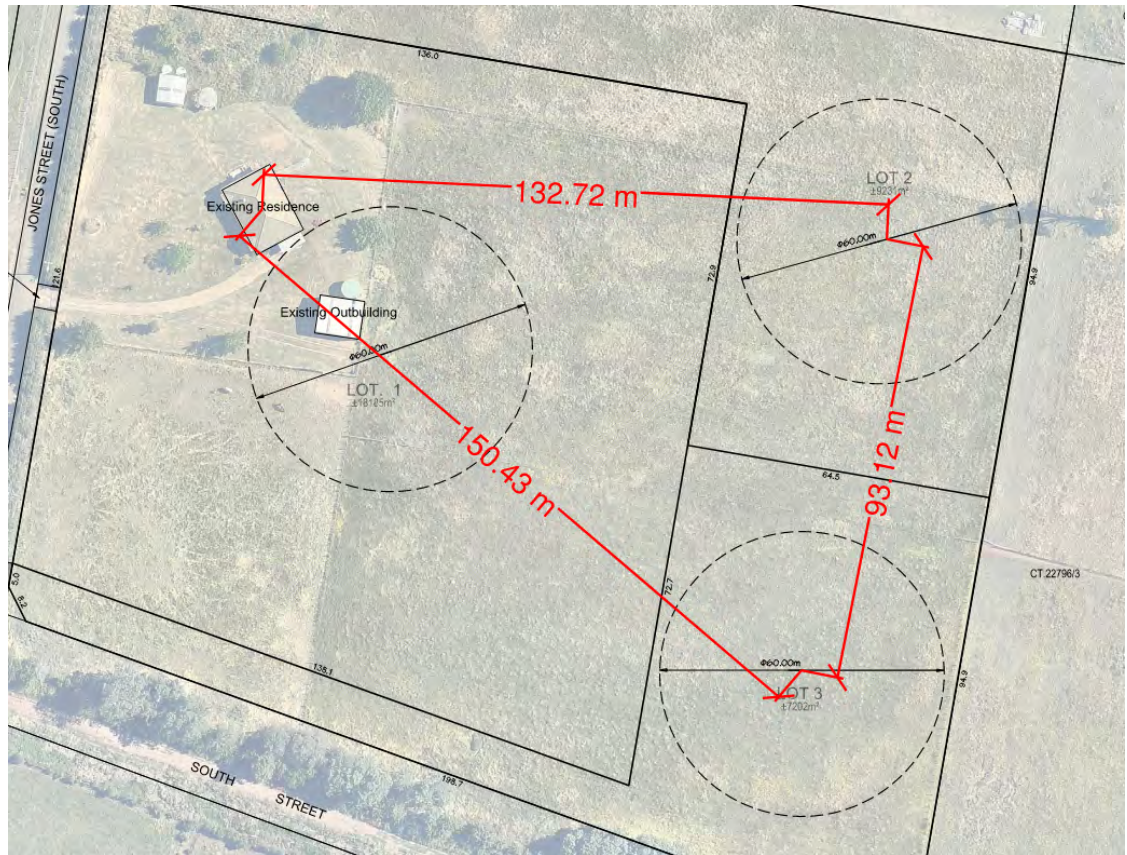
Each proposed lot has been configured to enable a 60m diameter circle to be contained within its boundaries. Proposed Lot 2 will have an area of 9,231m<sup>2</sup> and proposed Lot 3 will have an area of 7,202m<sup>2</sup>. The proposed subdivision therefore satisfies subclauses P1(c)(i) and P1(c)(ii).

With respect to subclause P1(c)(iii), each proposed lot will have sufficient usable area and dimensions suitable for its intended use having regard to the following:

- a) the proposed plan of subdivision is intended to yield lots that are capable of being used for residential purposes. It is noted that, in accordance with Table MEA-S11.5, use of land within the Westbury Specific Area Plan is limited to single dwellings only. Accordingly, the size and dimensions of each proposed lot are suitable for single dwelling use and development where reticulated services are not available.
- b) proposed Lot 1 will contain the existing dwelling and associated outbuildings that will be sufficiently clear of proposed new boundaries. The main body associated with proposed Lots 2 and 3 will have minimum dimensions of 64.5m by 94.5m which are sufficient to allow future buildings to be located to accord with setback standards required by clause MEA-S11.7.1 A2.
- c) potential buildings are expected to be located within the main body of proposed Lots 2 and 3 where there is sufficient area to contain a building area that accords with applicable acceptable solutions for setbacks.
- d) theoretical distances between new building areas and new building areas and existing buildings for the proposed subdivision is illustrated in Figure 3 below.



**Figure 3 - theoretical distances between new building areas and existing building areas within the proposed subdivision (premised on future dwellings on proposed Lots 2 and 3 being located proximate to the centre of the 60m diameter circle).**



These distances will be consistent with distances between existing building areas on adjoining and adjacent lots (including likely building areas on recently subdivided lots) within the surrounding area which is illustrated in Figure 4 and 5 below.

Figure 4 - separation distances between existing adjoining and adjacent building areas on lots to the north and west of the site.



**Figure 5 - separation distances between existing adjoining and adjacent building areas on lots to the east of the site.**



- e) the site is relatively level and is unaffected by significant topographical constraints.
- f) each proposed lot will have sufficient area to collect and drain surplus stormwater and for the purposes of accommodating an on-site domestic wastewater management in accordance with Australian and New Zealand Standard AS/NZS 1547:2000.
- g) most of the existing hedgerow located along the frontage boundary of the site within the road reserve able to be retained which will provide screening. Each proposed lot will be of sufficient area to enable additional vegetation screening to be planted between proposed new dwellings and the boundaries of respective lots.
- h) the proposed subdivision will result in two additional crossovers onto Jones Street South. One crossover will be located at the northern end of the existing frontage and one crossover will be located at the southern end of the existing crossover. This will provide greater than 50m of separation between crossovers which will minimise the long contiguous gaps of cleared hedgerow vegetation which would occur in circumstances where accesses are located closer together.
- i) the proposed subdivision will not prevent the unmade reserved road that adjoins the southern boundary of the site to be used (or continued to be used) as a recreational pathway;
- j) no constraints have been identified as affecting future development on each proposed lot.

The proposal satisfies P1 of the standard.

## 6 Conclusion

The proposed development involves the subdivision of one (1) into three (3) lots on located at 277 Jones Street South, Westbury. The proposed use and development comply with all applicable standards of the Scheme including the following performance criteria:

- **Clause 10.6.1 Lot design - Performance Criteria P2;**
- **Clause 10.6.3 Services – Performance Criteria P2;**
- **Clause 10.6.3 Services – Performance Criteria P3; and**
- **Clause MEA-S11.8.1 Lot Design – Performance Criteria P1.**

It is therefore submitted that a permitted permit can be issued in accordance with clause 6.8.2 of the Scheme and sections 51 and 57 of the *Land Use Planning and Approvals Act 1993*.

Please do not hesitate to contact me should you have any queries on this application.

Yours faithfully

**6ty° Pty Ltd**

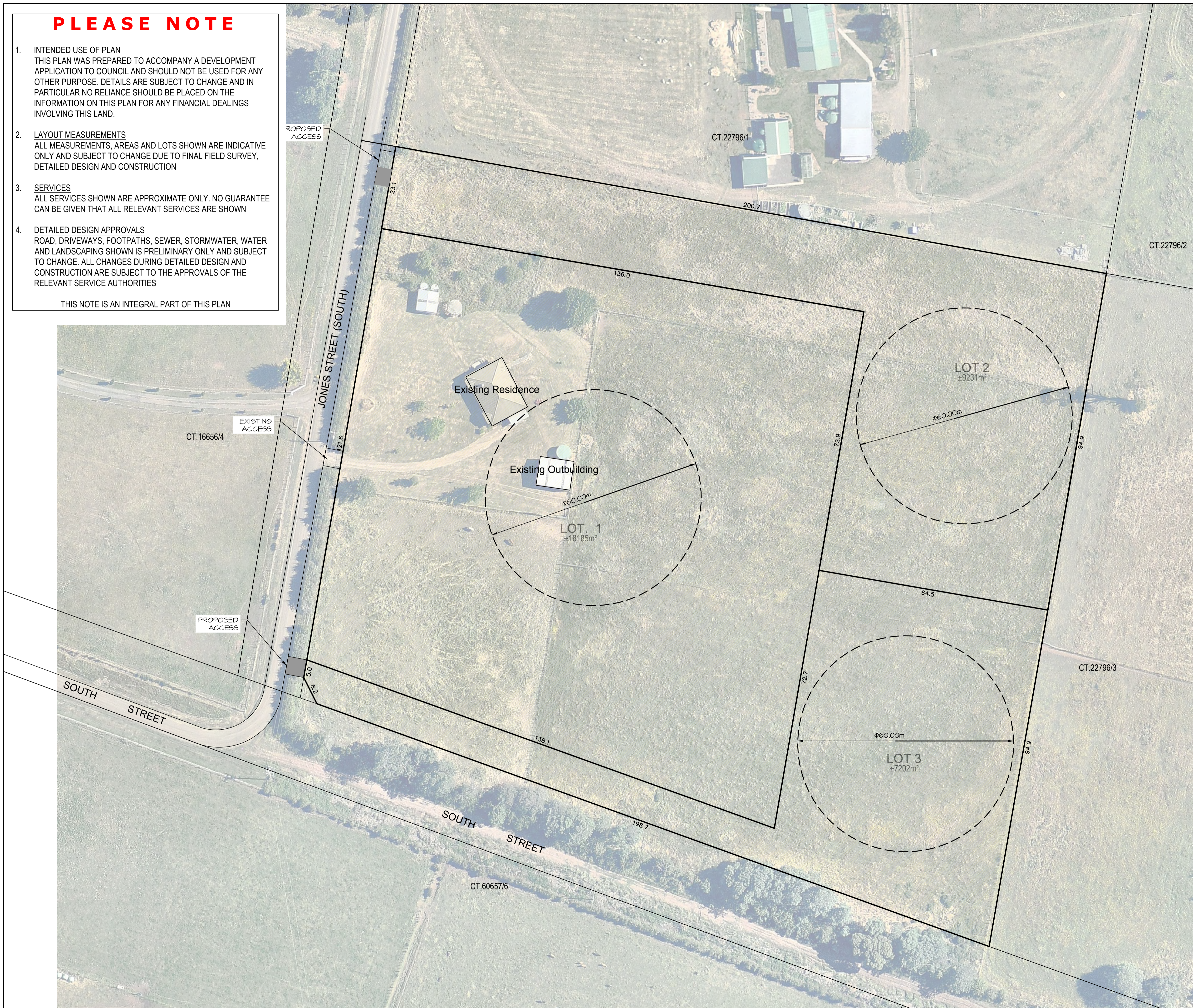


George Walker  
Director/Planning Consultant

# PLEASE NOTE

- 1. INTENDED USE OF PLAN**  
THIS PLAN WAS PREPARED TO ACCOMPANY A DEVELOPMENT APPLICATION TO COUNCIL AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. DETAILS ARE SUBJECT TO CHANGE AND IN PARTICULAR NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS INVOLVING THIS LAND.
- 2. LAYOUT MEASUREMENTS**  
ALL MEASUREMENTS, AREAS AND LOTS SHOWN ARE INDICATIVE ONLY AND SUBJECT TO CHANGE DUE TO FINAL FIELD SURVEY, DETAILED DESIGN AND CONSTRUCTION
- 3. SERVICES**  
ALL SERVICES SHOWN ARE APPROXIMATE ONLY. NO GUARANTEE CAN BE GIVEN THAT ALL RELEVANT SERVICES ARE SHOWN
- 4. DETAILED DESIGN APPROVALS**  
ROAD, DRIVEWAYS, FOOTPATHS, SEWER, STORMWATER, WATER AND LANDSCAPING SHOWN IS PRELIMINARY ONLY AND SUBJECT TO CHANGE. ALL CHANGES DURING DETAILED DESIGN AND CONSTRUCTION ARE SUBJECT TO THE APPROVALS OF THE RELEVANT SERVICE AUTHORITIES

THIS NOTE IS AN INTEGRAL PART OF THIS PLAN



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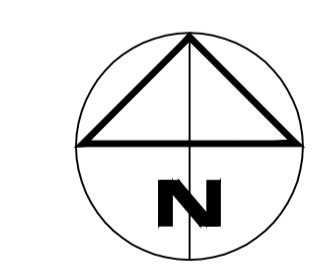
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## CONTROLLED DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
01	14.04.21	PLANNING APPROVAL	-
02	24.05.21	PLANNING APPROVAL	-
03	08.06.21	PLANNING APPROVAL	-
04	25.06.21	PLANNING APPROVAL	-
05	06.07.21	PLANNING APPROVAL	-



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

PROJECT: PROPOSED 4 LOT SUBDIVISION

AT: 277 JONES STREET (SOUTH)  
AT: WESTBURY  
FOR: SARAH PYKE

DRAWING: SITE PLAN

DESIGNED: G.W. DRAWN: HB CHECKED: G.W.

SCALES: 1:500 AT A1 SIZE DRAWING SHEET

PROJECT No. 21.093 DRAWING No. P01 REV. -

# Bushfire Hazard Management Report: Subdivision

**Report for:** 6ty Pty Ltd

**Property Location:** 277 Jones Street South, Westbury

**Prepared by:** Scott Livingston

Livingston Natural Resource Services  
299 Relbia Road  
Relbia, 7258

**Date:** 27<sup>th</sup> July 2021



**Client:** 6ty Pty Ltd– Sarah Pyke

277 Jones Street South, Westbury, CT 22796/4 PID 7432594.

**Property identification:** Current zoning: Low Density Residential, Tasmanian Planning Scheme - Meander Valley.

**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 22796/4 at 277 Jones Street South, Westbury. The property is zoned Low Density Residential, Tasmanian Planning Scheme - *Meander Valley*.

Lot 1 will be 18185m<sup>2</sup> and contains an existing dwelling and outbuildings (> 6m from dwelling). The Lot is low threat vegetation around the dwelling and grassland to the south and east. Lot 2 will be 9231m<sup>2</sup> and lot 3 7202m<sup>2</sup>, both are currently grassland.

Surrounding land is grassland with low threat vegetation around dwellings to the west, north and east, land to the south is grassland on larger agricultural lots. The proposed lots have frontage to Jones St South and Lot 3 a private Road on South Street road reserve. 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 mapped as Bushfire Prone Area in planning scheme overlays.

### VEGETATION AND SLOPE

Lot		North	East	South	West
1 (Existing dwelling)	Vegetation, within 100m of building facades	0-24m low threat, 24-100m grassland	0-16m low threat, 16-100m grassland	0-21m low threat, 21-100m grassland	0-42m low threat, 42-100m grassland
	Slope (degrees, over 100m)	Downslope 0-5°	Upslope/ flat°	Upslope/ flat°	Downslope 0-5°
	BAL Rating	BAL 12.5	BAL 12.5	BAL 12.5	BAL 12.5
2	Vegetation, within 100m of lot boundaries	0-100m grassland (some low threat)	0-100m grassland	0-100m grassland	0-100m grassland (some low threat)
	Slope (degrees, over 100m)	Downslope 0-5°	Upslope/ flat°	Upslope/ flat°	Downslope 0-5°
	BAL Rating	BAL FZ	BAL FZ	BAL FZ	BAL FZ
	BAL Rating with setback and HMA	BAL 12.5 /19			
3	Vegetation, within 100m of lot boundaries	0-100m grassland	0-100m grassland	0-100m grassland	0-100m grassland
	Slope (degrees, over 100m)	Downslope 0-5°	Upslope/ flat°	Upslope/ flat°	Downslope 0-5°
	BAL Rating	BAL FZ	BAL FZ	BAL FZ	BAL FZ

	BAL Rating with setback and HMA	BAL 12.5 /19
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### **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.

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

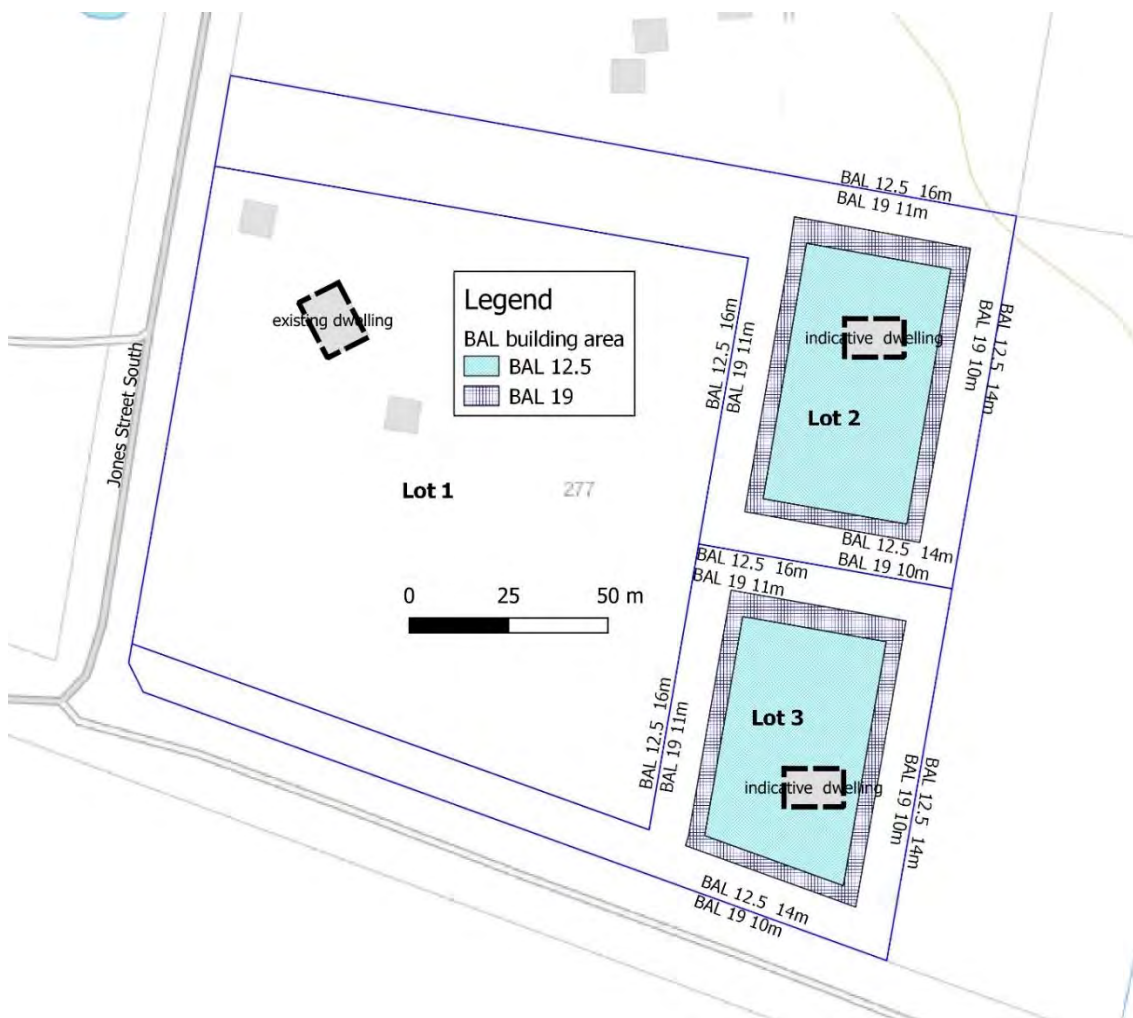
### **Setbacks**

	<b>Grassland</b>
<b>BAL 12.5</b>	
Upslope and flat	14m
Downslope 0- 5°	16m
<b>BAL 19</b>	
Upslope and flat	10m
Downslope 0- 5°	11m

**PROPOSED LOT BAL RATING**

Lot 1 has sufficient existing low threat vegetation for a BAL 12.5 rating on the dwelling. Lots 2 & 3 have a potential building area at BAL 19, reduced building area is also available at BAL 12.5 with increased setbacks and hazard management.

Lot	Setbacks for habitable buildings	
	BAL 12.5	BAL 19
2 & 3	16m from northern and western boundaries	11m from northern and western boundaries
	14m from eastern and southern boundaries	10m from eastern and southern boundaries



**Figure 1: Building Area BAL19 / 12.5**

**HAZARD MANAGEMENT AREAS**

All land within the distances shown below must be managed as Low threat vegetation including maintained lawns (mown to < 100mm), gardens and orchards. It is the responsibility of the owner of a dwelling to maintain hazard management areas for their

dwelling.

**Lot 1 existing dwelling**

Existing managed areas for the dwelling should continue to be maintained to minimize the threat. At least 11m from the northern and western façades and 10m eastern and southern facades of the dwelling must be maintained as low threat vegetation in perpetuity.

**Future habitable buildings**

Must have hazard management areas in place prior to commencement of construction and be maintained in perpetuity.

**BAL Construction Rating**

Building facade	Managed Land - Low Threat Vegetation	
	BAL 12.5	BAL 19
East and south	0-14m	0-10m
North and west	0-16m	0-11m



**Figure 2: Hazard Management Areas: BAL 12.5 for new buildings example**

## ROADS

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Lots will have access from Jones Street South. No additional roads required for the subdivision.

## PROPERTY ACCESS

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Access to lots must comply with the relevant elements of Table C13.2 Standards for Property Access, C 13 *Bushfire-Prone Areas Code*. Existing access to Lot 1 dwelling is compliant with the exception of turning provision being hardstand. A compliant turn provision and access to water supply point if required must be installed for Lot 1 prior to sealing of titles.

Lot 2 and 3, access to future the habitable buildings will be greater than 30m and access will be required to the water supply point and must meet Element B of Table C13.2. If access to a habitable building is > 200m (+-60m from the end of the panhandle access strips), passing bays will be required. (Element C).

**Table C13.2: Standards for Property Access**

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(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 terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum outer radius of 10m; or</li> <li>(ii) a property access encircling the building; or</li> <li>(iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</li> </ul> </li> <li>(j)</li> </ul>
C.	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) the requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>
D.	Property access length is greater than 30m, and access is	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) complies with requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</li> </ul>

provided to 3 or more properties.
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## **FIRE FIGHTING WATER SUPPLY**

The subdivision is not serviced by a reticulated supply. Lot 1 existing dwelling has several water tanks, one to the north of the dwelling is concrete and the one to the east adjacent to outbuilding poly, neither of these are within 3m of hardstand. A compliant water supply must be in place prior to sealing of titles, this may be a remote offtake for the concrete tank or new supply adjacent to access, alternatively access could be extended to the concrete tank and with minor upgrades to pipework and signage this tank would comply. Lots 2 & 3 will require a static water supply compliant with Table C13.4 prior to commencement of construction of future habitable buildings.

Table C13.4

<b>Column 1 Element</b>		<b>Column 2 Requirement</b>
<b>A.</b>	Distance between building area to be protected and water supply	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and</li> <li>b) The distance must be measured as a hose lay, between the water point and the furthest part of the building area.</li> </ul>

Column 1		Column 2
Element		Requirement
<b>B.</b>	Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> <li>a) May have a remotely located offtake connected to the static water supply;</li> <li>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;</li> <li>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;</li> <li>d) Must be metal, concrete or lagged by non-combustible materials if above ground; and</li> <li>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"> <li>(i) metal;</li> <li>(ii) non-combustible material; or</li> <li>(iii) fibre-cement a minimum of 6 mm thickness.</li> </ul> </li> </ul>
<b>C.</b>	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"> <li>(a) Have a minimum nominal internal diameter of 50mm;</li> <li>(b) Be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(c) Be metal or lagged by non-combustible materials if above ground;</li> <li>(d) Where buried, have a minimum depth of 300mm (compliant with <i>AS/NZS 3500.1-2003 Clause 5.23</i>);</li> <li>(e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(f) Ensure the coupling is accessible and available for connection at all times;</li> <li>(g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);</li> <li>(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</li> <li>(i) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(i) Visible;</li> <li>(ii) Accessible to allow connection by fire fighting equipment;</li> <li>(iii) At a working height of 450 – 600mm above ground level; and</li> <li>(iv) Protected from possible damage, including damage by vehicles</li> </ul> </li> </ul>



Column Element		Column 2 Requirement
<b>D.</b>	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"> <li>(a) comply with: Water tank signage requirements within AS 2304-2011 <i>Water storage tanks for fire protection systems</i>; or</li> <li>(b) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or</li> <li>(c) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.</li> </ul>
<b>E.</b>	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) No closer than six metres from the building area to be protected;</li> <li>(c) With a minimum width of three metres constructed to the same standard as the carriageway; and</li> <li>(d) Connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

## CONCLUSIONS

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A 3 Lot subdivision is proposed from existing title CT 22796/4 at 277 Jones Street South, Westbury. The area is mapped as bushfire prone.

There is sufficient area on lots to provide for BAL 19 habitable dwellings. A reduced building area with increased setbacks and hazard management area is also available at BAL 12.5. Hazard management on Lot 1 existing dwelling must be maintained in perpetuity. Hazard management areas for future habitable building must be in place prior to commencement of construction and maintained in perpetuity. It is the responsibility of the owner of a dwelling to maintain Hazard management areas for their dwelling.

No additional roads are required, access to habitable buildings and water supply on lots must comply with the relevant elements of Table C13.2 from the *Tasmanian Planning Scheme - Meander Valley*. Turn provision must be in place for the existing Lot 1 dwelling prior to sealing of titles and access including passing bays if more than 200m for future habitable buildings prior to commencement of construction.

A compliant static water supply to the standards listed in Table C13.4 of *Tasmanian Planning Scheme - Meander Valley* must be in place including compliant access for the existing Lot 1 dwelling prior to sealing of titles and for future habitable buildings prior to commencement of construction.

## REFERENCES

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

Planning Commission (2021), *Tasmanian Planning Scheme - Meander Valley*

APPENDIX 1 – MAPS



Figure 3: Location, existing title in blue



Figure 4: Aerial Image



Figure 5: Proposed Subdivision Plan



Figure 6: view north Lot 1 dwelling.



Figure 7: existing access Lot 1



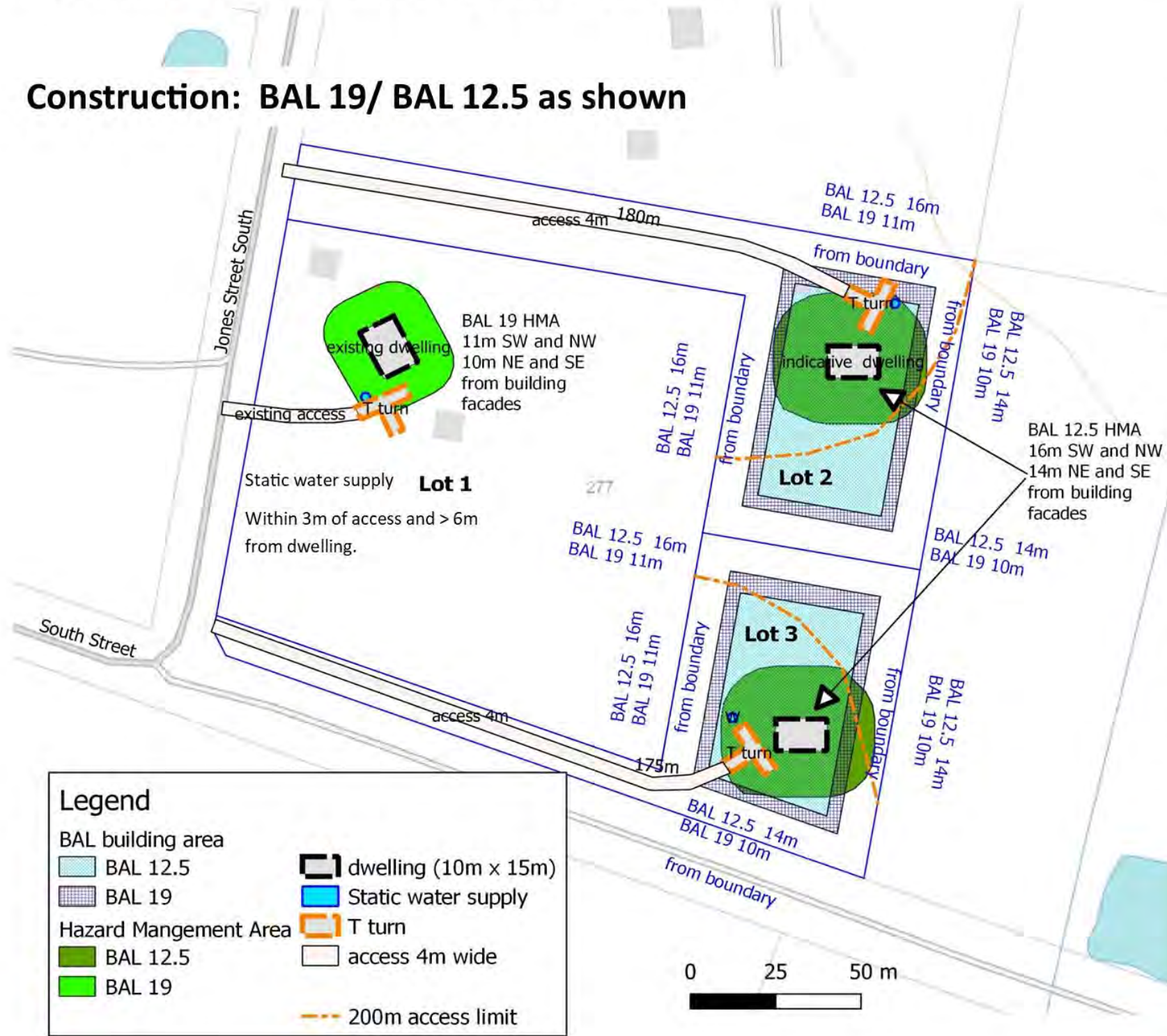
**Figure 8: east across Lot 2**



**Figure 9: south east across lots 1 & 2**

# Bushfire Hazard Management Plan:

Construction: BAL 19/ BAL 12.5 as shown



Proposed Development	Subdivision, 3 lots from 1 lot
Plan of Subdivision	PDA Surveyors. Plan of Subdivision,
Property Owner	Sarah Pyke
Address	277 Jones Street South, Westbury
CT	22796/4
PID	7432594

A static water supply and turning provision must be in place for the existing Lot 1 dwelling prior to sealing of titles.

For future habitable buildings the following must be installed/ compliant prior to commencement of construction and be maintained in perpetuity:

- Hazard Management Areas
- Static water supply
- Access including passing bays if greater than 200m in length

The owner of a lot is responsible for management of vegetation and maintenance of infrastructure within a lot

## 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 is to be managed and maintained in a minimum fuel condition.

Slope/ facade	Managed Land - Low Threat Vegetation	
	BAL 12.5 Construction	BAL 19 Construction
East and south	0-14m	0-10m
North and west	0-16m	0-11m

This BHMP has been prepared to satisfy the requirements of the Tasmanian Planning Scheme -Meander Valley and Director's Determination for Bushfire Hazard Areas v1.1 2021.

This plan should be read in conjunction with the report titled: Bushfire Hazard Management Report 277 Jones Street South, Westbury. Livingston Natural Resource Services

Lot	Setbacks for habitable buildings	
	BAL 12.5	BAL 19
2 & 3	16m from northern and western boundaries	11m from northern and western boundaries
	14m from eastern and southern boundaries	10m from eastern and southern boundaries

Scott Livingston  
 Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C  
 Date 26/7/2021  
 SRL21/46S

## Water Supply

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

- (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.

The 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 AS3959-2009 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
  - (iii) fibre-cement a minimum of 6mm thickness.


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

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

## Property Access

Access to a to a habitable building and/or water supply point it must be constructed to the following standards where greater than 30m or access is required to water supply point.

- a) all-weather construction;
- (b) load capacity of at least 20t, including for bridges and culverts;
- (c) minimum carriageway width of 4m;
- (d) minimum vertical clearance of 4m;
- (e) minimum horizontal clearance of 0.5m 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 10m;
- (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 outer radius of 10m; or
  - (ii) a property access encircling the building; or
  - (iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
- (k) passing bays of 2m additional carriageway width and 20m length provided every 200m.

Scott Livingston Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C Date 26/7/2021 SRL21/46S 
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# BUSHFIRE-PRONE AREAS CODE

## CERTIFICATE<sup>1</sup> 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:**

277 Jones Street South, Westbury

**Certificate of Title / PID:**

CT 22796/4/ PID 7432594

### 2. Proposed Use or Development

**Description of proposed Use and Development:**

3 Lot subdivision from 1 existing title.

**Applicable Planning Scheme:**

Tasmanian Planning Scheme - Meander Valley

### 3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management Report 277 Jones Street South, Westbury	Scott Livingston	21/7/2021	1
Bushfire Hazard Management Plan, 277 Jones Street South, Westbury	Scott Livingston	21/7/2021	1
Plan of Subdivision	6ty Pty Ltd	6/7/21	PO1

### 4. Nature of Certificate

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

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

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

<input type="checkbox"/>	<b>E1.5.1 / C13.5.1 – Vulnerable Uses</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<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"/>	<b>E1.5.2 / C13.5.2 – Hazardous Uses</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<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"/>	<b>E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<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
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/>	<b>E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<b><i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i></b>
<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 checked="" type="checkbox"/>	<b>E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<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

## 5. Bushfire Hazard Practitioner

<b>Name:</b>	Scott Livingston	<b>Phone No:</b>	0438 951 021
<b>Postal Address:</b>	299 Relbia Road, Relbia 7258	<b>Email Address:</b>	scottlivingston.lnrs@gmail.com
<b>Accreditation No:</b>	BFP – 105	<b>Scope:</b>	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:** 26/7/2021

**Certificate Number:** SRL 21/46S

(for Practitioner Use only)

# CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

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: 277 Jones Street South

Lot No: 1-3

Westbury

7303

Certificate of title No: 22796/4

The assessable item related to this certificate:

Bushfire Attack Level (BAL)

(description of the assessable item being certified)

Assessable item includes –

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

**Certificate details:**

Certificate type:

Bushfire Hazard

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

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

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

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:

Bushfire Attack Level Assessment Report and Bushfire Hazard Management Plan

Relevant

NA

calculations:

Australian Standard 3959

Building Amendment Regulations 2016

Director of Building Control, Determinations

- Categories of Building Control and Demolition Work (July 2017)
- Requirements for Building in Bushfire Prone Areas. (July 2017)
- Application of Requirements for Building in Bushfire Prone Areas. (Feb 2017)

Director of Building Control (2021) Director's Determination for Bushfire Hazard Areas v1.1 2021

*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, BAL 12.5

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:		SRL21/46S	26/7/2021



19<sup>th</sup> September 2021

Meander Valley Council  
General Manager  
PO Box 102  
WESTBURY 7303

Dear John,

CC: Mayor and Councillors

**RE: 277 Jones Street South WESTBURY (CT: 22796/4) Subdivision (3 lots) - frontage, lot design, not connected to sewer and stormwater**

Please accept this as our objection to the above application, and also to the planning scheme.

At the inception of the Westbury Specific Area Plan (MEA S11.0) allowing block sizes being reduced to 5000m<sup>2</sup>, concerns were raised that this plan would allow for a significant intensification of the number of dwellings in an area that is intended for lifestyle properties.

The number of subdivisions, and the subsequent objections to them since the SAP was introduced has indeed proven these concerns to be very valid indeed.

The current grab for short term financial gain at the expense of lifestyle amenity, is far too great, and we are now experiencing the deleterious effects these changes are creating.

Numerous issues now being experienced include, but are not limited to;

- Intensification of living density detrimentally impacting on the amenity and lifestyle of the long-term residents.
- These are unserviced blocks – three to four times the number of septic tanks, on flat and in some cases poorly draining substrate are a potential environmental health risk. When was the last time an environmental health officer inspected a septic tank in Westbury? – for that matter – when was the first time?
- Unsealed roads provide access to these unserviced blocks – increasing the living density will increase the traffic volumes, and therefore the dust from the road – settling on all our drinking water catchment surfaces – yet another environmental health risk.

The long term effects of these planning changes are already being felt. The fabric of our town is changing, and these outlying blocks being reduced in size can never be recreated.

These lifestyle blocks in Westbury are unique, and we are losing them! It's high time the staff – past and present of the planning department of Meander Valley Council realised their error, and took all reasonable steps to reverse this planning change.

With regard to the application before us – I sincerely hope that as Councillors, those that are empowered to do something about this, will exercise their right, and refuse this application.

I invite you all to contact us, and take the opportunity to have a closer look at these blocks before you make your informed decision.

Yours Sincerely,



Danny King



Tanya King



**From:** Karen Murray [REDACTED]  
**Sent:** Sunday, 19 September 2021 10:48 AM  
**To:** Planning @ Meander Valley Council

PA\22\0041

19.09.2021

Dear Mr Jordan,

I, Karen Murray of 24 Five Acre Row, Westbury, Tasmania 7303 object to the proposed subdivision of land situated at 277 Jones Street South, Westbury Tasmania 7303 for the prospect of building purposes.

As a long term resident of the area, I believe that this area is unable to support the number of dwellings intended due to the structure of the land and the position of the proposed new battleaxe entrances. With the proposed new battleaxe entrances, large swathes of English Hawthorn will have to be removed and infrastructure implemented so this block has services. As this 5 acre block is typical to the area, it is flat so drainage of the septic system is of great concern to the environment and nearby residents.

Jones Street South is a small, unmade reserve Street which has enabled people to ride their horses, walk their dogs in relative peace and quiet, without the fear of being mown down by "townies". How awful for the nearby residents, whom many have resided in this area for a great number of years to have not only noise, dust, heavy machinery, extra vehicles up and down the street, but to feel over-looked and crowded by extra neighbours, vehicles, kids and God only knows what else.

It is extremely sad that NO-ONE CARES about the fact that these unique 5 acre blocks WERE NEVER TO BE SUBDIVIDED. This is why we purchased our property in Westbury, to have peace and quiet, the ability to acquire animals, have a small holding, run a business. Unfortunately, our way of life here has been urbanised and can no longer have the peace and tranquillity of rural life.

Westbury is no longer the charming English Village the Meander Valley Council perceive it to be, just another pack and stack town.

Yours Sincerely,  
Karen Murray,



## Krista Palfreyman

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**From:** Sarah Larcombe [REDACTED]  
**Sent:** Sunday, 19 September 2021 9:44 PM  
**To:** Planning @ Meander Valley Council  
**Subject:** Planning Notice Submission

To whom this may concern,

I'm writing in regard to the planning notice of the subdivision 277 Jones Street South, Westbury, which is the adjoining property to my residence.

I've lived in my current residence for several years now, along with my mother and my two younger siblings. We moved here after our parents divorced and we had to move from our farm in Osmaston to a more financially appropriate property. I still remember the first time we drove past our now home, the couple of paddocks and classic sandstone home... what's not to love. There was room for me to keep my couple of pet lambs, now sheep, rather than having to sell them with the remainder of our flock. We were able to keep our ferrets, our motorbikes, our dogs, even my old quarter horse... The acreage of our home allowed us to keep some normalcy in our lives. Amongst the storm of my parents being divorced, Westbury was still home.

Westbury is the most unique and special town I've ever been in. During my high school years I used to often ride my horse to the old IGA to buy ice cream on the weekends with my neighbour and best friend. An old pool ladder over our boundary fence allowed us to stroll through the paddock and jump the fence to each other's houses on the regular. Our local show's pet lamb competition was an annual excitement during my primary school years. Our town has a history of hobby farms and raising well rounded, country kids. My childhood was one full of adventure, and I have so much love for the culture that our town provides.

My mum worked so hard as a single mother to purchase our home. She created an environment for us that allowed us to continue our passions. For myself, I was able to continue to care and look after animals on our 8 acres, motivating me to pursue my studies in Veterinary Science. Growing up in a farm herself, mum is a big lover of animals and our beautiful little spot on the outskirts of Westbury. On her days off you'll always find her feeding the older bread to the pony and the sheep, sometimes even attempting to feed it to the dog. I want nothing more than for mum to be able to retire here, with the variety of animals for her future grandkids to play with, and enjoy her small, rural lifestyle.

Keep Westbury the way it has always been, a place the local farmers CHOOSE to retire to. Where they can maintain a sense of country lifestyle. Keep raising country kids that make our town proud.

Kind regards,

Sarah Larcombe  
[REDACTED]

17<sup>th</sup> September 2021

Meander Valley Council  
General Manager  
PO Box 102  
WESTBURY 7303

PA12210041

Trans No.	1414		
No.	1657543		
Date	20 SEP 2021	MVC	
Author. Officer	LR	Dept.	DRS
EO		OD	

**RE: 277 Jones Street South WESTBURY (CT: 22796/4) Subdivision (3 lots) - frontage, lot design, not connected to sewer and stormwater**

I write to object to the above referenced subdivision.

I do not believe that x2 more houses on the existing block is in keeping with the area.

I train racehorses in the vicinity, and have done for 50 years.

I am concerned that new residents in higher density close by will affect the way I go about my business.

I object to land owners being able to subdivide lifestyle blocks into smaller lot sizes. There are plenty of smaller blocks closer to the shops that can be built on, without subdividing these larger blocks and ruining the hobby farm size blocks.

Honest, hard-working people invest in these blocks for their country feel, and for their families to ride ponies and run small numbers of livestock.

Intensifying the number of houses jeopardises the lifestyle that my neighbours have worked hard to achieve, and the subdivisions in Westbury need to stop.

David Mace



A handwritten signature in blue ink that reads "David Mace".

PA/22/0041

Index No.	14114		
Doc No.	1657542		
RCVC	20 SEP 2021	MVC	
Action Officer	LR	Dept.	DRS
EO	X	OD	✓

19<sup>th</sup> SEPT, 2021

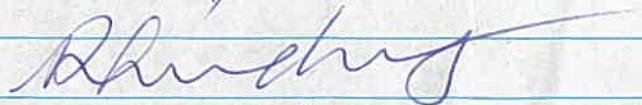
GENERAL MANAGER  
PO BOX 102  
WESTBURY 7303

I WISH TO LODGE AN OBJECTION TO THE  
SUB-DIVISION REQUEST BY APPLICANT AT 277 JONES  
ST, WESTBURY.

THIS AREA WAS A RURAL AREA AND I WOULD WANT  
IT TO STAY THAT WAY - NOT HOUSES CRAMMED IN  
EVERYWHERE. ALSO TRAFFIC ON THIS ROAD HAS  
INCREASED ENORMOUSLY ALREADY - ADDING TO IT  
WOULD BE WRONG.

PLEASE CONSIDER THESE FACTS WHEN MAKING  
A DECISION.

SINCERELY,



ROSEMARY LINDSEY

## Leanne Rabjohns

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**From:** Tanya Tyson [REDACTED]  
**Sent:** Monday, 20 September 2021 4:40 PM  
**To:** Planning @ Meander Valley Council  
**Subject:** PA\22\0041

To whom it may concern

In regards to this planning application for the above reference number I Kent Tyson of 72 South Street Westbury have concerns for its approval.

a) Adjacent is farm land in which stock is held and moved along South Street, the intention of sub division 3 lots will prevent stock movement as the South Street lane is used. I foresee future owners or dwellers will prevent this act.

b) Land and weed management with annual seasonal spraying, will pose a problem. Timing of spraying is deemed necessary for adequate pasture management therefore with neighbouring properties the risk of spray drift may occur.

Please do not hesitate to call me in regards to my concerns 0447255248

Kent Tyson

## PLANNING AUTHORITY 3

(Reference No. 186/2021)

### 6 FRANKLIN STREET, WESTBURY

**Planning Application:** PA\22\0044  
**Proposal:** Multiple Dwellings (8 units)  
**Author:** Heidi Goess  
Consultant Town Planner

#### **1) Proposal**

Council has received an application for eight (8) multiple dwellings at 6 Franklin Street, Westbury.

Applicant	Engineering Plus
Owner	William Franklin Pty Ltd
Property	6 Franklin Street, Westbury (CT: 179958/12)
Zoning	General Residential Zone
Discretions	8.4.4 Sunlight to private open space of multiple dwellings – P1
	C2.6.5 Pedestrian Access – P1
Existing Land Use	Residential
Number of Representations	Two (2)
Decision Due (extension granted)	13 October 2021
Planning Scheme:	Tasmanian Planning Scheme – Meander Valley (the Planning Scheme)

If approved, the application will result in the construction of eight (8) multiple dwellings, at 6 Franklin Street, Westbury within the General Residential Zone. The proposed multiple dwellings will comprise eight (8) individual buildings with access from Franklin Street.

The proposal plans and site photos are shown on the following pages.











Figure 6: Unit elevations.



Photo 1: Dwelling on adjoining property to the south of the site at 8 Franklin Street, Westbury.



Photo 2: At the railway line looking south towards the site. The dwelling being constructed is on Lot 11 of Planning Permit PA\19\0053.

## 2) Summary of Assessment

The application proposes to construct eight (8) multiple dwellings at 6 Franklin Street Westbury. The subject site is at the northern periphery of the General Residential Zone and has a  $\pm 21\text{m}$  frontage onto Franklin Street and is  $3569\text{m}^2$  in area. The established access from Franklin Street will service the proposed use and development.

The site is vacant and was created as part of the approved subdivision, Permit PA\19\0053. The endorsed plan forming part of the Permit is shown in Figure 7. The established title configuration is shown in Figure 8. The endorsed plan shows that the site was approved as two (2) separate titles.

The final stage of the approved subdivision retained Lot 12 and Lot 13 as a single title (refer to Figure 7). For the purposes of assessing traffic impact and vehicle movements as part of the multiple dwelling development, the assessment of this application has taken into account that there were two (2) approved accesses from Franklin Street as part of approved subdivision, Permit PA\19\0053, each with an anticipated nine (9) vehicle movements per day.

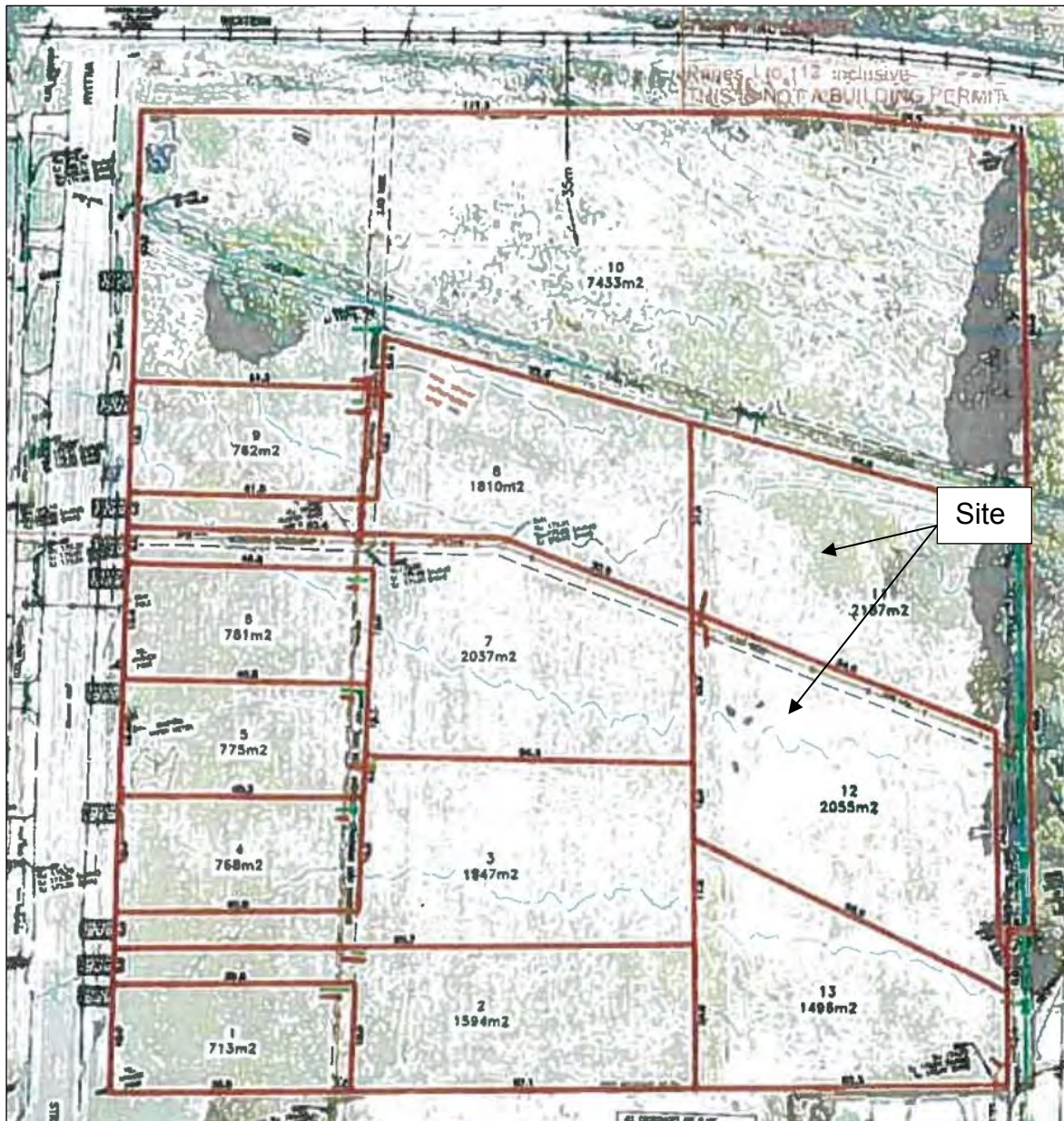


Figure 7: Endorsed plan of Planning Permit PA\22\0053.

The proposed multiple dwellings will comprise eight (8) individual buildings, each with a gross building floor area (excluding the proposed decks) ranging from 130m<sup>2</sup> to 144.94m<sup>2</sup> (refer to Table 1). The maximum building height of all units is 5.2m.

Each two-bedroom unit, with the exception of Unit 2 is provided with two (2) parking spaces in tandem, with one (1) space contained in each garage. Unit 2 has a garage and external parking space to the east. There will be three (3) visitor parking spaces on the site, one (1) to the south of the access and the other two (2) at the northern end of the internal driveway.

Each unit will be provided vehicle access via the internal driveway. The internal driveway has a width ranging from 5.5m to 8.5m.

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.



Figure 8: Aerial photograph showing the current title configuration.

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47

Table 1: The gross floor area of each unit.

Source: Construction Plan, Drawing No: 13121 A05

## Overview

- The proposal if approved will construct eight (8) multiple dwellings (units).
- A single access will be provided from Franklin Street to service the development.
- The proposal relies on Performance Criteria for private open space and pedestrian access therefore has a Discretionary status.
- Two (2) representations were received during the advertising period. The representations are concerned with traffic generation resulting from the development, inadequate turning head at the conclusion of Franklin Street, the inability for service vehicles to turn safely within the existing road carriageway of Franklin Street and Alison Court, and the lack of footpaths provided within the development.
- The application is recommended for approval as it is demonstrated to comply with each applicable standard of the Planning Scheme.

### 3) Recommendation

***It is recommended that the application for Use and Development for multiple dwellings (8 units) on land located at 6 Franklin Street, WESTBURY (CT: 179958/12) by Engineering Plus, be APPROVED, generally in accordance with the endorsed plans:***

- a) Engineering Plus; Dated: 3 September 2021; Drawing No: 13121; Plan Number: A01 Revision B - A54 Revision B, Site Plan, Turning Path, Servicing Plan, and Building Floor Plans and Elevations DA.**

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

- 1. Prior to the commencement of the use, a right-of-carriageway must be added to the Certificate of Title (CT: 179958/12) in gross in favour of the Meander Valley Council over the internal driveway at the access from Franklin Street to a depth of 5m, measured from the eastern title boundary. The right-of-carriageway must include the entire width of the internal driveway and must be clearly delineated as part of the public road network. Refer to Note 2.**
- 2. The development is to include two 'Shared Zone' signs or the like to identify that the driveway is used for both pedestrians and vehicles to the satisfaction of Council's Town Planner. The signs are to be erected on the site:**
  - a. One located adjacent to the access from Franklin Street where it is clearly visible at the entry of the site;**
  - b. One located adjacent internal access way to the north-western corner of the strata lot associated with Unit 1.**



- 3. The external car parking spaces allocated to each dwelling are to be clearly delineated, such as line marking or signage, so that they can be identified in association with the dwelling to the satisfaction of Council's Town Planner.**
- 4. All visitor parking spaces and turning spaces are to be line marked or otherwise physically delineated to the satisfaction of Council's Town Planner. Spaces must be clearly dedicated, through line marking or incidental signage.**
- 5. Private open space for each unit appropriately screened by fencing or the like to ensure privacy for each unit is maintained from the access way.**
- 6. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner and the Director Infrastructure Services. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must show:**
  - a) The right-of-carriageway in accordance with condition 1;**
  - b) The location of signage in accordance with condition 2;**
  - c) The screening of private open space in accordance with condition 5; and**
  - d) The location of the waste storage area for each unit.**
- 7. Prior to the commencement of use, the following must be completed to the satisfaction of Council:**
  - a) The 'Shared Zone' sign or the like installed in accordance with condition 2;**
  - b) External car parking spaces clearly delineated for each dwelling in accordance with condition 3;**
  - c) Visitor car parking spaces and turning spaces clearly delineated in accordance with condition 4;**
  - d) Screening of private open space in accordance with condition 5; and**
  - e) Letter boxes installed at the entrance of the property in accordance with the endorsed plans and to the satisfaction of Council's Town Planner.**
- 8. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2021/01406 attached).**

**Notes:**

- 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 (03) 6393 5312.**
- 2. It is recommended the developer contact Council to discuss the wording of the right-of-carriageway in the schedule of easements.**
- 3. 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 Development and Regulatory Services on 6393 5320 or via email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au).**
- 4. This permit takes effect after:**
  - a) The 14 day appeal period expires; or**
  - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
  - c) Any other required approvals under this or any other Act are granted.**
5. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au).
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works:
  - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
  - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: [aboriginal@heritage.tas.gov.au](mailto: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 from 11 September to 27 September 2021. During the advertising period two (2) representations were received. 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.

Representation 1
Overall concerns
<ol style="list-style-type: none"><li>1. Representor lives at 12A Franklin Street.</li><li>2. The northern end of Franklin Street is a no through road. It has Alison Court very near to the end of the eastern side and also the Westbury Bowls Club a little closer to Meander Valley Road. Vehicle movements from the site are of concern. Two different figures provided by the Council regarding vehicle movements to and from the site.  The Westbury Bowls Club has quite a number of traffic movements when there is an event or function is on. Competitive bowls is played twice a week and various community groups use it as a meeting place. Private functions are also held at this venue.</li><li>3. The current garbage truck movements are unsafe as it is unable to turn within the current road network. The garbage truck must reverse past the entrance of Alison Court to be able to drive down Alison Court. There is no room for a truck to turnaround at the end of Franklin Street.</li><li>4. There are no internal pavements shown on the submitted plans on the internal road layout.</li><li>5. Concerned that amenity will be compromised. The rules do not result in a sound outcome.</li></ol>
Response
<ol style="list-style-type: none"><li>1. Noted.</li><li>2. Industry standard for traffic generation is to refer to the <i>Guide to Traffic Generating Developments</i> prepared by the NSW Government. The average traffic generated by a unit development in regional areas is 4-5 vehicles per day (vpd) for each 2 bedroom unit, Council uses 6 vpd as a conservative approach. For the proposed development there will be a total traffic generation of 48 vpd. The average traffic generation by a residential</li></ol>

subdivision is 9 vpd per lot. The existing driveway has previously been approved for 9 vpd under the original subdivision approval. The lot has been approved for 18 vpd under the original subdivision approval as the subject lot was originally proposed to be subdivided into two (2) lots. Thus the increase in traffic that the proposed development will generate is 30 vpd.

The proposed use and development complies with the Acceptable Solution A1.4, clause C3.5.1 and no further assessment is required.

Residences exiting Alison Court will notice an increase in traffic travelling along Franklin Street, however there is currently a giveaway sign and holding line at the intersection with Franklin Street which drivers are used to adhering to.

Franklin Street is 8m wide where there is kerb and channel on both sides and a minimum of 6m wide where there is kerb and channel one side of the road and is consistent with other roads in the municipality with high traffic volumes.

3. During the design of the subdivision an additional driveway for lot 13 was to be constructed to provide a turning head to Council Standards. As the driveway for proposed Lot 13, as part of the approved Permit PA\19\0053 was never constructed, a right-of-carriageway is recommended to be added to the Certificate of Title over the first 5m of the internal driveway to allow for turning movements of service vehicles, if approved.
4. The proposal plans do not show separation of a footpath and the access way. The proposal is for Residential use and the development on the site will result in a low speed and low volume traffic environment. The access way width is more than the required width prescribed by Table C2.3, C2.0 Parking and Sustainable Transport Code.

The application requires assessment against Clause C2.6.5 Pedestrian Access, C2.0 Parking and Sustainable Transport Code. The proposal relies on the Performance Criterion P1 for its approval. The application is assessed to satisfy the Performance Criterion P1. A condition is recommended to for the erection of signage within the site to indicate to all users of the access way that it is a shared pedestrian vehicle environment.

On review of this representation, a condition is recommended for inclusion in the permit to set aside a portion of the internal driveway of the site to provide for a suitable and safe turning area for service vehicles. A condition is recommended to for the erection of signage within the site to indicate to all users of the access

way that it is a shared pedestrian vehicle environment.

## Representation 2

### Overall concerns

1. Representation requested a rough plan of the proposed property entrances of Lots 11, 12 and 13 (approved as part of Planning Permit PA\19\0053). A response by the Council was provided by Infrastructure Department but could not provide the detail requested.

The property owner William Franklin Pty Ltd indicated at the time that the development would be done in stages. A couple of units would be built. He requested that the representation against the application PA\19\0053 be withdrawn.

2. The representor was advised that the turning head to allow service vehicles to turn would be constructed to the LGAT standards. A turning circle has not been constructed.
3. The representor notes that the approved subdivision lots 12 and 13 are either adhered or combined. The land will result in at least eleven (11) units.

Eleven crossovers exist for properties fronting William Street. In Franklin Street, only two (2) crossovers will be provided – this is not adequate.

4. Members of Council should also be aware that your Contractor has, over the past twelve months not on one occasion used this famous turning head.

### Response

1. Noted. The approved subdivision Planning Permit PA\19\0053 and matters raised in association with that process are not relevant for consideration by the planning authority for the proposed multiple dwellings.
2. During the design of the subdivision an additional driveway for Lot 13 was to be constructed to provide a turning head to Council Standards. As the driveway for Lot 13 was never constructed, a right of carriage way will be put over the first 5m of the internal driveway to allow for turning movements of service vehicles. Council officers will request Council's contractor to use the turning head.
3. Refer to point 2 in response to Representation 1.

In addition to the response above, residents exiting Alison Court will notice an increase in traffic travelling along Franklin Street, however there is currently a give way sign and holding line at the intersection with

Franklin Street which drivers are used to adhering to.

Franklin Street is 8m wide where there is kerb and channel on both sides and a minimum of 6m wide where there is kerb and channel on one side of the road and is consistent with other roads in the municipality with high traffic volumes.

On review of this representation, a condition is recommended for inclusion in the permit to set aside a portion of the internal driveway of the site to provide for a suitable and safe turning area for service vehicles.

## 5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2021/01406) was received on 2 September 2021.

## 6) Scheme Assessment

**Use Class:** Residential

### Performance Criteria

#### 8.0 General Residential Zone

##### 8.4.4 Sunlight to private open space of multiple dwellings

**Objective**

*That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.*

**Performance Criteria P1**

*A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.*

**Response**

The proposed private open space of each unit is not separated from buildings as required by Acceptable Solution A1 and relies on assessment against the Performance Criteria.

All units have complied with the requirements of the Acceptable Solution A2 of clause 8.4.3 and has exceeded the required area of private open space for each unit. The test of the Performance Criteria P1 is to determine if there is unreasonable loss of amenity by overshadowing of the private open space associated with a unit by another unit on the same site.

Proposed Unit 6 and proposed Unit 7 will be located to the north of the private

open space of proposed Unit 7 and proposed Unit 8, respectively. The separation distance between the proposed units and private open space for each location does not satisfy Figure 8.4 in the Planning Scheme. The private open space for the respective units is narrow and is predominately directly to the south of the adjacent unit.

The application has provided shadow diagrams showing the impact of buildings on private open space between 9.00am and 3.00pm on 21<sup>st</sup> June. Unit 7 and Unit 8 are each provided with more than the minimum of 24m<sup>2</sup> of private open space (refer to Figure 9). The private open space for Unit 7 and Unit 8 is each on their northern side and extends for the entire length of the strata lots. The required 24m<sup>2</sup> private open space is also off-set to the side of the buildings, maximising the opportunity for this area to receive sunlight.

The shadow diagrams shown in Figure 10 and Figure 11 demonstrate that the private open space associated with Unit 7 and Unit 8 will have the opportunity to receive sunlight to more than 50% of the designated private open space area between the hours of 9.00am and 12.00pm on the 21<sup>st</sup> of June. The siting of Unit 6 and 7 respectively ensures that it does not cause unreasonable loss of amenity to Unit 7 and Unit 8.

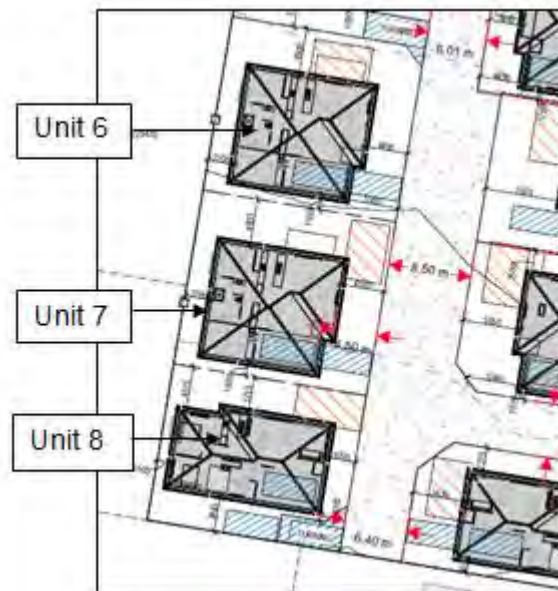


Figure 9: Private open space (orange hatched area) for Unit 7 and Unit 8.



Figure 10: Shadow Plan at 9.00am.  
Private open space not in shadow circled in red.

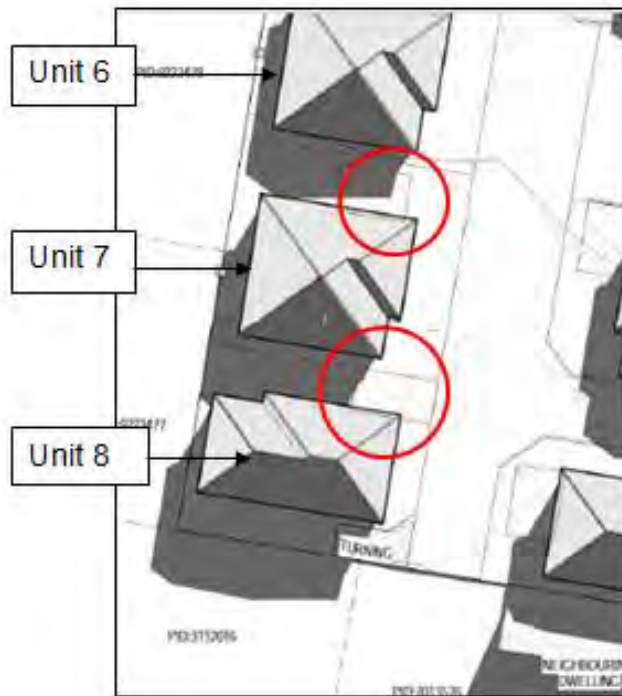


Figure 11: Shadow Plan at 12:00pm.  
Private open space not in shadow circled in red.

The proposed development satisfies the Performance Criteria and is considered to comply with the Objective.



## C2.0 Parking and Sustainable Transport Code

### C2.6.5 Pedestrian access

#### **Objective**

*That pedestrian access within parking areas is provided in a safe and convenient manner.*

#### **Performance Criteria P1**

*Safe and convenient pedestrian access must be provided within parking areas, having regard to:*

- (a) the characteristics of the site;*
- (b) the nature of the use;*
- (c) the number of parking spaces;*
- (d) the frequency of vehicle movements;*
- (e) the needs of persons with a disability;*
- (f) the location and number of footpath crossings;*
- (g) vehicle and pedestrian traffic safety;*
- (h) the location of any access ways or parking aisles; and*
- (i) any protective devices proposed for pedestrian safety.*

#### **Response**

The Residential use requires 10 or more car parking spaces. A 1m wide pedestrian footpath is proposed to provide delineated access for pedestrians between each unit and the frontage. However, the footpath is not proposed to be separated by 2.5m from the access way in accordance with subclauses A1.1 (a) (i) or (ii).

- (a) The site is an irregular shaped lot forming part of a subdivision approved in 2019. The proposed eight (8) units will be provided with vehicle access via the internal driveway. The access way has a width ranging from 5.5m to 8.5m. A minimum 1m wide footpath is provided on the northern side of Unit 1 and the southern side of Unit 2, providing pedestrian access to the frontage of Franklin Street. The topography is relatively flat. The site characteristics is such that the combination of the topography, the location of dwellings and the width of the access way provides for high visibility across the site and safe pedestrian movements.
- (b) The proposed use and development of the site is for Residential use. The site will be mostly accessed by passenger vehicles in a low speed environment. To ensure a low speed traffic environment is maintained, it is recommended that a condition be included in the permit, if approved, requiring signage to be erected on the site indicating a shared pedestrian and vehicle environment.

- (c) The proposed use and development will have three (3) visitor parking spaces and eight (8) external parking spaces to service the proposed units. Other than the two (3) visitor parking spaces, all parking spaces do not form part of the internal driveway. The width of the internal driveway, for the most part, is 8.5m which is greater than the combined access and manoeuvring width required by Table C2.3, C2.0 Parking and Sustainable Transport Code.
- (d) The industry standard for traffic generation is to refer to the *Guide to Traffic Generating Developments* prepared by the NSW Government. The average traffic generated by a unit development in regional areas is 4-5 vehicles per day (vpd) for each 2 bedroom unit, Council uses 6 vpd as a conservative approach. For the proposed development there will be a total traffic generation of 48 vpd.
- (e) The internal driveway will provide a sealed hard surface with minimal level changes and steps suitable for use by a person with a disability.
- (f) There are no footpath crossings proposed. The access way is an internal driveway and not a public road. Vehicle movements will predominately be generated by the occupiers of the development and visitors. The site will maintain a low traffic volume and a low speed environment. Fences will not be erected internally along the access way ensuring that the sight lines of a pedestrian is not obstructed. The width of the access way will enable pedestrians to move safely to Franklin Street. To signal that the access way will be a shared pathway by pedestrians and vehicles, it is recommended a condition is included requiring signage to be erected adjacent to the access way indicating that it is a shared pedestrian and vehicle environment.
- (g) Pedestrian traffic will be generated mostly internally by the occupiers. The driveway width exceeds the combined access and manoeuvring width required by Table C2.3, C2.0 Parking and Sustainable Transport Code.
- (h) The access ways will provide vehicle access to each unit. It is of sufficient width to allow for a shared pedestrian and vehicle environment.
- (i) There are no protective devices proposed. Given the low speed environment it is recommended signage be erected to signify to the users of the access way that it is a shared pedestrian and vehicle environment. Accordingly, a condition is recommended as per the response to sub-clause (f) above.

The proposed development satisfies the Performance Criteria and is considered to comply with the Objective.

## Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below.

<b>8.0 General Residential Zone</b>	
Scheme Standard	Assessment
<b>8.3 Use Standards</b>	
<b>8.3.1 Discretionary Uses</b>	
Acceptable solution 1	Not Applicable The use class Residential (not a single dwelling) is listed as Permitted in '8.2 Use Table'.
Acceptable solution 2	Not Applicable The use class Residential (not a single dwelling) is listed as Permitted in '8.2 Use Table'.
Acceptable solution 3	Not Applicable The use class Residential (not a single dwelling) is listed as Permitted in '8.2 Use Table'.
Acceptable solution	Not Applicable The use class Residential (not a single dwelling) is listed as Permitted in '8.2 Use Table'.
<b>8.3.2 Visitor Accommodation</b>	
Acceptable solution 1	Not Applicable The application does not propose Visitor Accommodation use.
<b>8.4 Development Standards for dwellings</b>	
<b>8.4.1 Residential density for multiple dwellings</b>	
Acceptable solution 1	Complies  The Planning Scheme at Table 3.1 defines site area and access strip. The definitions are reproduced below.  <i>Site area means the area of a site, excluding any access strip, divided by the number of the dwellings on that site.</i>  <i>Access strip means the narrow part of an internal lot to provide access to a road.</i>  The site has an area of 3,551m <sup>2</sup> and the proposal will result in eight (8) dwellings on the site. The site area per dwelling is therefore ±444m <sup>2</sup> which is more than 325m <sup>2</sup> as required by the Acceptable Solution.

8.4.2 Setbacks and building envelope for all dwellings

Acceptable solution 1

Complies

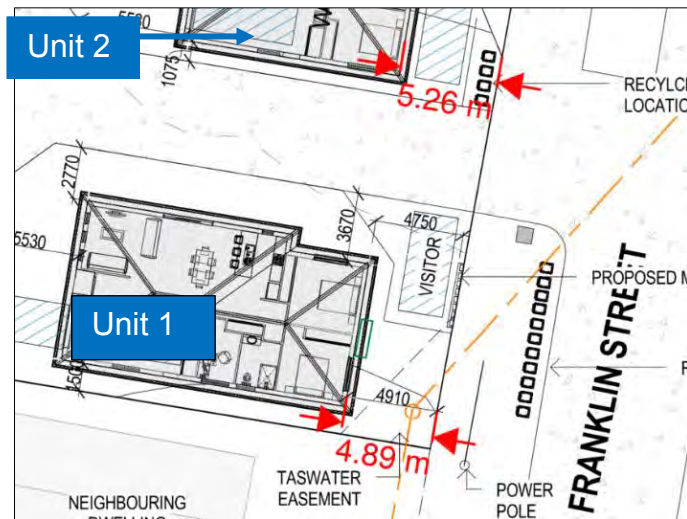


Figure 9: Setbacks from the frontage of Franklin Street

The subject site has one frontage onto Franklin Street. The frontage is located at the southern end of the subject site's eastern boundary which adjoins Franklin Street. Units 1 and 2 are positioned most closely to the frontage of Franklin Street.

The setbacks from the frontage are as follow -

Unit	Frontage Setback
Unit 1	4.75m
Unit 2	5.26m

The proposal complies with sub-clause (a) as it achieves a minimum setback of 4.5m from the frontage.

Sub-clause (b) is not applicable as there is not a secondary frontage to the subject site.

Sub-clause (c) is not applicable as one of the adjoining lots with frontage to Franklin Street is vacant.

Sub-clause (d) is not applicable as a non-residential use is not proposed.

Acceptable solution 2

Complies

The garage of Unit 1 will be located 9.7m from the

	<p>frontage. All other garages will be setback more than 9.7m from the frontage of Franklin Street. The proposal complies with sub-clause (a).</p> <p>Sub-clauses (b) and (c) are not applicable as there is no portion of any of the units located above the garage or carport and the site does not have a slope or gradient steeper than 1 in 5.</p>
Acceptable solution 3	<p>Complies</p> <p>The proposed units will have the following minimum boundary setbacks and maximum wall heights adjacent to respective boundaries:</p> <p><b>Southern Boundary</b></p> <ul style="list-style-type: none"> <li>•Setback: 1.5m (Unit 1)</li> <li>•Wall Height: 2.4m</li> </ul> <p><b>Western Boundary</b></p> <ul style="list-style-type: none"> <li>•Setback: 1.5m (Unit 8)</li> <li>•Wall Height: 2.4</li> </ul> <p><b>Northern Boundary</b></p> <ul style="list-style-type: none"> <li>•Setback: 3.595 (Unit 4)</li> <li>•Wall Height: 2.4m</li> </ul> <p>These dimensions will ensure all proposed units are contained within the building envelope prescribed by Figure 8.1. All walls will be setback a minimum distance of 1.5m from all boundaries. Accordingly, sub-clause A1 (b) is not applicable. The proposed development satisfies the frontage setback requirements prescribed by clause 8.4.2A1</p>
8.4.3 Site coverage and private open space for all dwellings	
Acceptable solution 1	<p>Complies</p> <p>The site coverage is 32.3%. The proposal complies with sub-clause (a).</p> <p>Site coverage is defined in Table 3.2 of the Planning Scheme to mean <i>"the proportion of the site,</i></p>

excluding any access strip, covered by roofed buildings." The gross floor area of each unit is provided below. The proposed decks will not be roofed. The site coverage was calculated using the stated gross floor area of each unit below.

Unit	Gross Floor Area
1	130m <sup>2</sup>
2	144.94 m <sup>2</sup>
3	144.94 m <sup>2</sup>
4	119.76 m <sup>2</sup>
5	144.94 m <sup>2</sup>
6	144.94 m <sup>2</sup>
7	144.94 m <sup>2</sup>
8	130.11 m <sup>2</sup>
Total	1160 m <sup>2</sup>

The proposal complies with sub-clause (b) as each unit has a total area of private open space more than 60m<sup>2</sup> as per the table below.

Unit	Private Open Space
1	130 m <sup>2</sup>
2	160 m <sup>2</sup>
3	176 m <sup>2</sup>
4	268 m <sup>2</sup>
5	250 m <sup>2</sup>
6	204 m <sup>2</sup>
7	206 m <sup>2</sup>
8	142 m <sup>2</sup>

Acceptable solution 2

Complies

Each proposed dwelling will be provided with an area of private open space that will have:

- a minimum area of 24m<sup>2</sup> and a horizontal dimension of at least 4m;
- not have private open space located between a dwelling and the frontage; and
- a gradient of less than 10%.

**8.4.4 Sunlight to private open space of multiple dwellings**

Acceptable solution 1

Relies on Performance Criteria

Unit	Distance from	Wall height of
------	---------------	----------------

	northern edge of private open space of a unit to another unit	unit to north of POS
1	7.8m to wall of Unit 2.	Unit 2 wall height 2.4m
2	Wall of Unit 2 not directly north of POS	Not applicable
3	1.25m	Unit 4 wall height is 2.4m
4	No unit north of Unit 4	Not applicable
5	No unit north of Unit 5	Not applicable
6	4.7m from the wall of Unit 5	Unit 5 wall height 2.4m
7	1.9m from the wall of Unit 6	Unit 6 wall height 2.4m
8	1.5m from the wall of Unit 7	Unit 7 wall height 2.4m

Proposed Unit 4 will be located to the north of the private open space of proposed Unit 3. The private open space of Unit 3 has a depth of 11.3m measured from the southern wall of proposed Unit 4.

This depth will ensure that proposed Unit 4 will not cause 50% of the area of private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21<sup>st</sup> June which is confirmed by the submitted shadow diagram therefore satisfying sub-clause (b).

Proposed Unit 5 will be to the north of the private open space of proposed Unit 6. The separation between the southern wall of proposed Unit 5 and the private open space satisfies Figure 8.4 and subclause (a).

Proposed Unit 6 and proposed Unit 7 will be located to the north of the private open space of proposed Unit 7 and proposed Unit 8, respectively.

	<p>The separation distance between the unit and private open space for each location does not satisfy Figure 8.4.</p> <p>The private open space for respective units is narrow and is predominately directly to the south of the adjacent unit. The shadow diagrams require more detail including the location of the designated private open space for proposed Units 7 and 8, their total area and the amount of area that will be free from overshadowing over the specified time period.</p>
<b>8.4.5 Width of openings for garages and carports for all dwellings</b>	
Acceptable solution 1	Complies All garage openings will be located a minimum distance of 12m from the frontage.
<b>8.4.6 Privacy for all dwellings</b>	
Acceptable solution 1	Not Applicable All external parking areas and decks or patios will have a finished floor level of less than 1m above the existing ground level.
Acceptable solution 2	Not Applicable All external parking areas and decks or patios will have a finished floor level of less than 1m above the existing ground level.
Acceptable solution 3	Complies The proposed shared driveway will be located a minimum of 3m from all proposed units.
<b>8.4.7 Frontage fences for all dwellings</b>	
Acceptable solution 1	Not Applicable No frontage fences proposed.
<b>8.4.8 Waste storage for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>8.5 Development Standards for Non-dwellings</b>	
<b>8.5.1 Residential density for multiple dwellings</b>	
Acceptable solution 1	Not Applicable The application proposes multiple dwellings.
Acceptable solution 2	Not Applicable The application proposes multiple dwellings.
Acceptable solution 3	Not Applicable The application proposes multiple dwellings.
Acceptable solution 4	Not Applicable



	The application proposes multiple dwellings.
Acceptable solution 5	Not Applicable The application proposes multiple dwellings.
Acceptable solution 6	Not Applicable The application proposes multiple dwellings.
<b>8.5.2</b>	<b>Noon-residential garages and carports</b>
Acceptable solution 1	Not Applicable The application proposes multiple dwellings.
Acceptable solution 2	Not Applicable The application proposes multiple dwellings.
<b>8.6</b>	<b>Development Standards for Subdivision</b>
Not Applicable The application does not propose subdivision.	

## Codes

<b>C2 Parking and Sustainable Transport Code</b>		
Scheme Standard	Comment	Assessment
<b>C2.2 Application of this Code</b>		
	This code applies to all use and development.	Code applies
<b>C2.4 Development exempt from this Code</b>		
	There are no exemptions.	Code Applies
<b>C2.5.1 Car parking numbers</b>		
A1	Table C2.1 requires 2 car parking spaces for every 2 or more bedroom dwelling and 1 dedicated visitor car parking space per 4 dwellings for multiple dwelling developments.  In this instance, each proposed unit will be provided with a single car parking space within their attached garages and 1 additional external parking space within their individual strata curtilages. In addition, 3 visitor car parking spaces are proposed.	Complies with Acceptable Solution
<b>C2.5.2 Bicycle parking numbers</b>		
A1	Table C2.1 does not set a requirement for bicycle parking spaces to be provided for dwellings within the General Residential Zone.	Not Applicable

C2.5.3 Motorcycling parking numbers		
A1	Less than 20 car parking spaces are required.	Not Applicable
C2.5.4 Loading bays		
A1	Clause 2.5.4 does not apply to the Residential use class in accordance with clause C2.2.3 of the Scheme	Not Applicable
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	The proposal does not involve a non-residential use.	Not Applicable
C2.6.1 Construction of parking areas		
A1	The proposed driveway and car parking areas will be constructed with a concrete or sealed surface and will be drained to a legal stormwater discharge point.	Not Applicable
C2.6.2 Design and layout of parking areas		
A1.1	The proposed driveway and parking spaces will have a gradient of less than 25% (maximum grade allowed by AS2890). The proposed driveway and parking areas have been designed to enable vehicles are able to enter and exit the site in a forward direction. The proposal will utilise an existing access and the car parking spaces will have minimum widths of 2.6m and minimum lengths of 5.4m which are allowable for an access manoeuvring width of greater than 5.8m which is the case in this instance. The proposed driveway will have a minimum uniform width of 5.5m.  The proposal does not involve parking spaces that are designated for use by persons with a disability under the NCC.	Not Applicable
A1.2		
C2.6.3 Number of accesses for vehicles		
A1	The site has one access.	Complies with Acceptable Solution
A2	The subject site is located within the General Residential Zone.	Not Applicable

<b>C2.6.4</b> Lighting of parking within the General Business Zone and Central Business Zone		
A1	The subject site is located within the General Residential Zone.	Not Applicable
<b>C2.6.5</b> Pedestrian access		
A1.1	The Residential use requires 10 or more car parking spaces. A 1m wide pedestrian footpath is proposed to provide delineated access for pedestrians between each unit and the frontage. However, the footpath is not proposed to be separated in accordance with subclauses A1.1 (a) (i) or (ii)	Not Applicable
A1.2	Accessible parking spaces are not required to be provided for detached multiple dwelling units under the NCC.	
<b>C2.6.6</b> Loading bays		
A1	The Residential use does not require a loading bay.	Not Applicable
A2		Not Applicable
<b>C2.6.7</b> Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1	The subject site is located within the General Residential Zone.	Not Applicable
A2	The subject site is located within the General Residential Zone.	Not Applicable
<b>C2.6.8</b> Siting of parking and turning areas		
A1	The subject site is located within General Residential Zone.	Not Applicable
A2	The subject site is located within the General Residential Zone.	Not Applicable
<b>C2.7.1</b> Parking precinct plan		
A1	The subject site is not located within a parking precinct plan.	Not Applicable

<b>C3 Road and Railway Assets Code</b>		
Scheme Standard	Comment	Assessment
<b>C3.2</b> Application of this Code		
	The proposal includes one (1) new vehicle crossings.	Code applies
<b>C3.4</b> Development exempt from this Code		
	There are no exemptions from this code.	Not exempt
<b>C3.5</b> Use Standards		

<b>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</b>		
A1.1	Not Applicable – Franklin Street is not a Category 1 road.	Complies with Acceptable Solution
A1.2	Road Authority provided consent for one (1) additional access on 16 June 2021. Conditions on the standard of work have been recommended.	
A1.3	Not applicable – The site is not within proximity of the rail network.	
A1.4	The subject lot was part of a recently approved sub-division (PA\19\0053) in which the lot was designed to be split into two lots. The approved traffic assessment of this sub-division considered the two lots as having traffic movements of 9 vpd per lot (i.e. the subject lot has recently been approved to accommodate 18 vpd). The proposed development of 8 units will have traffic movements of 48 vpd. This is an increase of 30 vpd, which is less than the acceptable increase of 40 vpd	
A1.5	Not applicable – Franklin Street is not a major road.	
<b>C3.6 Development Standards for Building or Works</b>		
<b>C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area</b>		
A1	The proposal is for multiple dwellings and includes the development of habitable buildings. The subject site is outside of the attenuation area of the railway.	Not Applicable
<b>C3.7 Development Standards for Subdivision</b>		
<b>C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area</b>		
A1	The application does not propose subdivision.	Not Applicable

### Internal Referrals

#### Infrastructure Department

The following advice was provided by the Infrastructure Department.

*"The Infrastructure Department considered that under C3 of the Tasmanian Planning Scheme – Meander Valley, the acceptable solution A1.4 has been met.*

*The subject lot was part of a recently approved subdivision in which the lot was designed to be split into two (2) lots. The approved traffic assessment of this subdivision considered the two (2) lots as having traffic movements of nine (9) vpd per lot (i.e. the subject lot has recently been approved to accommodate 18 vpd). The proposed development of eight (8) units will have traffic movements of 48 vpd. This is an increase of 30 vpd, which is less than the acceptable increase of 40 vpd.*

*I also note that stormwater plan as requested under the section 54 letter has been provided and is acceptable."*

### **Conclusion**

It is considered that the application for eight (8) multiple dwellings on land at 6 Franklin Street, Westbury is acceptable in the General Residential Zone and is recommended for approval.

### **DECISION:**

# APPLICATION FORM

## PLANNING

### Land Use Planning and Approvals Act 1993

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

#### OFFICE USE ONLY

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

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

#### PROPERTY DETAILS:

Address:	<input type="text" value="6 Franklin St"/>	Certificate of Title:	<input type="text" value="179958"/>
Suburb:	<input type="text" value="Westbury TAS"/>	<input type="text" value="7303"/>	Lot No: <input type="text" value="12"/>
Land area:	<input type="text" value="Approx . 3560"/>	<input checked="" type="checkbox"/> m <sup>2</sup>	ha
Present use of land/building:	<input type="text" value="Vacant residential lot"/>	<i>(vacant, residential, rural, industrial, commercial or forestry)</i>	
Does the application involve Crown Land or Private access via a Crown Access Licence:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Heritage Listed Property:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

#### DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input checked="" type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input type="checkbox"/> Subdivision
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Demolition	
	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 1 800 000"/>	<i>Includes total cost of building work, landscaping, road works and infrastructure</i>	
Description of work:	<input type="text" value="Proposed units development"/>		
Use of building:	<input type="text" value="Residential Dwellings"/>	<i>(main use of proposed building – dwelling, garage, farm building, factory, office, shop)</i>	
New floor area:	<input type="text" value="1184.19 m&lt;sup&gt;2&lt;/sup&gt;"/>	New building height:	<input type="text" value="5.2 m"/>
Materials:	External walls: <input type="text" value="Brick Veneer"/>	Colour:	<input type="text" value="Neutral"/>
	Roof cladding: <input type="text" value="Colorbond"/>	Colour:	<input type="text" value="Neutral"/>

SEARCH OF TORRENS TITLE

VOLUME 179958	FOLIO 12
EDITION 1	DATE OF ISSUE 05-Jan-2021

SEARCH DATE : 08-Sep-2021

SEARCH TIME : 01.27 PM

DESCRIPTION OF LAND

Town of WESTBURY  
 Lot 12 on Sealed Plan 179958  
 Derivation : Part of 5A-2R-25P (Sec. A) Gtd. to Edward Martin  
 Prior CT 179110/100

SCHEDULE 1

M698655 TRANSFER to WILLIAM FRANKLIN PTY LTD Registered  
 26-Jun-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 SP179958 EASEMENTS in Schedule of Easements  
 SP179958 FENCING COVENANT in Schedule of Easements  
 SP179110 FENCING COVENANT in Schedule of Easements  
 C766862 FENCING PROVISION in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

**OWNER**  
WILLIAM FRANKLIN PTY LTD

**FOLIO REFERENCE**  
179110-100

**GRANTEE**  
PART OF LOT 2 SECTION A (5a-2r-25p)  
GRANTED TO EDWARD MARTIN  
PART OF LOT 1001 (418m<sup>2</sup>) THE CROWN

**PLAN OF SURVEY**

**COHEN & ASSOCIATES PTY LTD,  
LAUNCESTON**

BY SURVEYOR: A.R. FAIRFIELD

**TOWN OF WESTBURY  
SECTION A**

LOCATION

SCALE 1 : 500      LENGTHS IN METRES

**REGISTERED NUMBER**  
**SP179958**

~~APPROVED~~  
EFFECTIVE FROM - 5 JAN 2021

*Renn*  
Recorder of Titles

ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

(SP 179110)  
(P 164730)  
(SP 150259)  
(P 230867)

(SP 179110)  
(SP 179110)

(SP 179110)  
(P 164730)  
(SP 150259)  
(P 230867)

(SP 179110)  
(SP 179110)

(SP 162062)  
(P 116530)  
(D 18371)

(SP 123263)  
(SP 118989)  
(D 14963)  
(P 4571) LO

11  
2085m<sup>2</sup>

12  
3551m<sup>2</sup>

FRANKLIN STREET

SEWERAGE EASEMENT 3.00 WIDE (P 164730)

DRAINAGE EASEMENT (SP 150259)

TASWATER EASEMENT (4.88)

113°24'20" 58.27

9°38' 28.97

121°24'40" 54.62

9°38'00" 79.45

189°25'20" 68.22

189°25'20" 34.81

189°25'20" 21.42

190°22' 190.22

15.97 279°21'

36.29 279°22'00"

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LINE	BEARING	DISTANCE
A	280°30'	4.25
B	190°22'	4.72
C	157°43'	3.19

*A. Fairfield*  
REGISTERED LAND SURVEYOR      DATE 24.9.20

**J. Jordan**  
GENERAL MANAGER  
COUNCIL DELEGATE      DATE 3 12.2020

27-76 (7002) 23/9/2020 17:16



<b>SCHEDULE OF EASEMENTS</b>	Registered Number
<b>NOTE:</b> THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP179110

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

Lot 11 on the Plan ("the Lot") is subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "SEWERAGE EASEMENT 3.00 WIDE (P 164730)" shown on the Plan ("the Easement Land"). -

Lot 11 on the Plan is subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "SEWERAGE EASEMENT 3.00 WIDE (P 164730)" on the Plan as created by and more fully set forth in SP179110. -

Lot 11 on the Plan is subject to a Sewerage Easement in favour of Tasmanian Water and Sewerage Corporation (Northern Region) Pty Limited over the land marked "SEWERAGE EASEMENT 3.00 WIDE (P 164730)" on the Plan and as created by and more fully set forth in D52487. -

Lot 11 on the Plan is subject to a Right of Drainage in favour of the Meander Valley Council over the land marked "DRAINAGE EASEMENT (SP 150259)" shown passing through Lot 11 on the Plan.



Lot 12 on the Plan ("the Lot") is subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "TASWATER EASEMENT" shown on the Plan ("the Easement Land"). -

Lot 12 on the Plan is subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "SEWERAGE EASEMENT 3.00 WIDE (P 164730)" on the Plan as created by and more fully set forth in SP179110. -


Lot 12 on the Plan is subject to a Sewerage Easement in favour of Tasmanian Water and Sewerage Corporation (Northern Region) Pty Limited over the land marked "SEWERAGE EASEMENT 3.00 WIDE (P 164730)" on the Plan and as created by and more fully set forth in D52487. -

FENCING COVENANT

The Owner of each lot on the Plan covenants with the Vendor (William Franklin Pty Ltd) that the Vendor shall not be required to fence.

.....  



(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: William Franklin Pty Ltd FOLIO REF: Certificate of Title Volume 179110 Folio 100 SOLICITOR & REFERENCE: Sproal & Associates – Barry Sproal	PLAN SEALED BY: Meander Valley Council DATE: 3 December 2020 REF NO. PA/19/0053  J. Jordan GENERAL MANAGER Council Delegate
<b>NOTE:</b> The Council Delegate must sign the Certificate for the purposes of identification.	

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 2 OF 3 PAGES</p>	<p>Registered Number</p> <p>SP 179958</p>
<p>SUBDIVIDER: William Franklin Pty Ltd FOLIO REFERENCE: Volume 179110 Folio 100</p>	

**INTERPRETATION**

"Pipeline & Services Easement" is defined as follows:

**FIRSTLY**, the full and free right and liberty for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
  - (a) without doing unnecessary damage to the Easement Land; and
  - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

**SECONDLY**, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described.

Interpretation:

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) Sewer pipes and water pipes and associated valves;
- (b) Telemetry and monitoring devices;
- (c) Inspection and access pits;
- (d) Electricity assets and other conducting media (excluding telemetry and monitoring devices);
- (e) Markers or signs indicating the location of the Easement Land, or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) Anything reasonably required to support, protect or cover any other Infrastructure;
- (g) Any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) Where the context permits, any part of the Infrastructure.

"Tas Water" means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653), its successors and assigns.

.....  .....

.....  .....

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

<p><b>ANNEXURE TO SCHEDULE OF EASEMENTS</b></p> <p>PAGE 3 OF 3 PAGES</p>	<p>Registered Number</p> <p><b>SP 179358</b></p>
<p>SUBDIVIDER: William Franklin Pty Ltd FOLIO REFERENCE: Volume 179110 Folio 100</p>	

EXECUTED by WILLIAM FRANKLIN PTY LTD being the registered proprietor of the land comprised in Folio of the Register Volume 179110 Folio 100 pursuant to Section 127 of the Corporations Act 2001:

.....  
(Director)

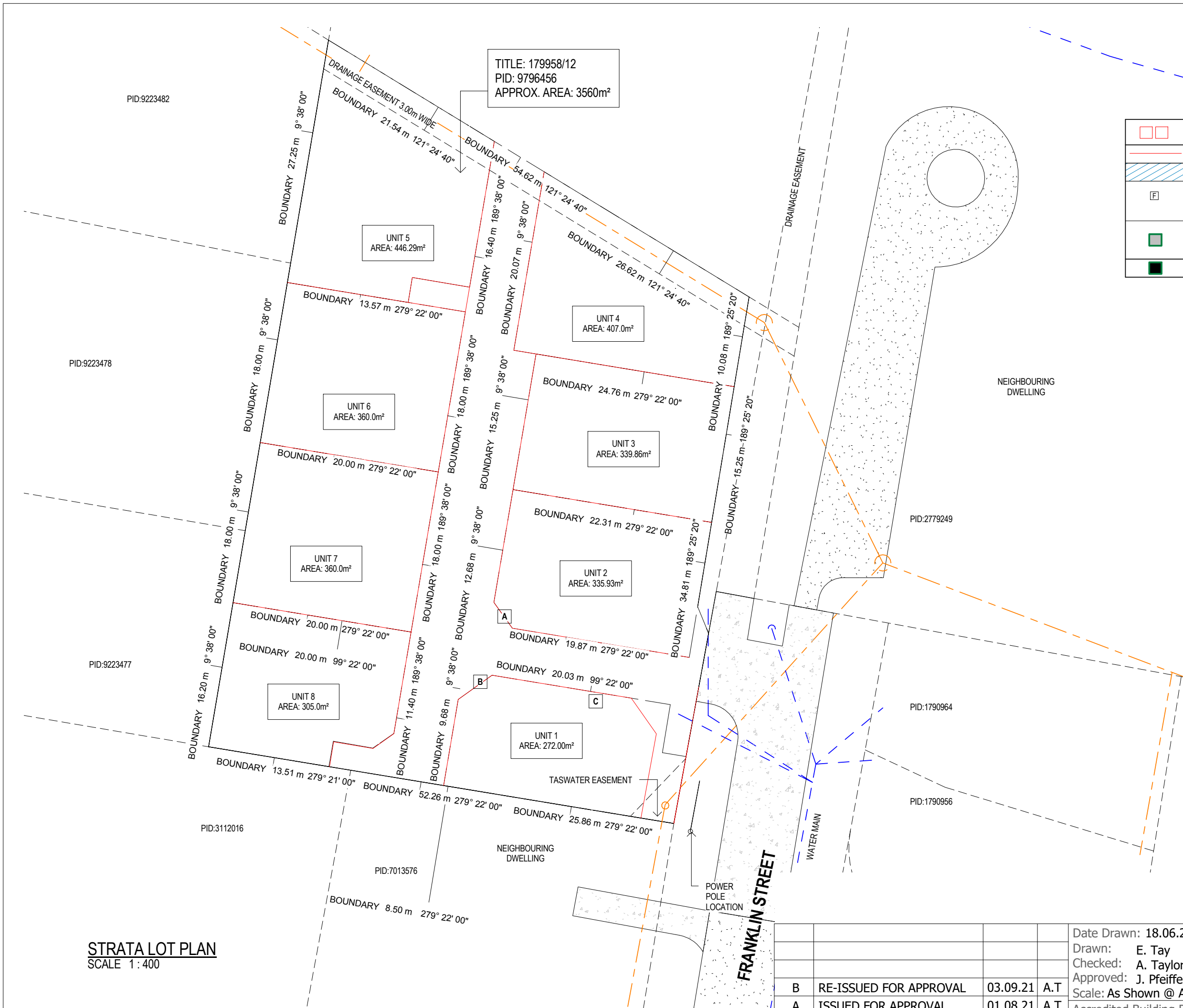
.....  
(Director/Secretary)

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

TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>

	PROPOSED RUBBISH AND RECYCLING BINS 1.5m <sup>2</sup> WASTE STORAGE AREA
	STRATA BOUNDARY
	OFF STREET DESIGNATED PARKING
	PROPOSED 1.8m HIGH TIMBER FENCE (NON-TRANSPARENT) NATURAL IN COLOUR TO END @ 4.5M FROM PRIMARY FRONTAGE IN ACCORDANCE WITH MEANDER VALLEY INTERIM PLANNING SCHEME 6.4.2
	600x600 STORMWATER PIT INSTALLED TO DISRUPT STORMWATER RUNOFF TO BE CONNECTED TO STORMWATER SYSTEM
	6 CUBIC METRES OF SECURE STORAGE SPACE

LINE	DISTANCE	BEARINGS
A	4.92m	324°19'55"
B	2.83m	54°19'55"
C	2.80m	144°56'00"



**STRATA LOT PLAN**  
 SCALE 1 : 400

**ISSUED FOR APPROVAL**

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Client: **WILLIAM FRANKLIN PTY LTD**  
 Project: **PROPOSED UNITS DEVELOPMENT**  
 Address: **6 FRANKLIN ST  
 WESTBURY TAS 7303**

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 jack@engineeringplus.com.au  
 trn@engineeringplus.com.au

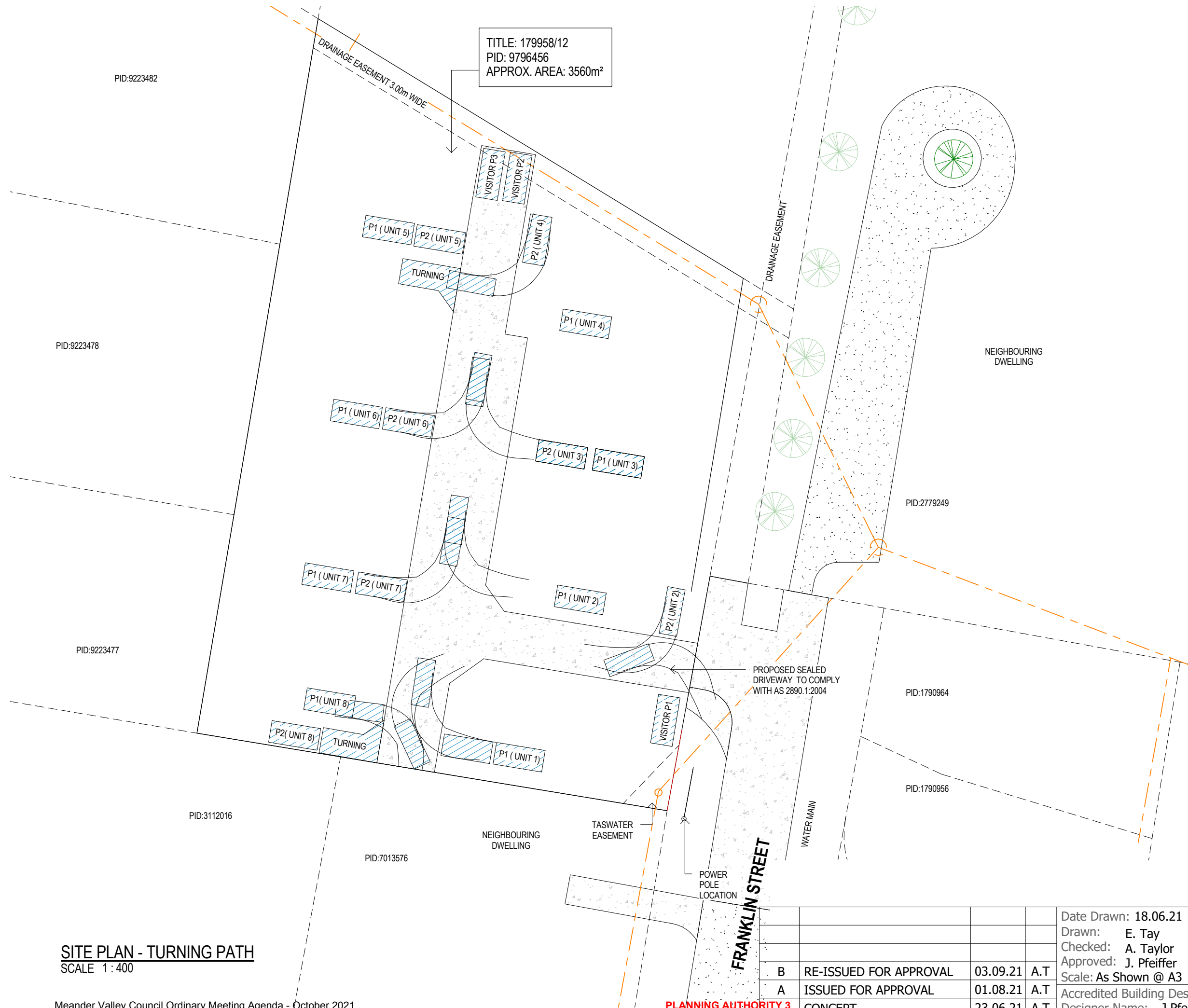
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A	ISSUED FOR APPROVAL	01.08.21	A.T
	CONCEPT	23.06.21	A.T
Rev:	Amendment:	Date:	Int:

Date Drawn: 18.06.21  
 Drawn: E. Tay  
 Checked: A. Taylor  
 Approved: J. Pfeiffer  
 Scale: As Shown @ A3

Accredited Building Designer  
 Designer Name: J.Pfeiffer  
 Accreditation No: CC2211T

Drawing No: 13121  
 Page 188  
 A01  
 Rev B

TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>



**SITE PLAN - TURNING PATH**  
 SCALE 1:400

Meander Valley Council Ordinary Meeting Agenda - October 2021

**ISSUED FOR APPROVAL**

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 jack@engineeringplus.com.au  
 trin@engineeringplus.com.au

B	RE-ISSUED FOR APPROVAL	03.09.21	A.T
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Date Drawn: 18.06.21  
 Drawn: E. Tay  
 Checked: A. Taylor  
 Approved: J. Pfeiffer  
 Scale: As Shown @ A3

Accredited Building Designer  
 Designer Name: J.Pfeiffer  
 Accreditation No: CC2211T

Drawing No: 13121  
 Page 189  
 A02  
 Rev B

PLANNING AUTHORITY 3



TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>

	PROPOSED RUBBISH AND RECYCLING BINS 1.5m <sup>2</sup> WASTE STORAGE AREA
	STRATA BOUNDARY
	OFF STREET DESIGNATED PARKING
	PROPOSED 1.8m HIGH TIMBER FENCE (NON-TRANSPARENT) NATURAL IN COLOUR TO END @ 4.5M FROM PRIMARY FRONTAGE IN ACCORDANCE WITH MEANDER VALLEY INTERIM PLANNING SCHEME 6.4.2
	600x600 STORMWATER PIT INSTALLED TO DISRUPT STORMWATER RUNOFF TO BE CONNECTED TO STORMWATER SYSTEM
	6 CUBIC METRES OF SECURE STORAGE SPACE

LOT 12 PID: 9796456 TITLE: 179958/12 AREA: APPROX. 3560m <sup>2</sup>	
UNIT 1 (LOT 12) - 315.88m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (7.60%)
IMPERVIOUS SURFACE	130.09m <sup>2</sup> (41.18%)
UNIT 2 (LOT 12) - 335.93m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (7.14%)
IMPERVIOUS SURFACE	157.44m <sup>2</sup> (46.87%)
UNIT 3 (LOT 12) - 339.86m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (7.06%)
IMPERVIOUS SURFACE	157.44m <sup>2</sup> (46.32%)
UNIT 4 (LOT 12) - 372.96m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (6.44%)
IMPERVIOUS SURFACE	138.22m <sup>2</sup> (37.06%)
UNIT 5 (LOT 12) - 446.29m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (5.38%)
IMPERVIOUS SURFACE	157.44m <sup>2</sup> (35.28%)
UNIT 6 (LOT 12) - 359.91m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (6.67%)
IMPERVIOUS SURFACE	157.44m <sup>2</sup> (43.74%)
UNIT 7 (LOT 12) - 360.00m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (6.67%)
IMPERVIOUS SURFACE	157.44m <sup>2</sup> (43.73%)
UNIT 8 (LOT 12) - 303.68m <sup>2</sup>	
	PRIVATE OPEN SPACES 24.00m <sup>2</sup> (7.90%)
IMPERVIOUS SURFACE	130.09m <sup>2</sup> (42.84%)
SHARED COMMON (DRIVEWAY) 643.78m <sup>2</sup> (18.08%)	
NO. OF PARKING PER DWELLING : 2	
NO. OF VISITOR PARKING: 3	



LEGEND	
	SEWER
	WATER
	STORMWATER

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 Project: **PROPOSED UNITS DEVELOPMENT**  
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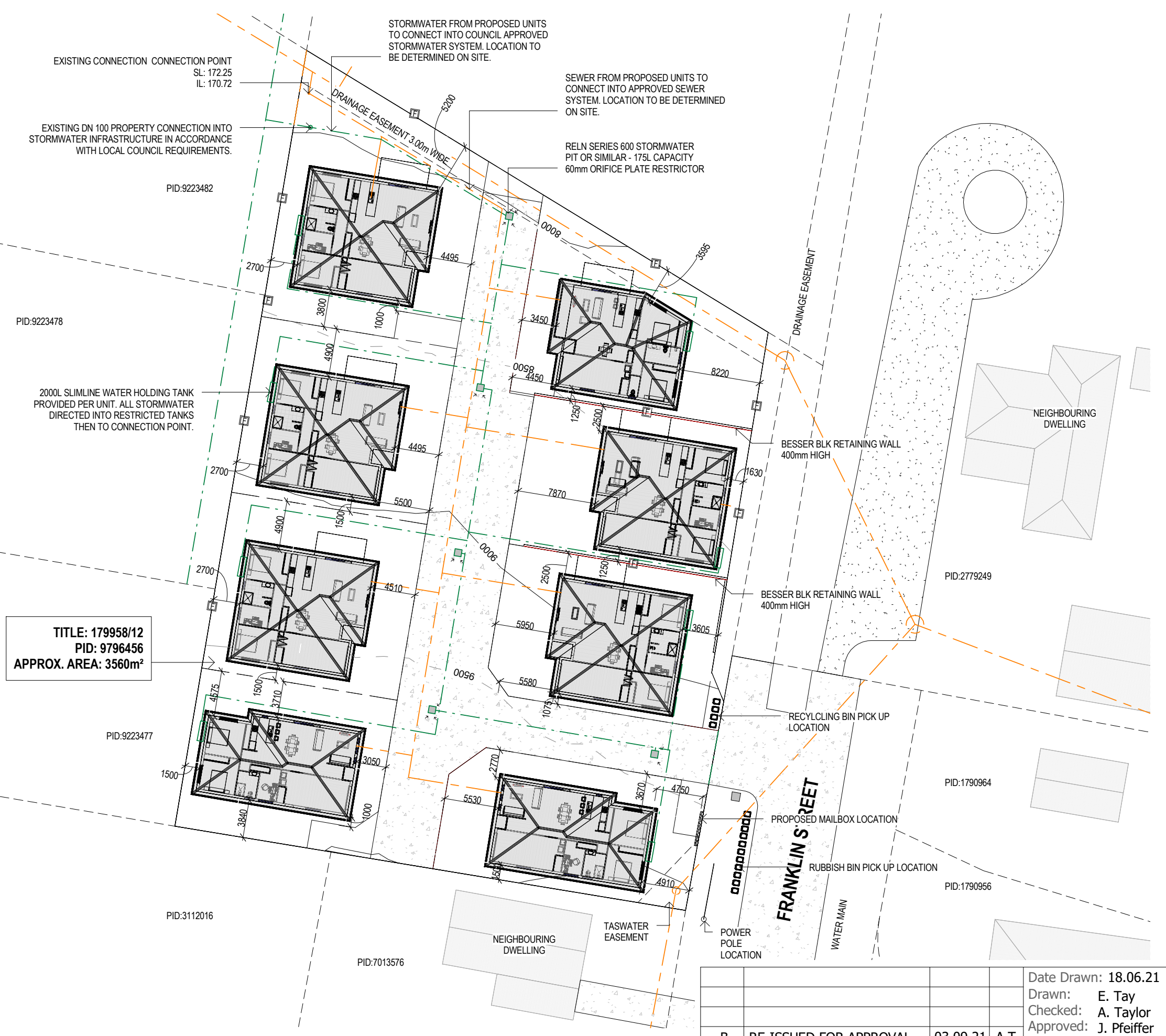


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A	ISSUED FOR APPROVAL	01.08.21	A.T
	CONCEPT	23.06.21	A.T
Rev:	Amendment:	Date:	Int:

Date Drawn: 18.06.21  
 Drawn: E. Tay  
 Checked: A. Taylor  
 Approved: J. Pfeiffer  
 Scale: As Shown @ A3

Accredited Building Designer  
 Designer Name: J. Pfeiffer  
 Accreditation No: CC2211T

**SITE PLAN**  
 SCALE 1:400



TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>

**STORMWATER MANAGEMENT PLAN**  
 SCALE 1:400

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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
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				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer
A	ISSUED FOR APPROVAL	01.08.21	A.T	Designer Name: J.Pfeiffer
	CONCEPT	23.06.21	A.T	Accreditation No: CC2211T
Rev:	Amendment:	Date:	Int:	

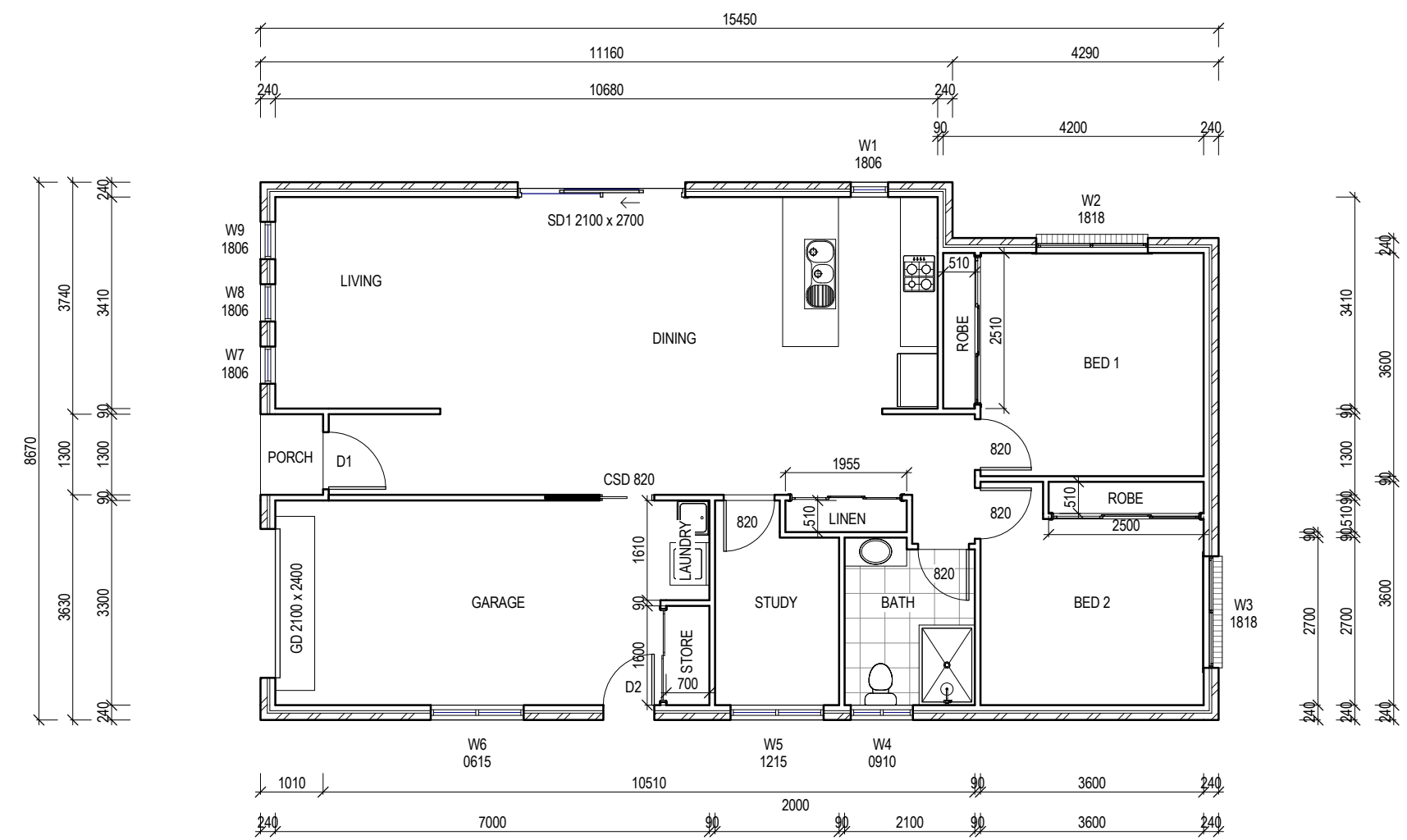
Drawing No: 13121  
 Page 191  
 A04  
 Rev B



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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	600	DG	4.3	.55
W2	1800	1800	DG	4.3	.55
W3	1800	1800	DG	4.3	.55
W4	900	1000	DG	4.3	.55
W5	1200	1500	DG	4.3	.55
W6	600	1500	DG	4.3	.55
W7	1800	600	DG	4.3	.55
W8	1800	600	DG	4.3	.55
W9	1800	600	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61



**CONSTRUCTION PLAN - UNIT 1**  
 SCALE 1 : 100

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>

**ISSUED FOR APPROVAL**

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 Project: PROPOSED UNITS DEVELOPMENT  
 Address: 6 FRANKLIN ST  
 WESTBURY TAS 7303  
 Mob 0417 362 783 or 0417 545 813  
 jack@engineeringplus.com.au  
 trin@engineeringplus.com.au

Date Drawn:	18.06.21
Drawn:	E. Tay
Checked:	A. Taylor
Approved:	J. Pfeiffer
Scale:	As Shown @ A3
Accredited Building Designer	
Designer Name:	J.Pfeiffer
Accreditation No:	CC2211T

PLANNING AUTHORITY 3

Rev:	Amendment:	Date:	Int:
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T
A	ISSUED FOR APPROVAL	01.08.21	A.T
	CONCEPT	23.06.21	A.T

Drawing No: 13121  
 Page 192  
 A05  
 Rev B

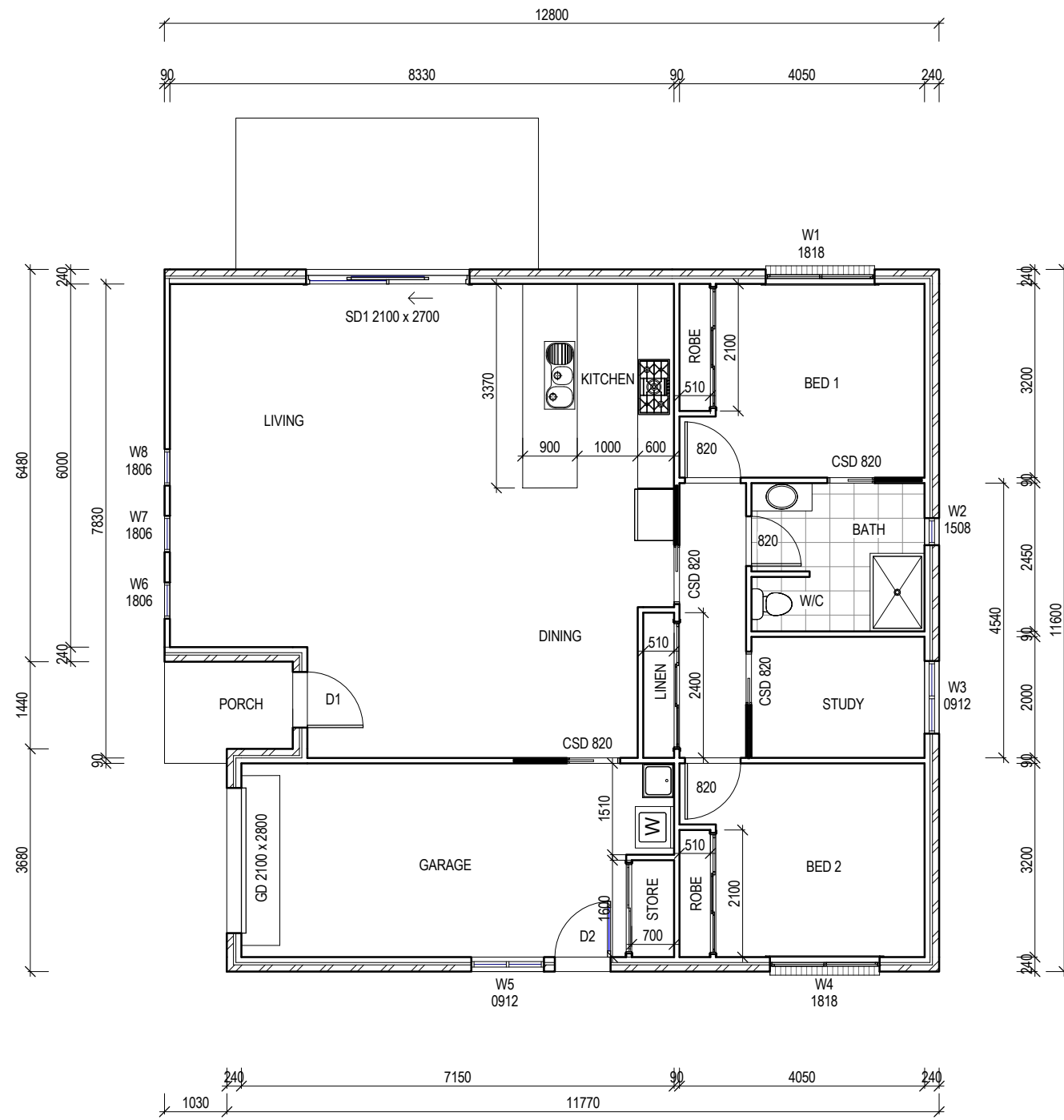


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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1500	800	DG	4.3	.55
W3	900	1200	DG	4.3	.55
W4	1800	1800	DG	4.3	.55
W5	900	1200	DG	4.3	.55
W6	1800	600	DG	4.3	.55
W7	1800	600	DG	4.3	.55
W8	1800	600	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 2**  
 SCALE 1 : 100

**ISSUED FOR APPROVAL**

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 Project: PROPOSED UNITS DEVELOPMENT  
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 WESTBURY TAS 7303  
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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

PLANNING AUTHORITY 3

Accredited Building Designer  
 Designer Name: J.Pfeiffer  
 Accreditation No: CC2211T

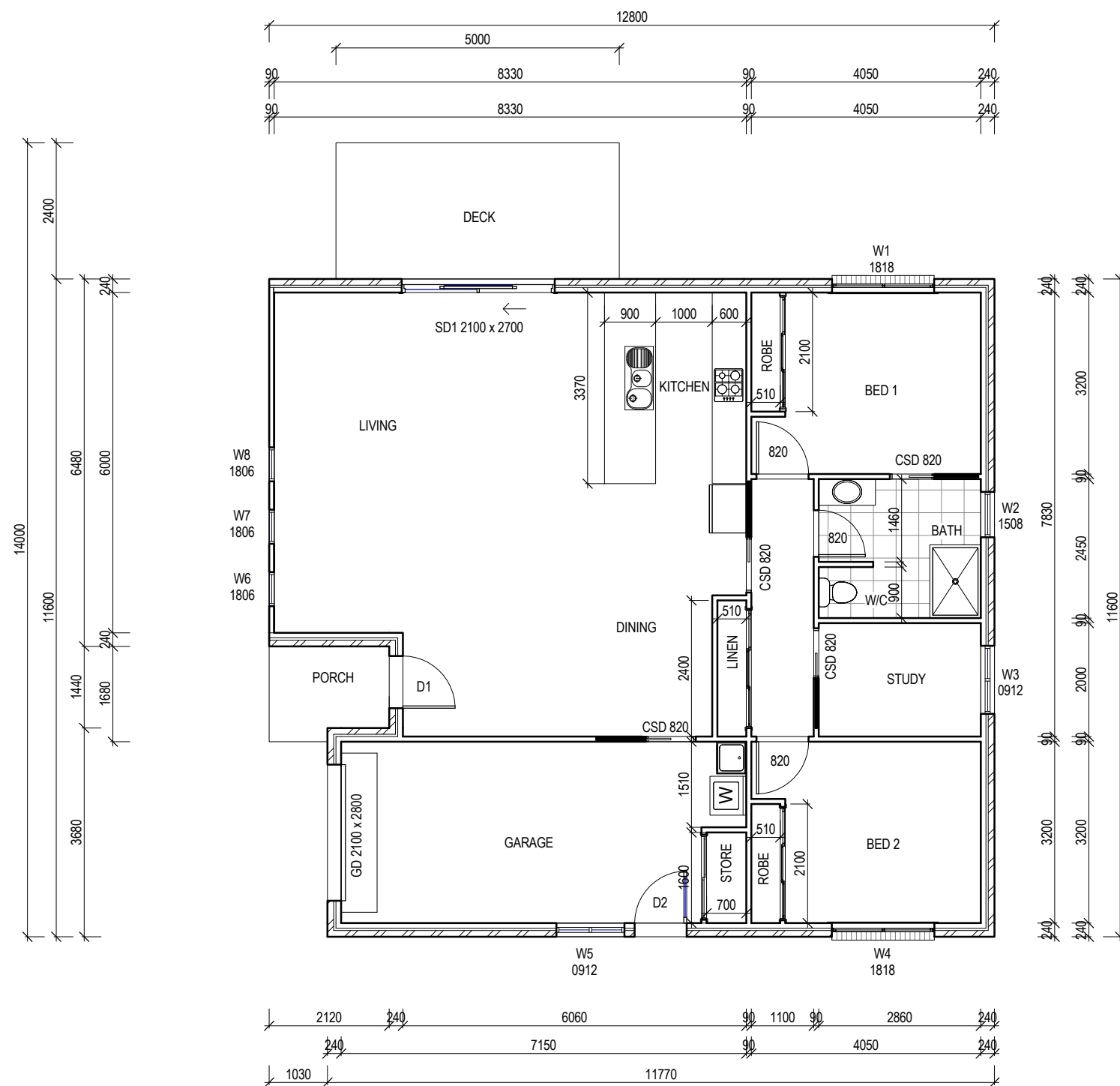
Drawing No: 13121  
 Page 193  
 A06  
 Rev B

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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1500	800	DG	4.3	.55
W3	900	1200	DG	4.3	.55
W4	1800	1800	DG	4.3	.55
W5	900	1200	DG	4.3	.55
W6	1800	600	DG	4.3	.55
W7	1800	600	DG	4.3	.55
W8	1800	600	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 3**  
 SCALE 1 : 100

**ISSUED FOR APPROVAL**

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Client: WILLIAM FRANKLIN PTY LTD  
 Project: PROPOSED UNITS DEVELOPMENT  
 Address: 6 FRANKLIN ST  
 WESTBURY TAS 7303

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 jack@engineeringplus.com.au  
 trin@engineeringplus.com.au



Date Drawn: 18.06.21	Accredited Building Designer	Drawing No: 13121	Rev B
Drawn: E. Tay	Designer Name: J.Pfeiffer	Page 194	
Checked: A. Taylor	Accreditation No: CC2211T		
Approved: J. Pfeiffer			
Scale: As Shown @ A3			

B	RE-ISSUED FOR APPROVAL	03.09.21	A.T
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	CONCEPT	23.06.21	A.T
Rev:	Amendment:	Date:	Int:

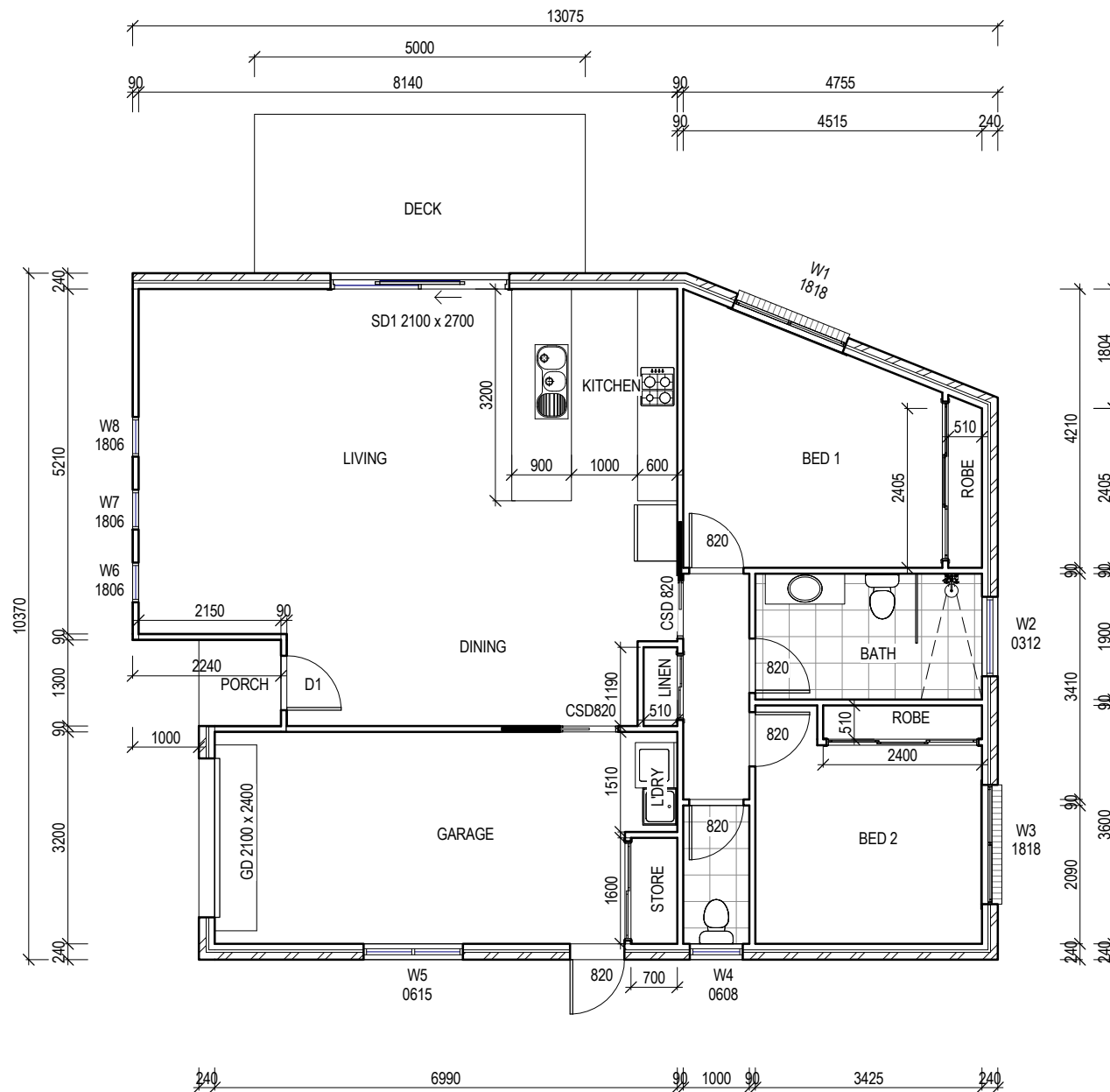
PLANNING AUTHORITY 3

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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	300	1200	DG	4.3	.55
W3	1800	1800	DG	4.3	.55
W4	600	800	DG	4.3	.55
W5	600	1500	DG	4.3	.55
W6	1800	600	DG	4.3	.55
W7	1800	600	DG	4.3	.55
W8	1800	600	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 4**  
 SCALE 1 : 100

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Date Drawn: 18.06.21	Accredited Building Designer	Drawing No: 13121	Rev B
Drawn: E. Tay	Designer Name: J.Pfeiffer	Page 195	
Checked: A. Taylor	Accreditation No: CC2211T		
Approved: J. Pfeiffer			
Scale: As Shown @ A3			
<b>B</b> RE-ISSUED FOR APPROVAL	03.09.21	A.T	
<b>A</b> ISSUED FOR APPROVAL	01.08.21	A.T	
<b>CONCEPT</b>	23.06.21	A.T	
Rev: Amendment:	Date:	Int:	

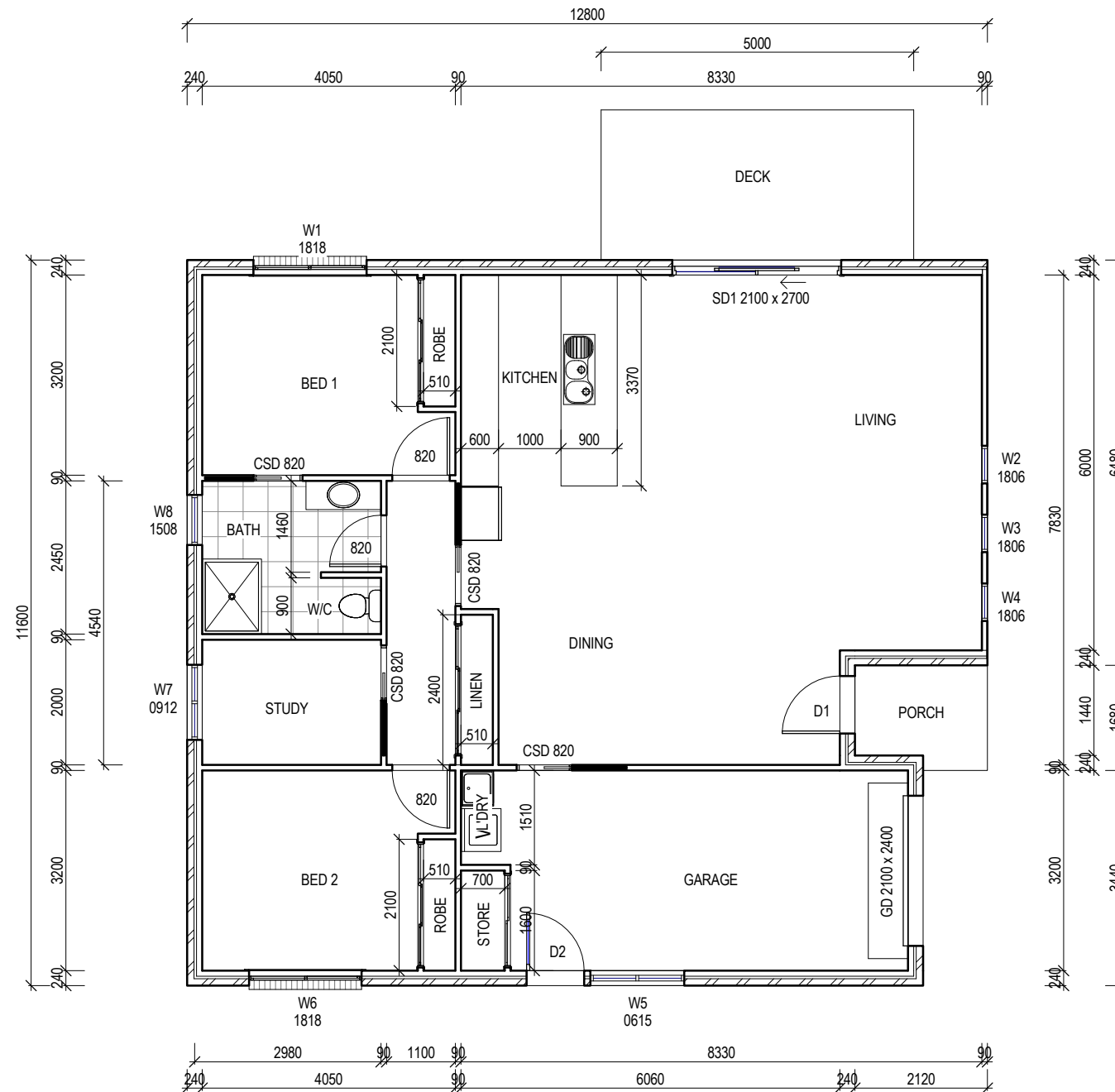
PLANNING AUTHORITY 3

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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1800	600	DG	4.3	.55
W3	1800	600	DG	4.3	.55
W4	1800	600	DG	4.3	.55
W5	600	1500	DG	4.3	.55
W6	1800	1800	DG	4.3	.55
W7	900	1200	DG	4.3	.55
W8	1500	800	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 5**  
 SCALE 1:100

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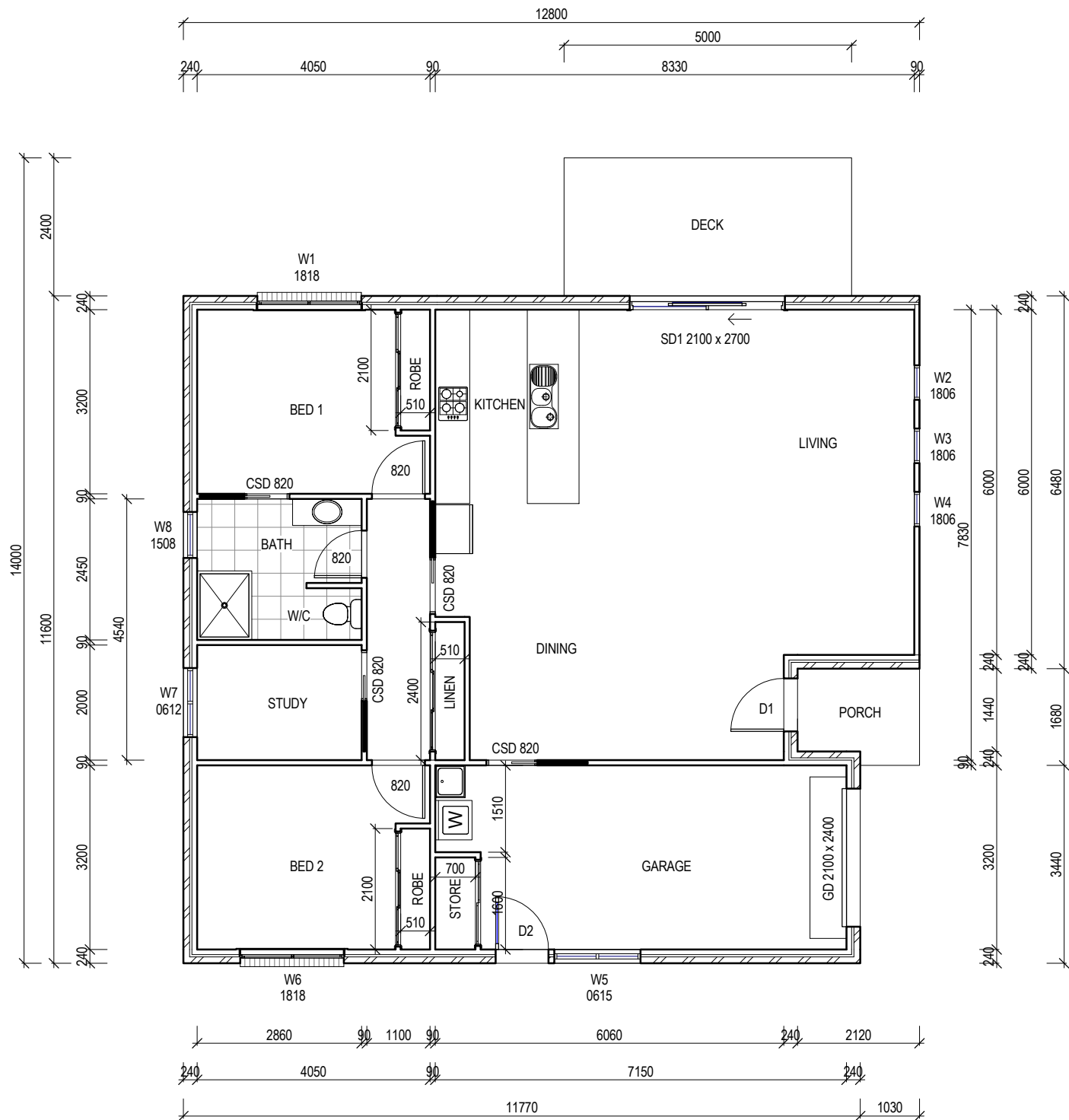
Date Drawn: 18.06.21	Accredited Building Designer	Drawing No: 13121	Rev B
Drawn: E. Tay	Designer Name: J.Pfeiffer	Page 196	
Checked: A. Taylor	Accreditation No: CC2211T		
Approved: J. Pfeiffer			
Scale: As Shown @ A3			
<b>B</b> RE-ISSUED FOR APPROVAL 03.09.21 A.T			
<b>A</b> ISSUED FOR APPROVAL 01.08.21 A.T			
<b>PLANNING AUTHORITY 3</b> CONCEPT 23.06.21 A.T			
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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1800	600	DG	4.3	.55
W3	1800	600	DG	4.3	.55
W4	1800	600	DG	4.3	.55
W5	600	1500	DG	4.3	.55
W6	1800	1800	DG	4.3	.55
W7	600	1200	DG	4.3	.55
W8	1500	800	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 6**  
 SCALE 1:100

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 trin@engineeringplus.com.au



Date Drawn:	18.06.21
Drawn:	E. Tay
Checked:	A. Taylor
Approved:	J. Pfeiffer
Scale:	As Shown @ A3
Accredited Building Designer	
Designer Name:	J. Pfeiffer
Accreditation No:	CC2211T

Drawing No:	13121	Rev	B
Page	197		

Rev:	Amendment:	Date:	Int:
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A	ISSUED FOR APPROVAL	01.08.21	A.T
	CONCEPT	23.06.21	A.T

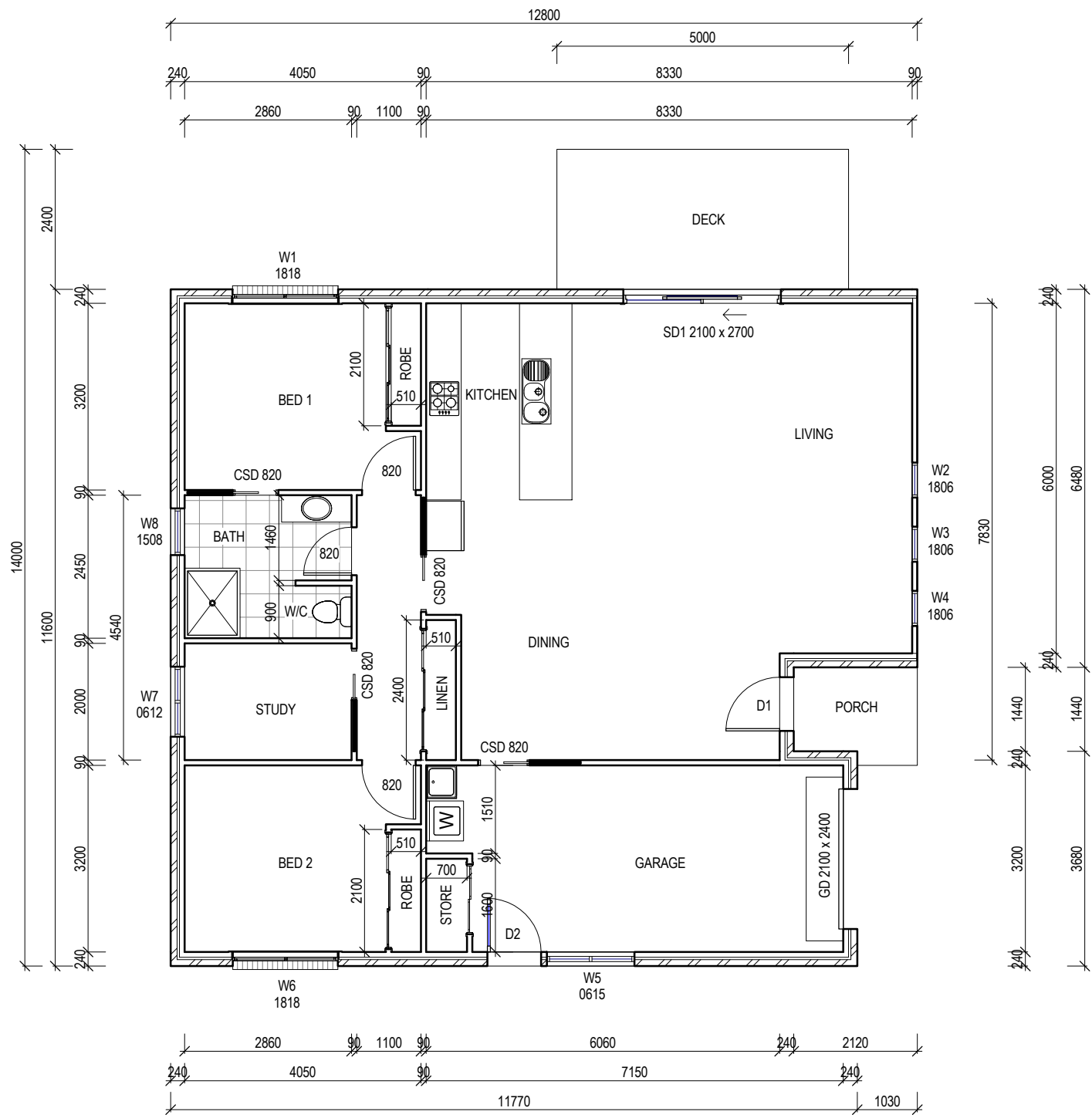
PLANNING AUTHORITY 3

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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1800	600	DG	4.3	.55
W3	1800	600	DG	4.3	.55
W4	1800	600	DG	4.3	.55
W5	600	1500	DG	4.3	.55
W6	1800	1800	DG	4.3	.55
W7	600	1200	DG	4.3	.55
W8	1500	800	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 7**  
 SCALE 1:100

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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

PLANNING AUTHORITY 3

Accredited Building Designer  
 Designer Name: J.Pfeiffer  
 Accreditation No: CC2211T

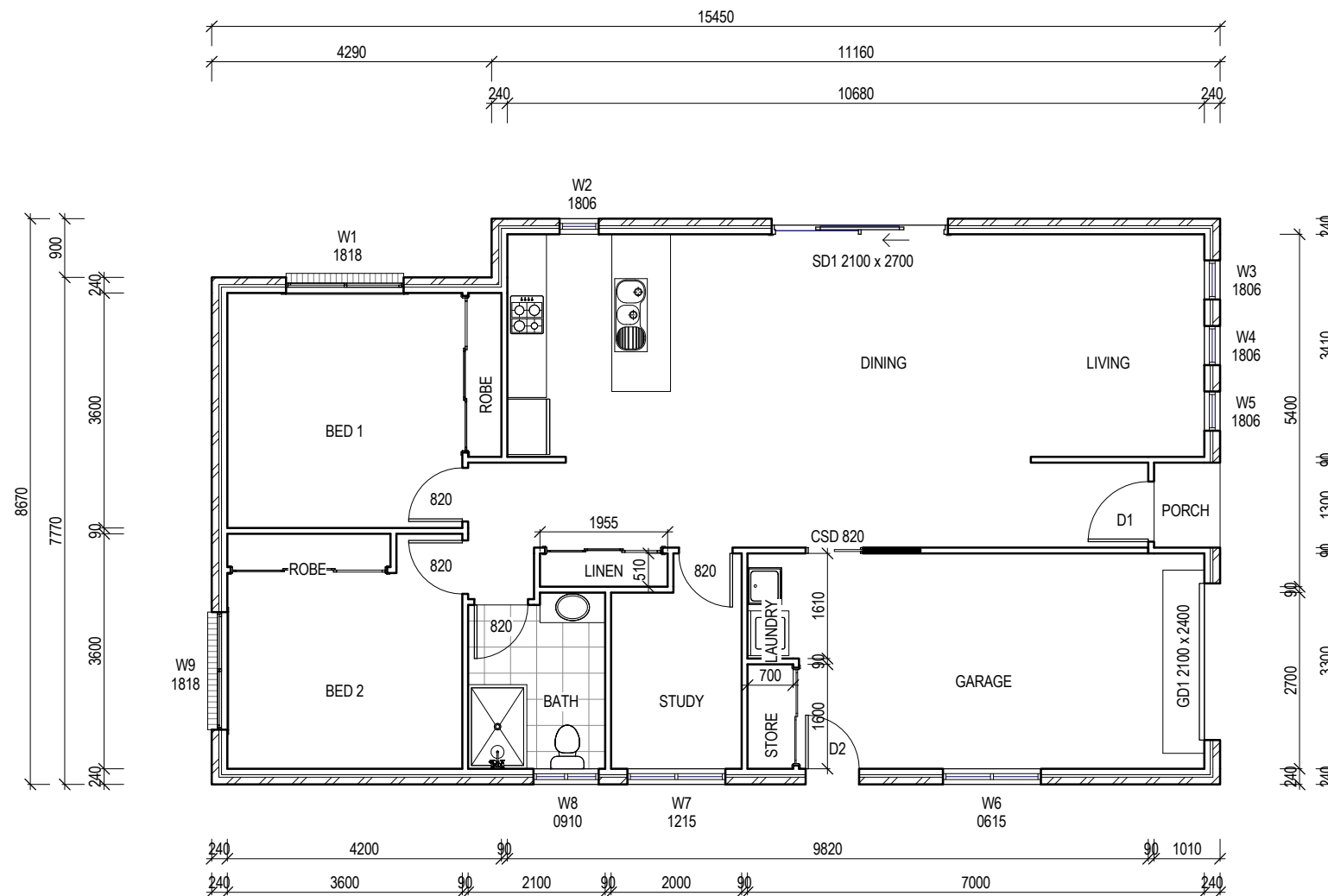
Drawing No: 13121  
 Page 198  
 Rev B

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**WINDOW SCHEDULE**

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	4.3	.55
W2	1800	600	DG	4.3	.55
W3	1800	600	DG	4.3	.55
W4	1800	600	DG	4.3	.55
W5	1800	600	DG	4.3	.55
W6	600	1500	DG	4.3	.55
W7	1200	1500	DG	4.3	.55
W8	900	600	DG	4.3	.55
W9	1800	1800	DG	4.3	.55
D1	2100	920	DG	4.0	.61
D2	2100	820	DG	4.0	.61
SD1	2100	2700	DG	4.0	.61

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>



**CONSTRUCTION PLAN - UNIT 8**  
 SCALE 1:100

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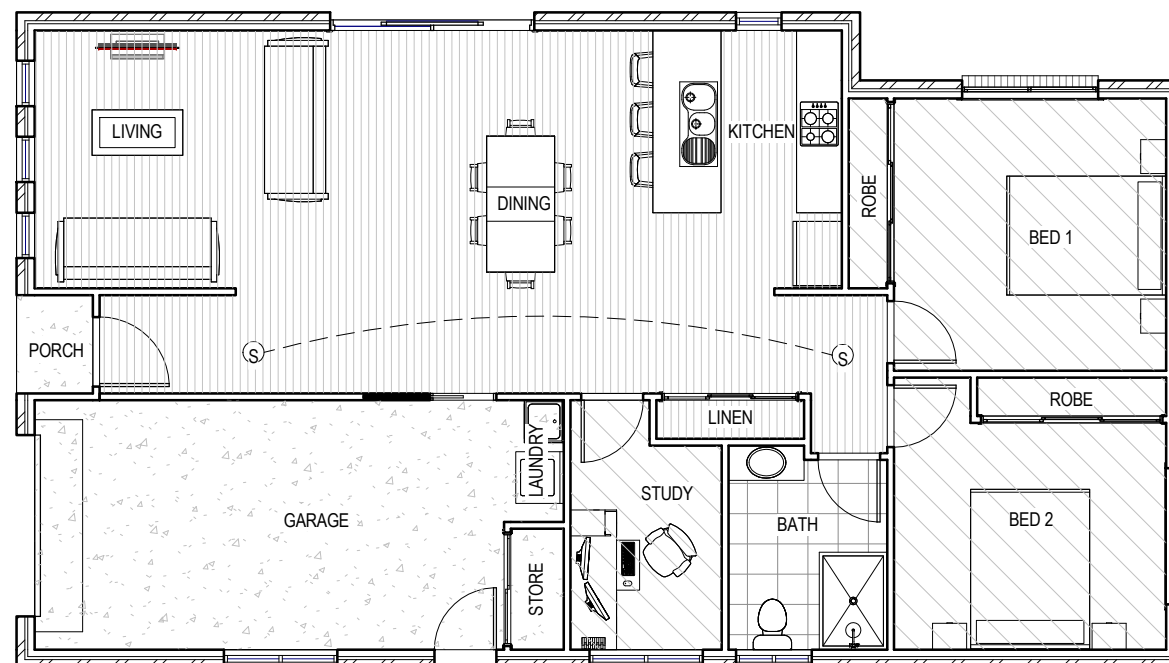


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Drawn: E. Tay	Designer Name: J.Pfeiffer	Page 199	
Checked: A. Taylor	Accreditation No: CC2211T		
Approved: J. Pfeiffer			
Scale: As Shown @ A3			
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A ISSUED FOR APPROVAL 01.08.21 A.T			
Rev: Amendment: Date: Int:			

PLANNING AUTHORITY 3



Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47



**FLOOR PLAN - UNIT 1**  
 SCALE 1 : 100

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

Ⓢ - DENOTES INTERCONNECTED SMOKE DETECTORS

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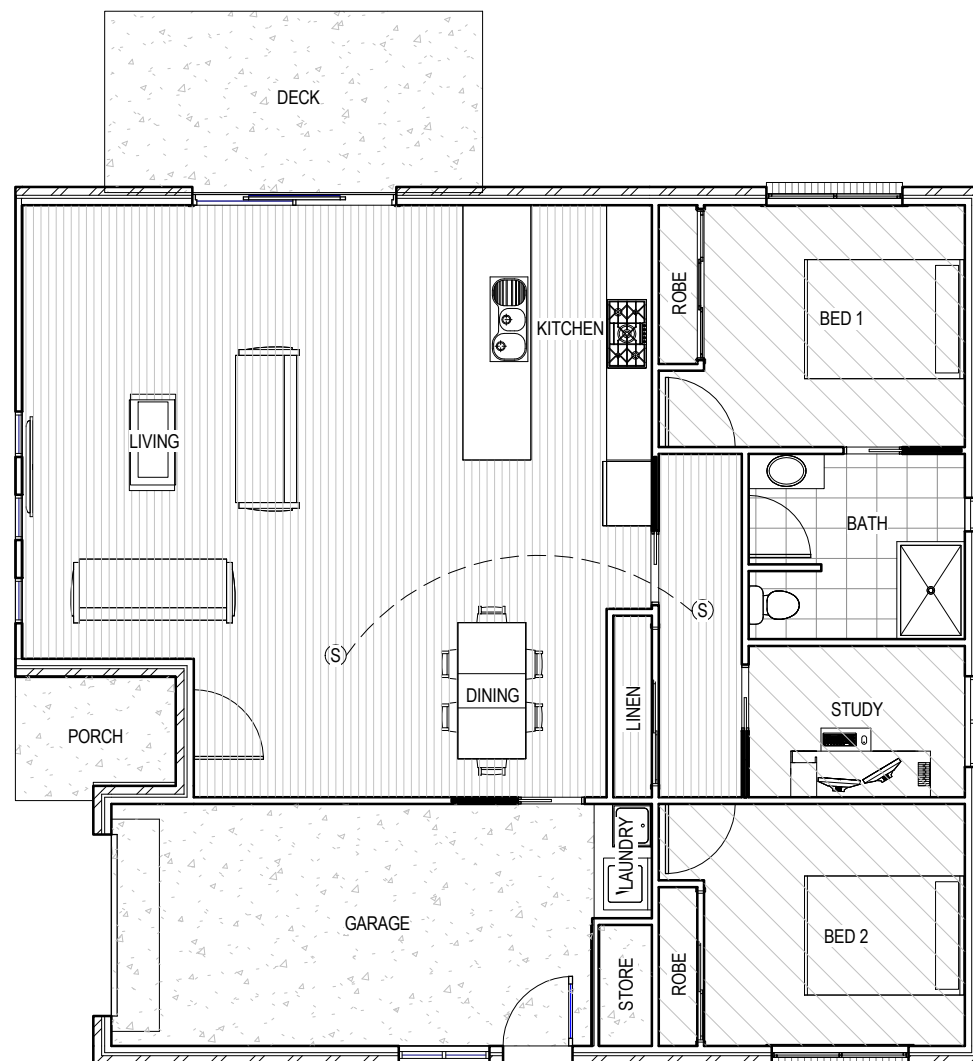
Date Drawn: 18.06.21	Drawn: E. Tay	Checked: A. Taylor	Approved: J. Pfeiffer	Scale: As Shown @ A3
<b>B</b>	RE-ISSUED FOR APPROVAL	03.09.21	A.T	
<b>A</b>	ISSUED FOR APPROVAL	01.08.21	A.T	
<b>PLANNING AUTHORITY 3</b>	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121**  
 Page 200  
 A13  
 Rev **B**



Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47



FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

**FLOOR PLAN - UNIT 2**  
 SCALE 1:100

**ISSUED FOR APPROVAL**

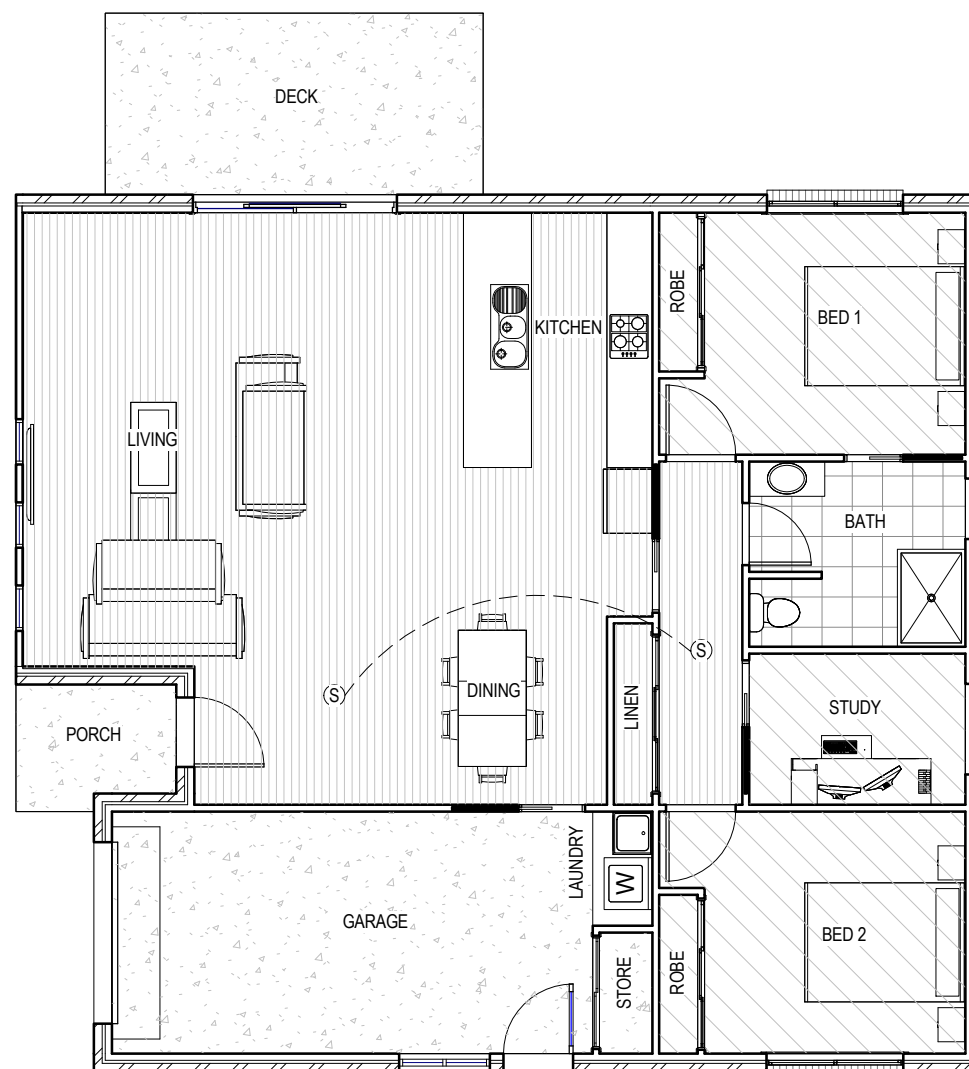
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Date Drawn: 18.06.21	Accredited Building Designer	Drawing No: 13121	Page 201	Rev B
Drawn: E. Tay	Designer Name: J.Pfeiffer	13121	A14	
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Approved: J. Pfeiffer				
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A ISSUED FOR APPROVAL 01.08.21 A.T				
Rev: Amendment: Date: Int:				

PLANNING AUTHORITY 3



**FLOOR PLAN - UNIT 3**  
 SCALE 1 : 100

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

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<b>B</b>	RE-ISSUED FOR APPROVAL	03.09.21	A.T	
<b>A</b>	ISSUED FOR APPROVAL	01.08.21	A.T	
<b>PLANNING AUTHORITY 3</b>	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	
Accredited Building Designer Designer Name: J.Pfeiffer Accreditation No: CC2211T				Drawing No: 13121 Page 202 A15
				Rev B



**FLOOR PLAN - UNIT 4**  
 SCALE 1 : 100

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

Ⓢ - DENOTES INTERCONNECTED SMOKE DETECTORS

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 Project: **PROPOSED UNITS DEVELOPMENT**  
 Address: **6 FRANKLIN ST  
 WESTBURY TAS 7303**

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 trin@engineeringplus.com.au

				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
				Accredited Building Designer
				Designer Name: J.Pfeiffer
				Accreditation No: CC2211T
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Rev **B**  
 Page 203  
 A16

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47



FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
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(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

**FLOOR PLAN - UNIT 5**  
 SCALE 1:100

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Date Drawn: 18.06.21	Accredited Building Designer	Drawing No: 13121	Rev B
Drawn: E. Tay	Designer Name: J.Pfeiffer	Page 204	
Checked: A. Taylor	Accreditation No: CC2211T	A17	
Approved: J. Pfeiffer			
Scale: As Shown @ A3			
B RE-ISSUED FOR APPROVAL 03.09.21 A.T			
A ISSUED FOR APPROVAL 01.08.21 A.T			
Rev: Amendment: Date: Int:			

PLANNING AUTHORITY 3



Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
<b>TOTAL</b>	<b>1184.19 m<sup>2</sup></b>	<b>127.47</b>

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

**FLOOR PLAN - UNIT 6**  
 SCALE 1 : 100

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Date Drawn:	18.06.21		
Drawn:	E. Tay		
Checked:	A. Taylor		
Approved:	J. Pfeiffer		
Scale:	As Shown @ A3		
Accredited Building Designer			
Designer Name:	J.Pfeiffer		
Accreditation No:	CC2211T		
Rev:	Amendment:	Date:	Int:
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T
A	ISSUED FOR APPROVAL	01.08.21	A.T
	CONCEPT	23.06.21	A.T
Drawing No:	13121	Page 205	Rev B
	A18		



Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 4	119.76 m <sup>2</sup>	12.89
PROPOSED UNIT 4 DECK	19.52 m <sup>2</sup>	2.10
PROPOSED UNIT 5	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 5 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

**FLOOR PLAN - UNIT 7**  
 SCALE 1:100

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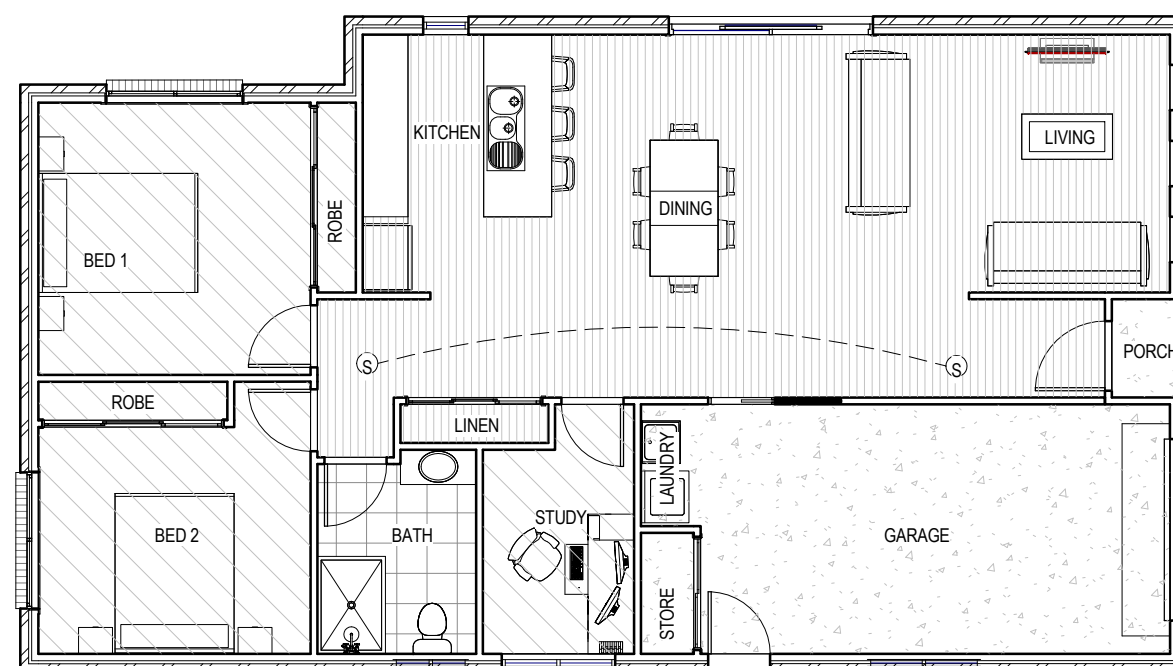
Client: **WILLIAM FRANKLIN PTY LTD**  
 Project: **PROPOSED UNITS DEVELOPMENT**  
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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer Designer Name: J.Pfeiffer Accreditation No: CC2211T
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	PLANNING AUTHORITY 3 CONCEPT	23.06.21	A.T	Drawing No: 13121 Page 206 A19
Rev:	Amendment:	Date:	Int:	

Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED UNIT 1	130.11 m <sup>2</sup>	14.01
PROPOSED UNIT 2	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 2 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 3	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 3 DECK	12.00 m <sup>2</sup>	1.29
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PROPOSED UNIT 6	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 6 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 7	144.94 m <sup>2</sup>	15.60
PROPOSED UNIT 7 DECK	12.00 m <sup>2</sup>	1.29
PROPOSED UNIT 8	130.11 m <sup>2</sup>	14.01
	1184.19 m <sup>2</sup>	127.47



**FLOOR PLAN - UNIT 8**  
 SCALE 1:100

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE

**SMOKE ALARMS**  
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH NCC PART 3.7.5.2

Ⓢ - DENOTES INTERCONNECTED SMOKE DETECTORS

**ISSUED FOR APPROVAL**

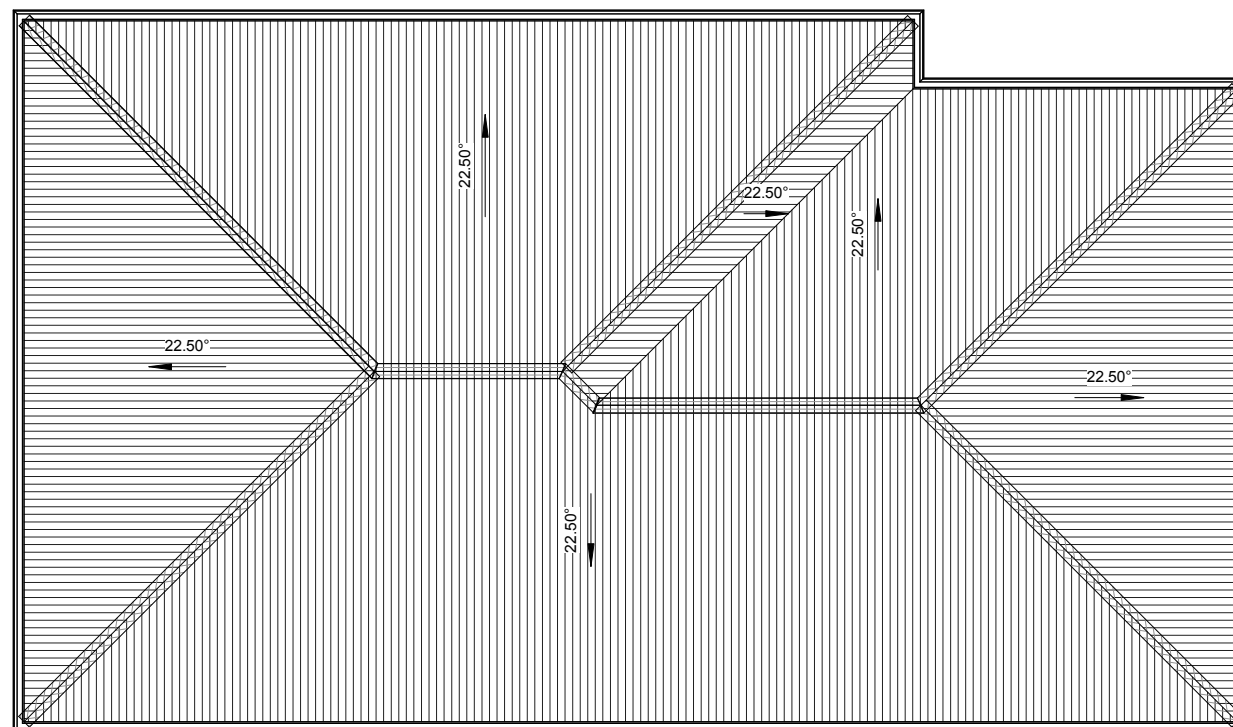
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 Project: **PROPOSED UNITS DEVELOPMENT**  
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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer
A	ISSUED FOR APPROVAL	01.08.21	A.T	Designer Name: J.Pfeiffer
	CONCEPT	23.06.21	A.T	Accreditation No: CC2211T
Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Page 207  
 A20 Rev **B**



**ROOF PLAN - UNIT 1**  
 SCALE 1 : 100

**ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3**

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

REFER TO LYSAGHT ROOFING & WALLING MANUAL FOR FULL DETAILS ON SHEET INSTALLATION, FIXINGS & FLASHINGS

- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM ABOVE 15 DEGREES - MINIMUM 150 MM
- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

**ISSUED FOR APPROVAL**

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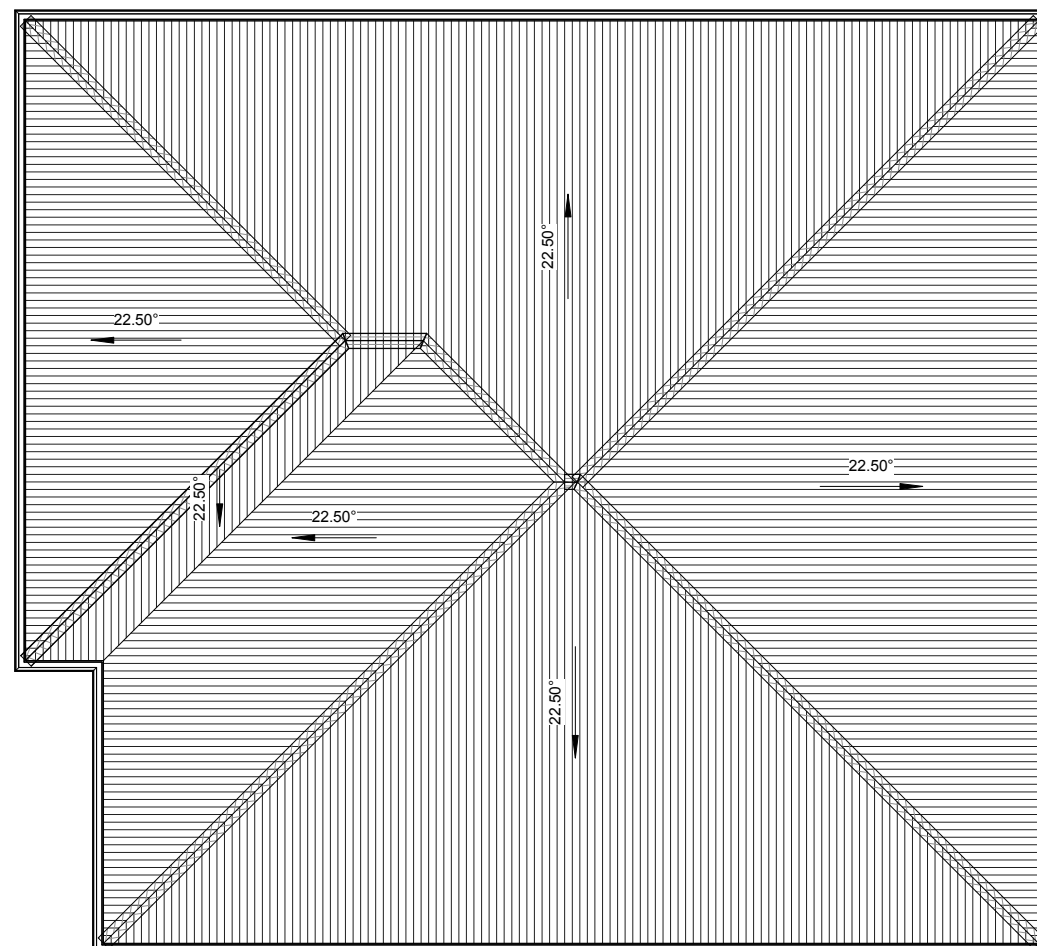
Client: **WILLIAM FRANKLIN PTY LTD**  
 Project: **PROPOSED UNITS DEVELOPMENT**  
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				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer Designer Name: J.Pfeiffer Accreditation No: CC2211T
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	Drawing No: 13121 Page 208 A21
Rev:	Amendment:	Date:	Int:	

**PLANNING AUTHORITY 3**





**ROOF PLAN - UNIT 2**  
 SCALE 1:100

**ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3**

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

REFER TO LYSAGHT ROOFING & WALLING MANUAL FOR FULL DETAILS ON SHEET INSTALLATION, FIXINGS & FLASHINGS

- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM ABOVE 15 DEGREES - MINIMUM 150 MM
- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

**ISSUED FOR APPROVAL**

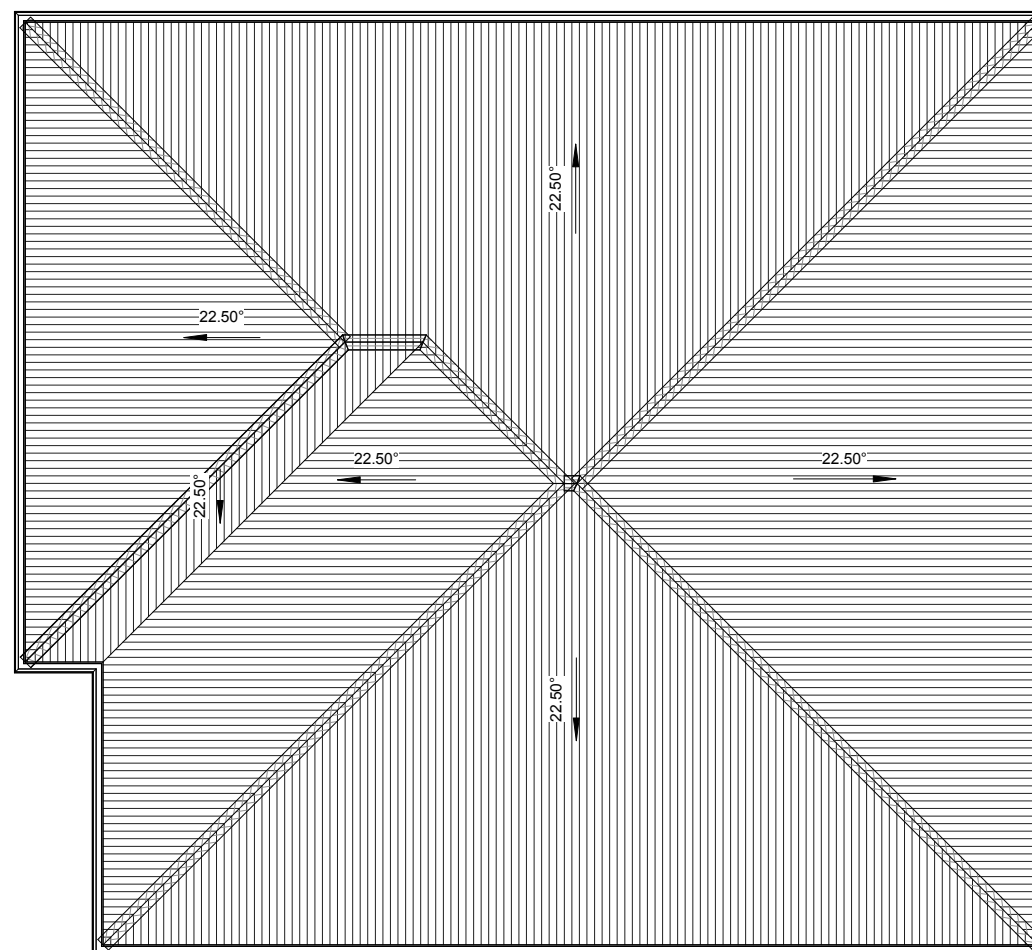
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A	ISSUED FOR APPROVAL	01.08.21	A.T	
	Rev: Amendment:	Date:	Int:	Drawing No: 13121
				Page 209 A22
				Rev B

**PLANNING AUTHORITY 3**



**ROOF PLAN - UNIT 3**  
 SCALE 1:100

**ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3**

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

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- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM ABOVE 15 DEGREES - MINIMUM 150 MM
- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

**R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.**  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

**ISSUED FOR APPROVAL**

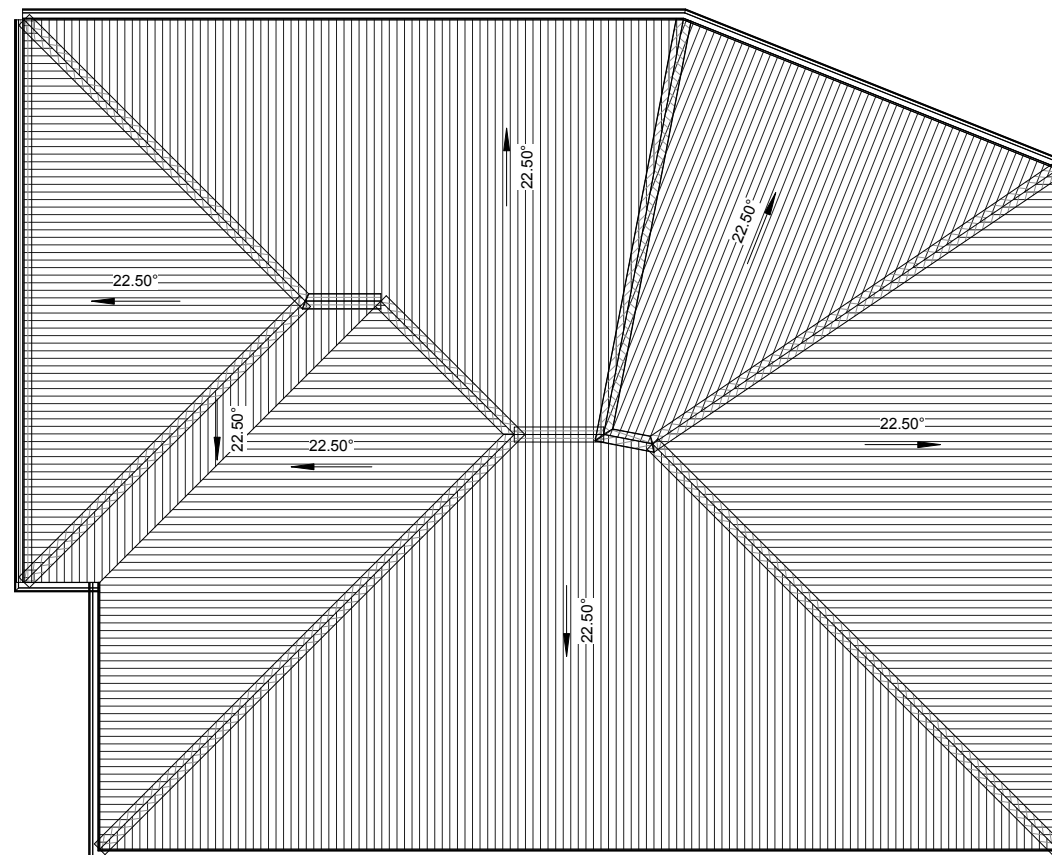
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				Approved: J. Pfeiffer
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B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer Designer Name: J.Pfeiffer Accreditation No: CC2211T
A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	Drawing No: 13121 Page 210 A23
Rev:	Amendment:	Date:	Int:	

**PLANNING AUTHORITY 3**



**ROOF PLAN - UNIT 4**  
 SCALE 1:100

ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

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- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM ABOVE 15 DEGREES - MINIMUM 150 MM
- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

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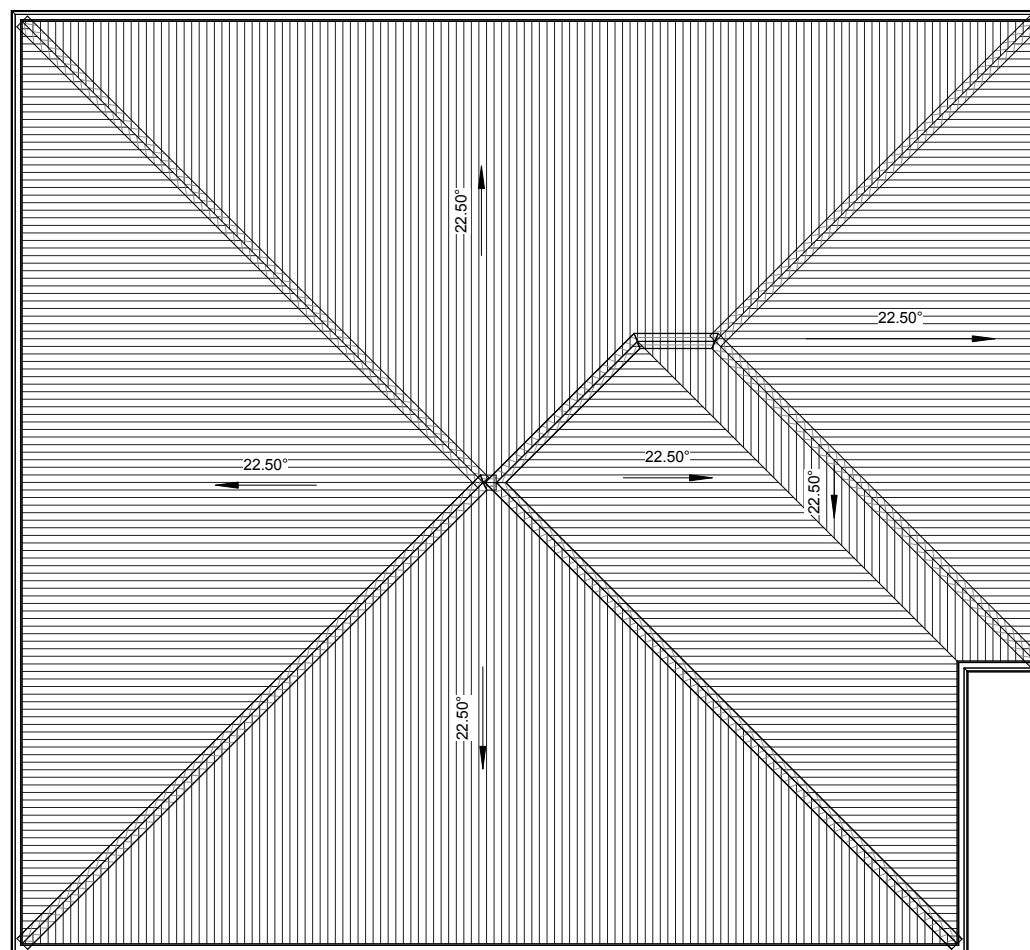
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A	ISSUED FOR APPROVAL	01.08.21	A.T	
	CONCEPT	23.06.21	A.T	Drawing No: 13121 Page 211 A24
Rev:	Amendment:	Date:	Int:	

**PLANNING AUTHORITY 3**



**ROOF PLAN - UNIT 5**  
 SCALE 1 : 100

ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

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- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

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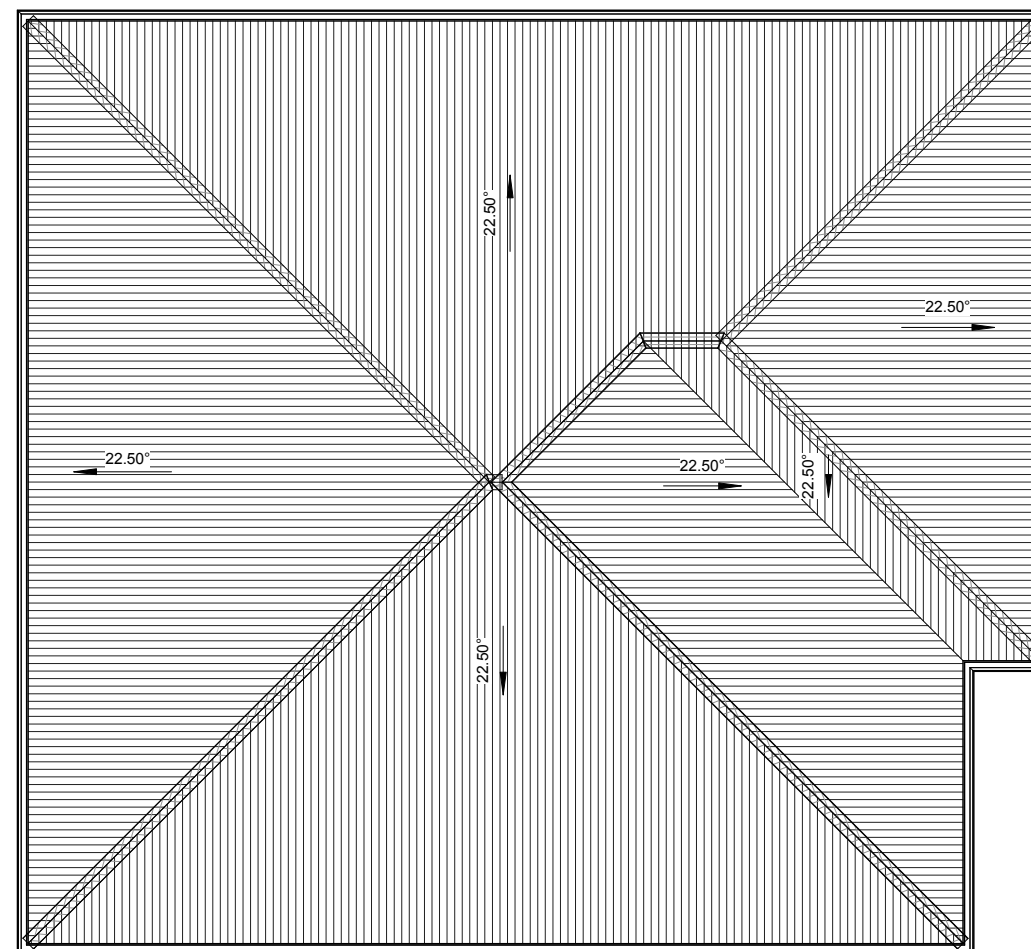
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				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
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**PLANNING AUTHORITY 3**



**ROOF PLAN - UNIT 6**  
 SCALE 1 : 100

ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

REFER TO LYSAGHT ROOFING & WALLING MANUAL FOR FULL DETAILS ON SHEET INSTALLATION, FIXINGS & FLASHINGS

- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM ABOVE 15 DEGREES - MINIMUM 150 MM
- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.  
 RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS3566  
 USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

**ISSUED FOR APPROVAL**

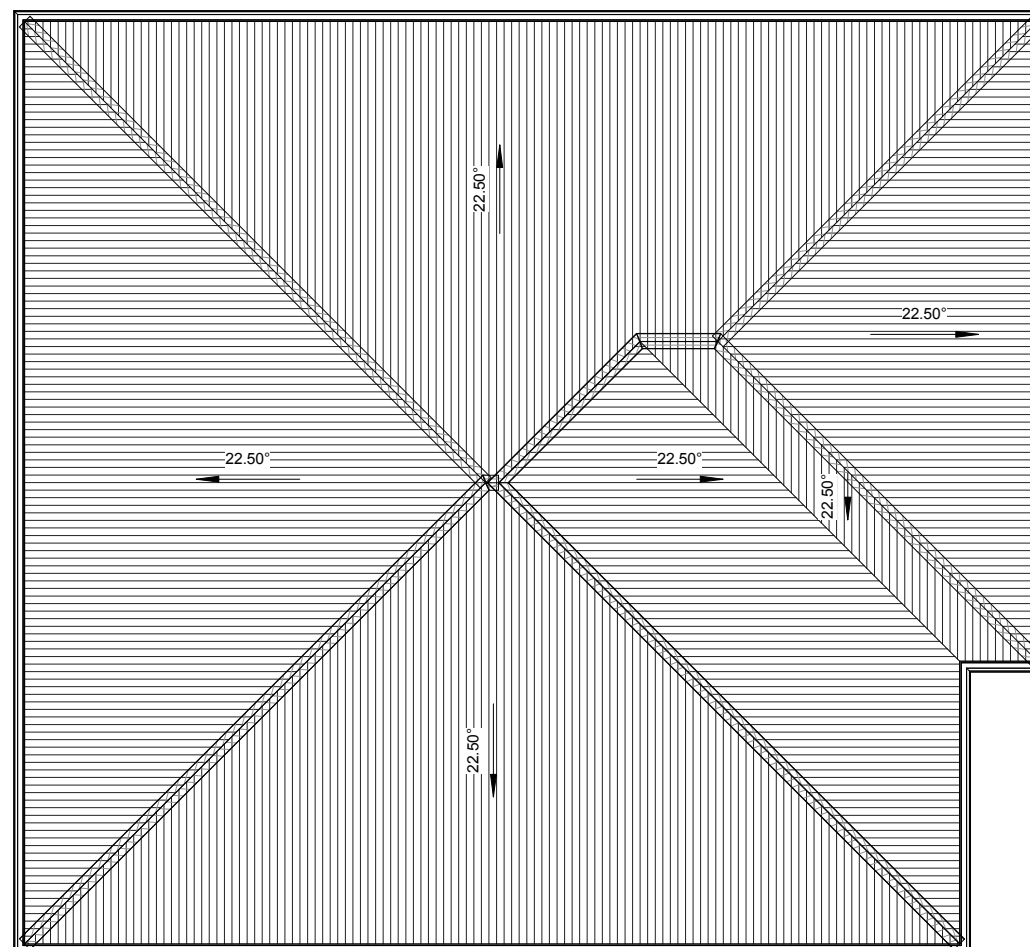
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 Project: **PROPOSED UNITS DEVELOPMENT**  
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 jack@engineeringplus.com.au  
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				Date Drawn: 18.06.21
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				Checked: A. Taylor
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				Page 213 A26
				Rev B

**PLANNING AUTHORITY 3**



**ROOF PLAN - UNIT 7**  
 SCALE 1:100

ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

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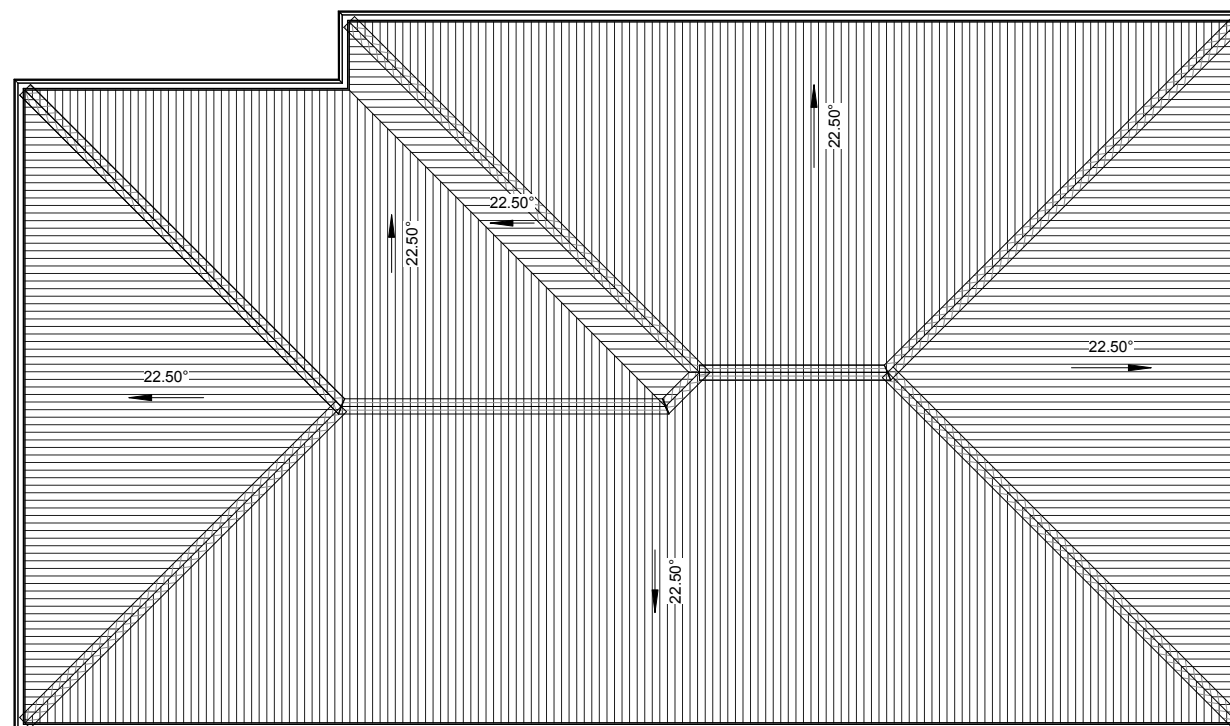
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				Rev B



**ROOF PLAN - UNIT 8**  
 SCALE 1 : 100

**ROOF CLADDING, BCA VOLUME 2 PART 3.5.1.3**

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

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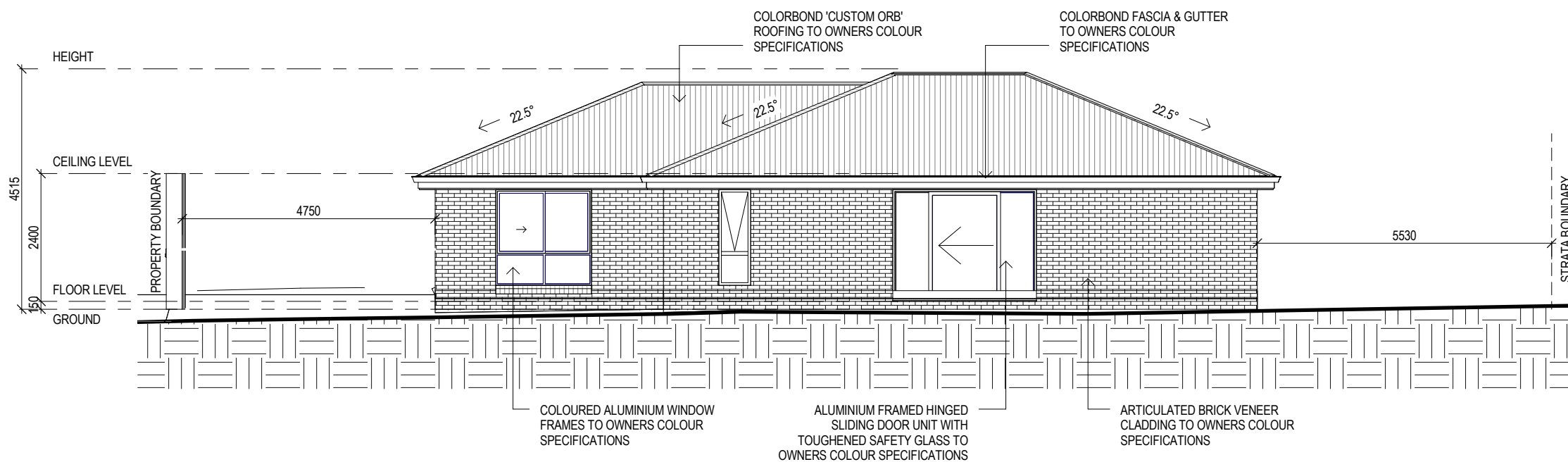
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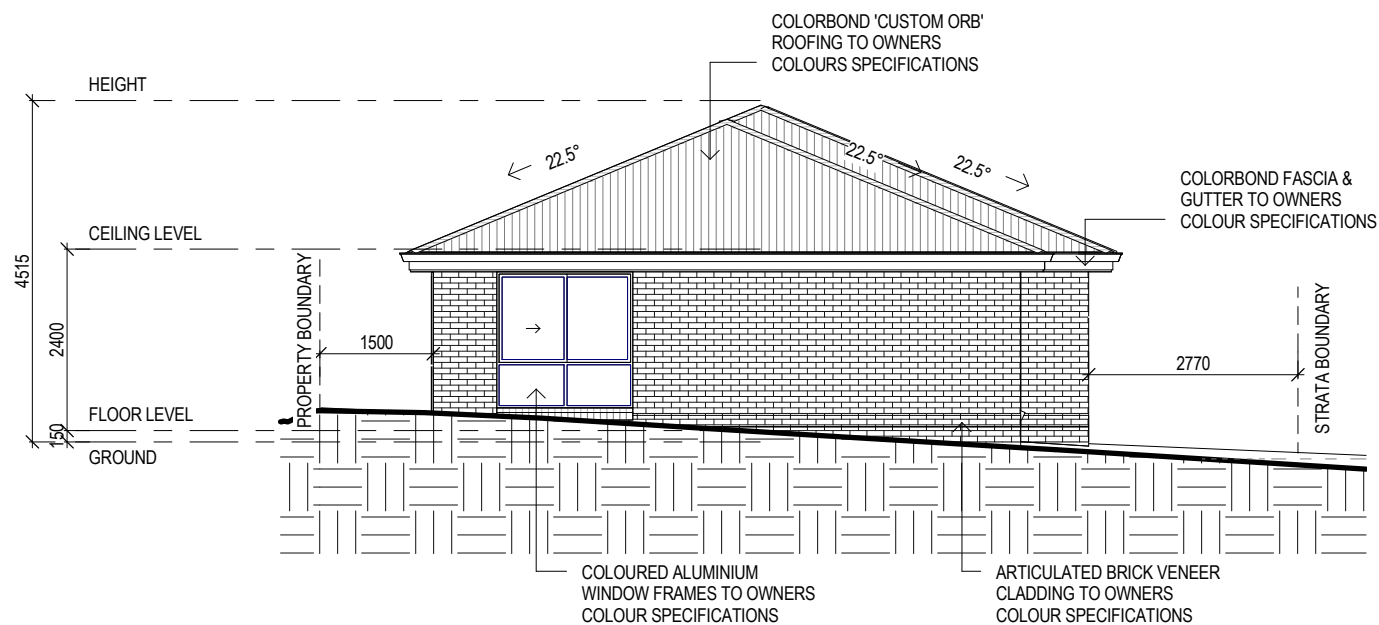
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**PLANNING AUTHORITY 3**



**UNIT 1 - NORTH ELEVATION**  
 SCALE 1:100



**UNIT 1 - EAST ELEVATION**  
 SCALE 1:100

**EAVE & SOFFIT CONSTRUCTION BCA VOLUME 2 PART 3.5.3.5**

- EAVE WIDTH - 300MM
- DESIGN WIND SPEED N3

**SOFFIT / EAVE LINED WITH 'HARDIFLEX' CEMENT SHEETING**

- TRIMMERS LOCATED WITHIN 1200MM OF EXTERNAL CORNER TO BE SPACED @ 500MM CENTERS, REMAINDER OF SHEET - 700MM CENTERS
- FASTENER / FIXINGS WITHIN 1200MM OF EXTERNAL CORNERS @ 200MM CENTERS, REMAINDER OF SHEET - 300MM CENTERS

Meander Valley Council Ordinary Meeting Agenda - October 2021

PLANNING AUTHORITY 3

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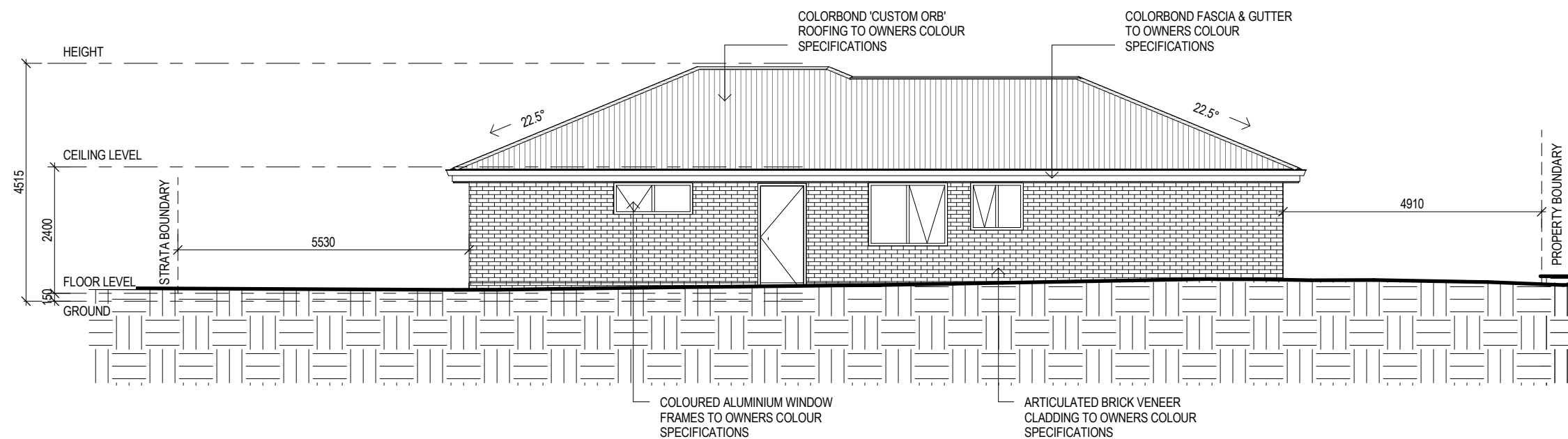
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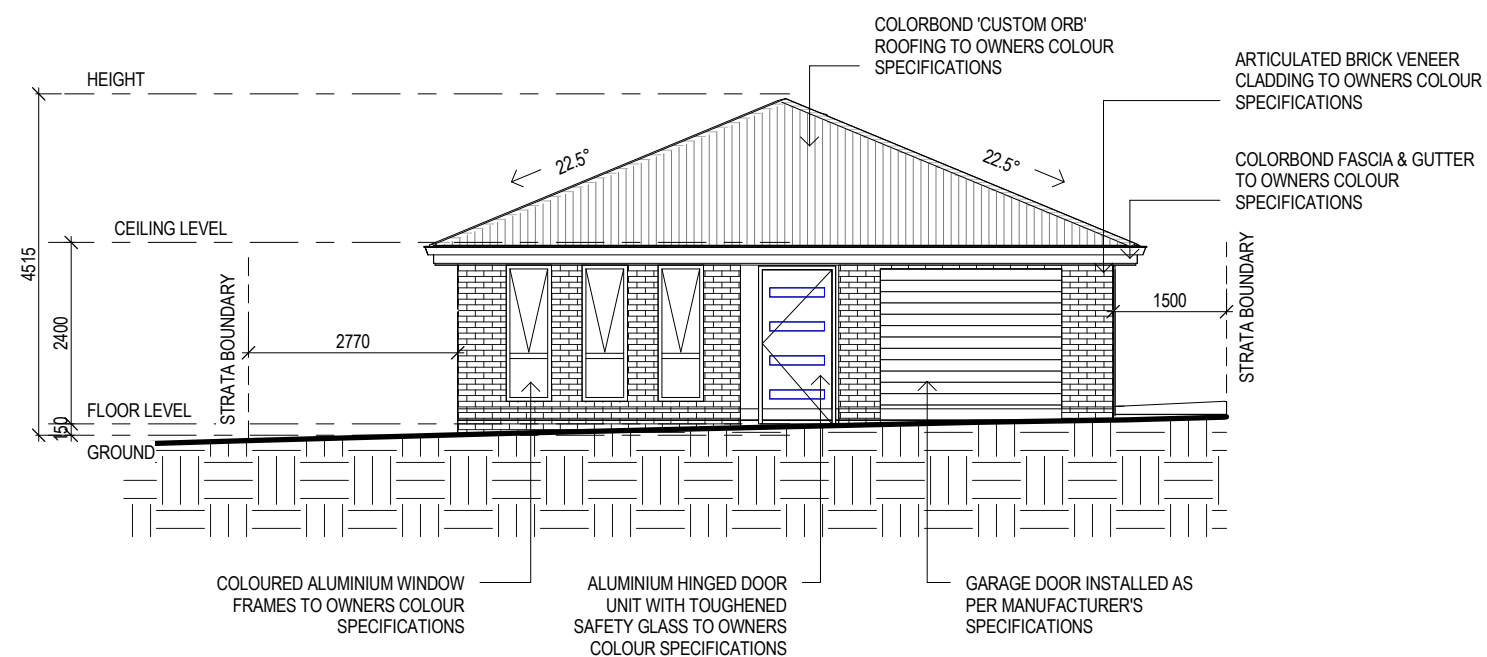
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	CONCEPT	23.06.21	A.T	Accreditation No: CC2211T
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 Rev B





**UNIT 1 - SOUTH ELEVATION**  
 SCALE 1:100



**UNIT 1 - WEST ELEVATION**  
 SCALE 1:100

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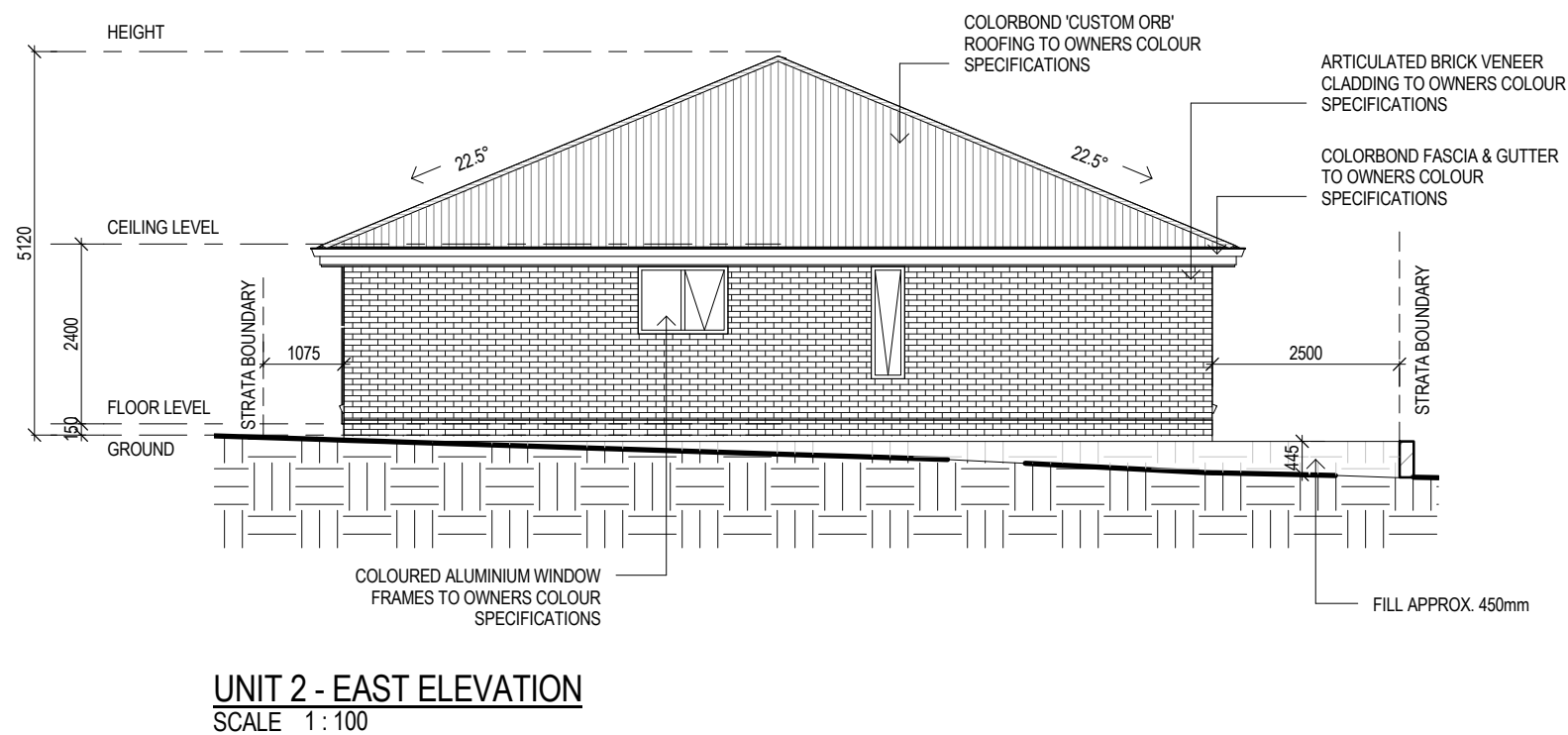
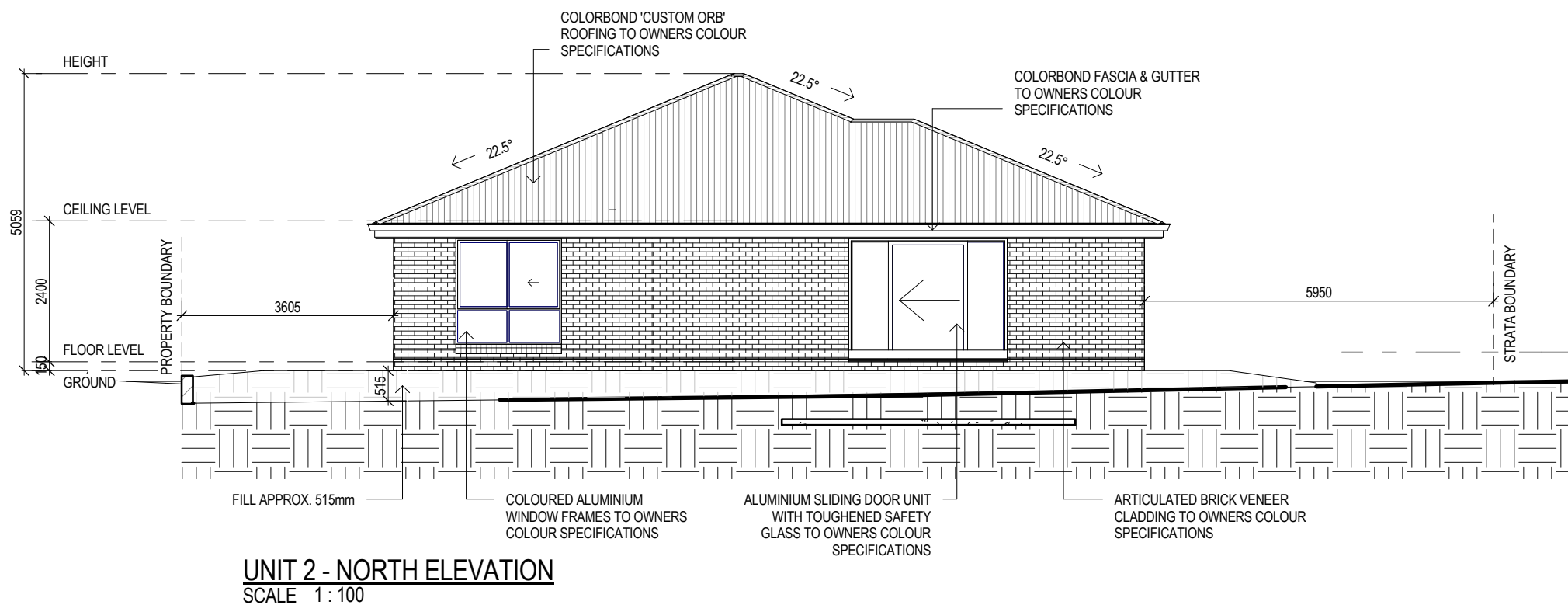
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**PLANNING AUTHORITY 3**



SELECTED ALUMINIUM FRAMED WINDOWS - BCA VOL2 PART 3.6  
 POWDER COATED ALUMINIUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED.

TASMANIAN OAK REVEALS AND TRINMS. ALL FLASHINGS AND FIXINGS TO MANUFACTURERS SPECIFICATIONS.

GLAZING & FRAME CONSTRUCTION TO AS2047 & AS1288  
 ALL FIXINGS AND FLASHINGS TO MANUFACTURERS REQUIREMENTS.

- WIND CLASSIFICATION AS4055 WIND DESIGN: N3 41M/S
- TERRAIN CATEGORY: T2 (NO SHIELDING)
- SERVICEABILITY DESIGN & WIND PRESSURE: 1000
- WATER RESISTANCE: 150

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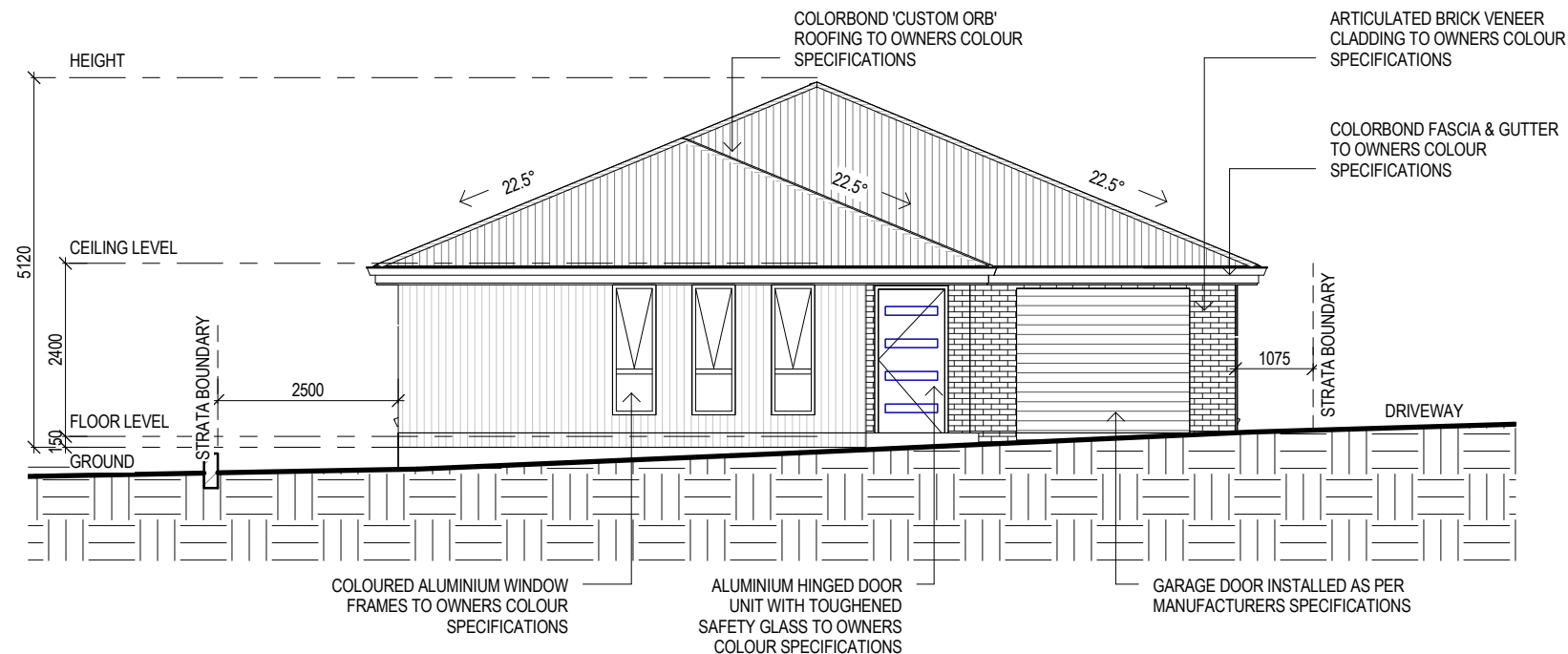
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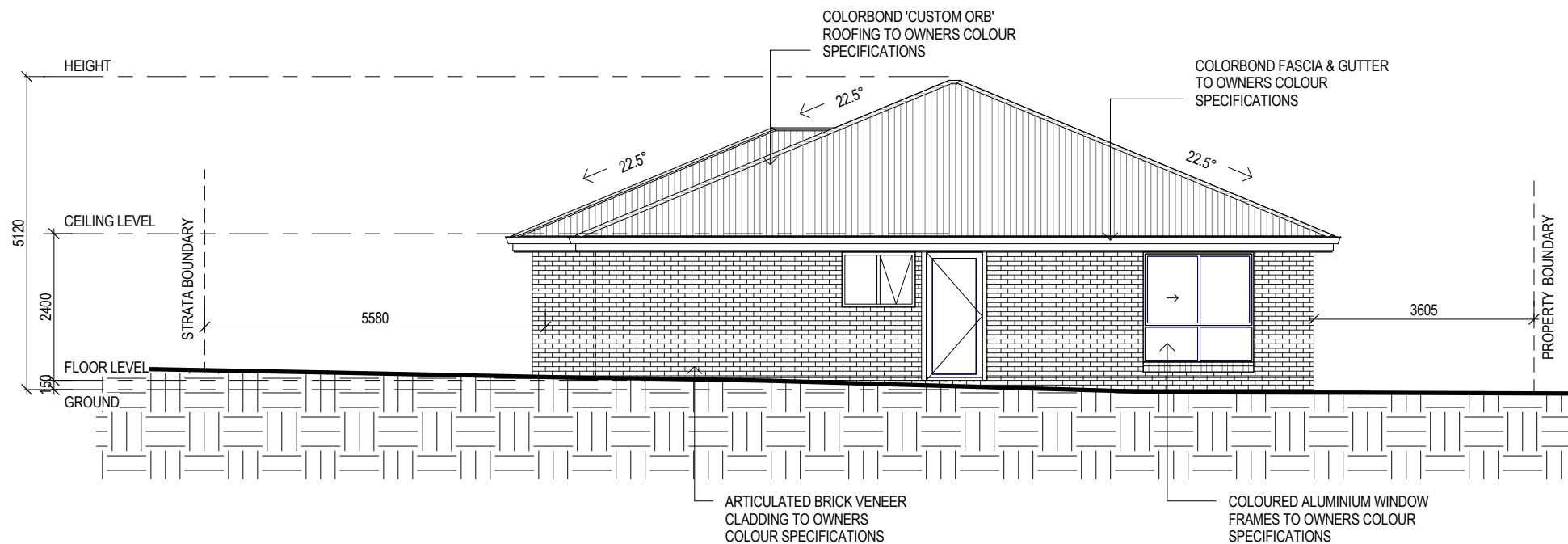
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 A31  
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**UNIT 2 - WEST ELEVATION**  
 SCALE 1 : 100



**UNIT 2 - SOUTH ELEVATION**  
 SCALE 1 : 100

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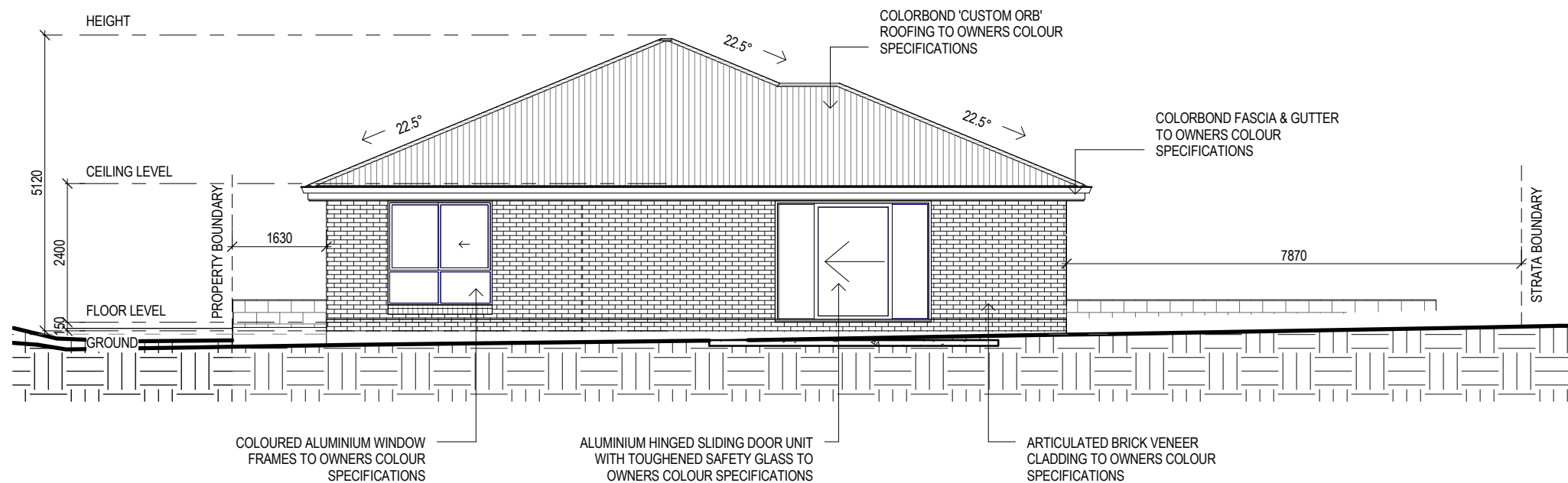
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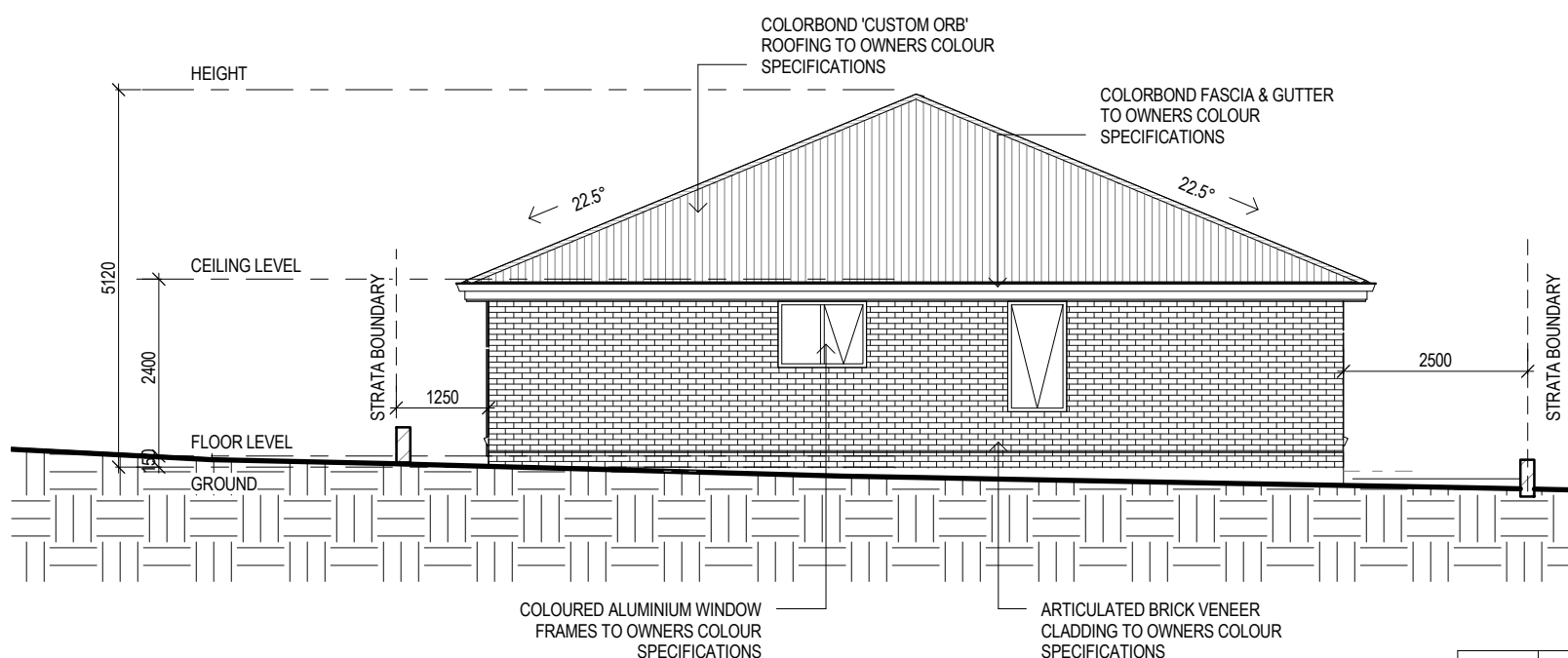
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 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

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 Rev **B**



**UNIT 3 - NORTH ELEVATION**  
 SCALE 1:100



**UNIT 3 - EAST ELEVATION**  
 SCALE 1:100

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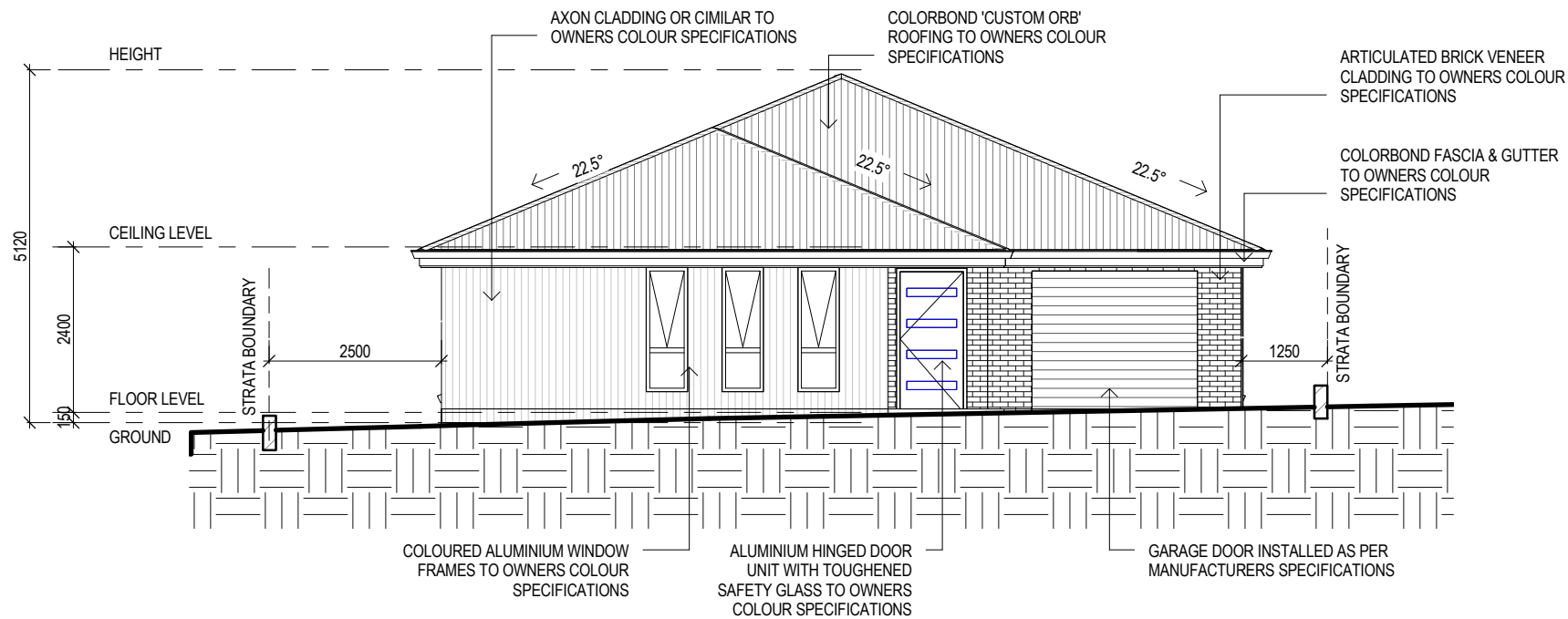
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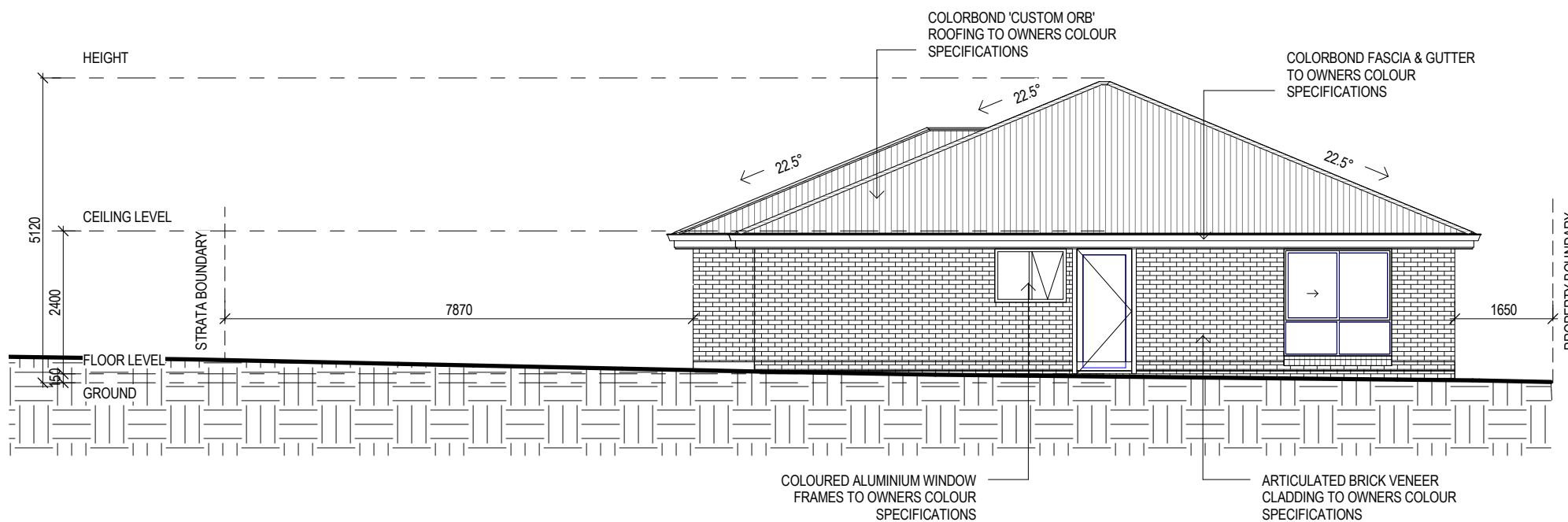
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 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121**  
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 Rev **B**



**UNIT 3 - WEST ELEVATION**  
 SCALE 1:100



**UNIT 3 - SOUTH ELEVATION**  
 SCALE 1:100

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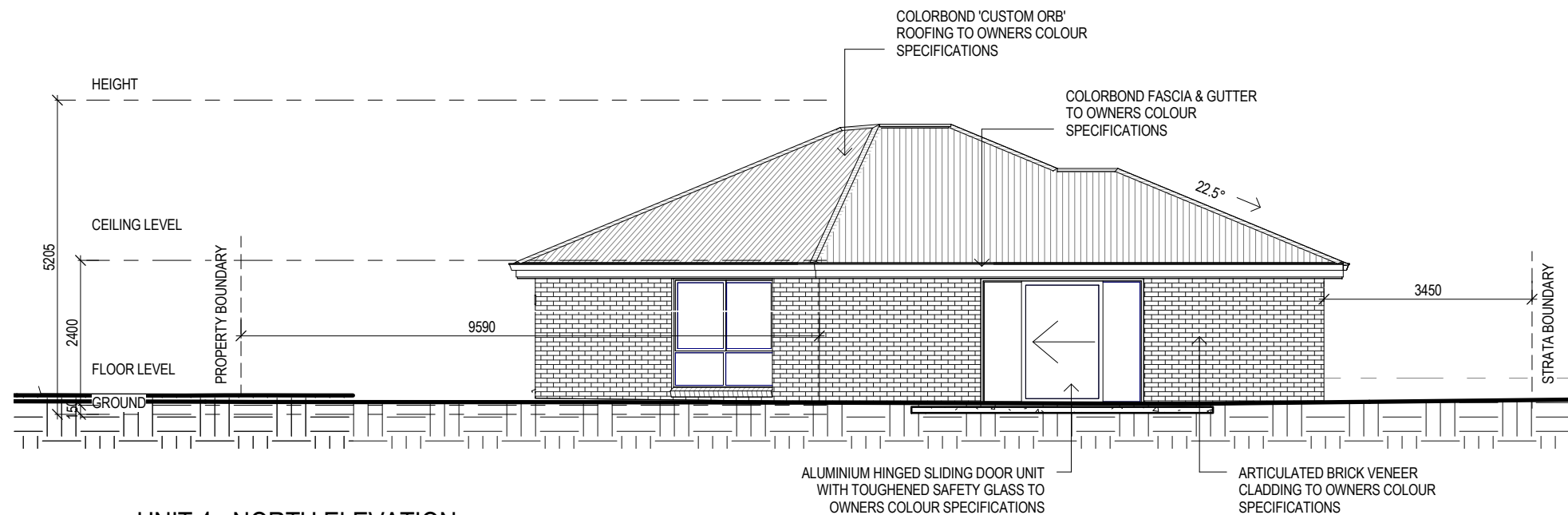
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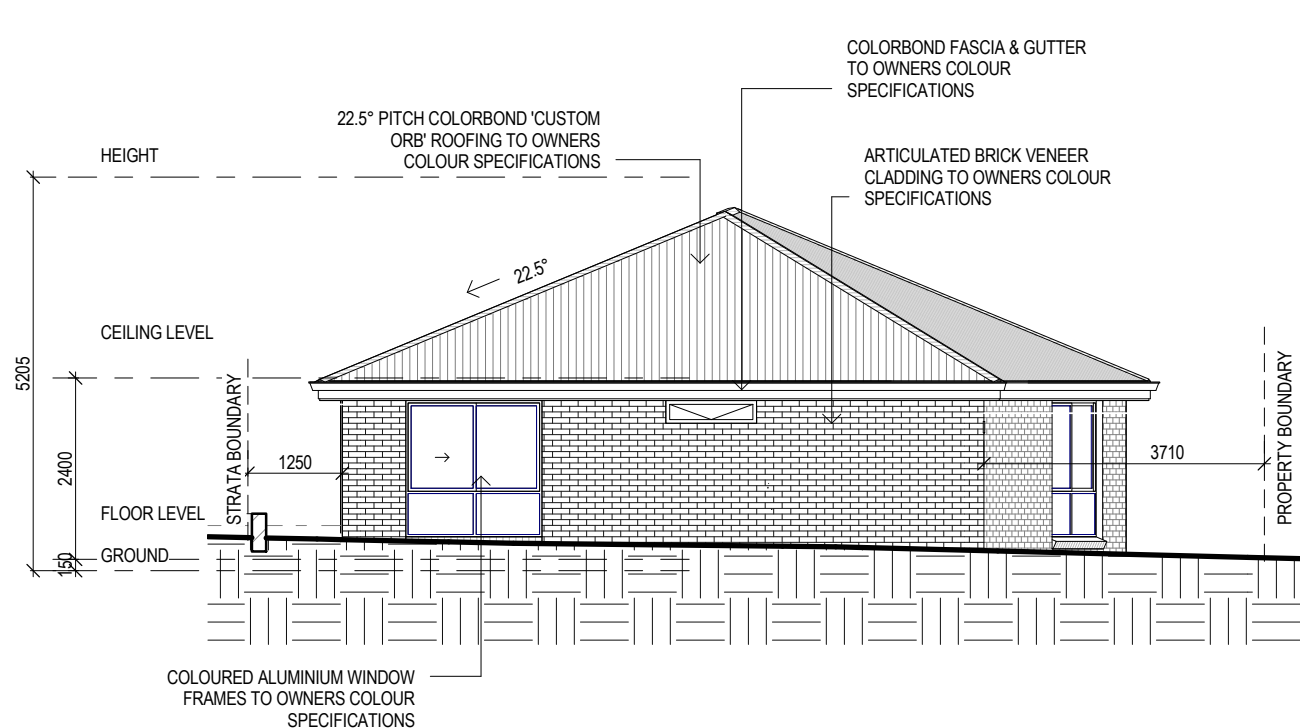
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 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

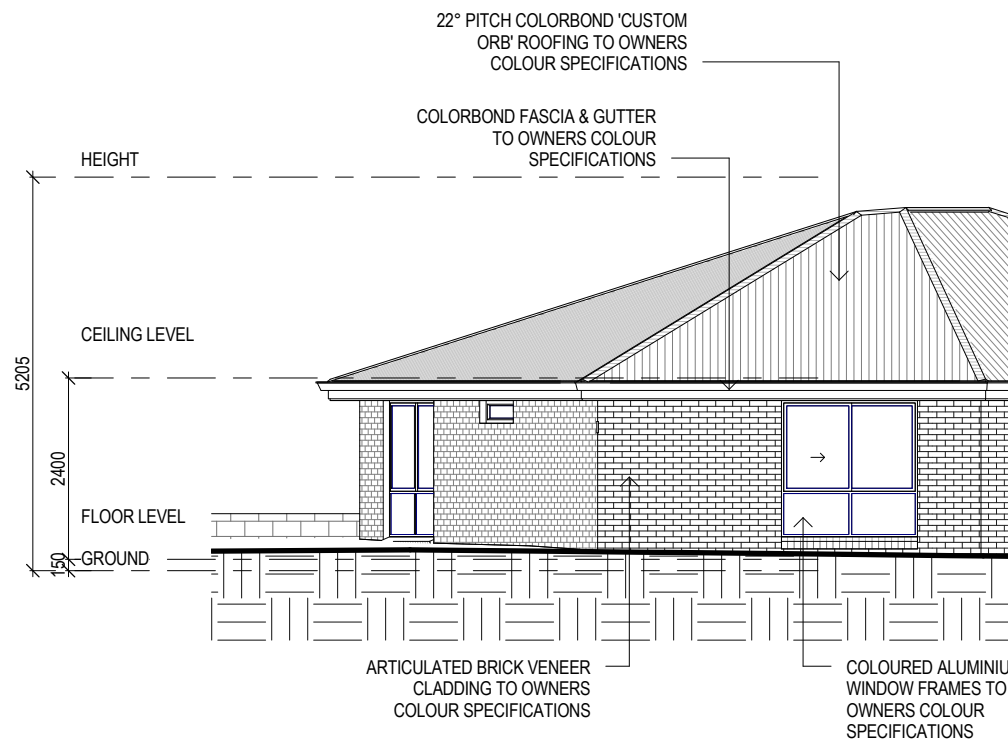
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**UNIT 4 - NORTH ELEVATION**  
 SCALE 1:100



**UNIT 4 - EAST ELEVATION**  
 SCALE 1:100



**UNIT 4 - NORTH-EAST ELEVATION**  
 SCALE 1:100

**ISSUED FOR APPROVAL**

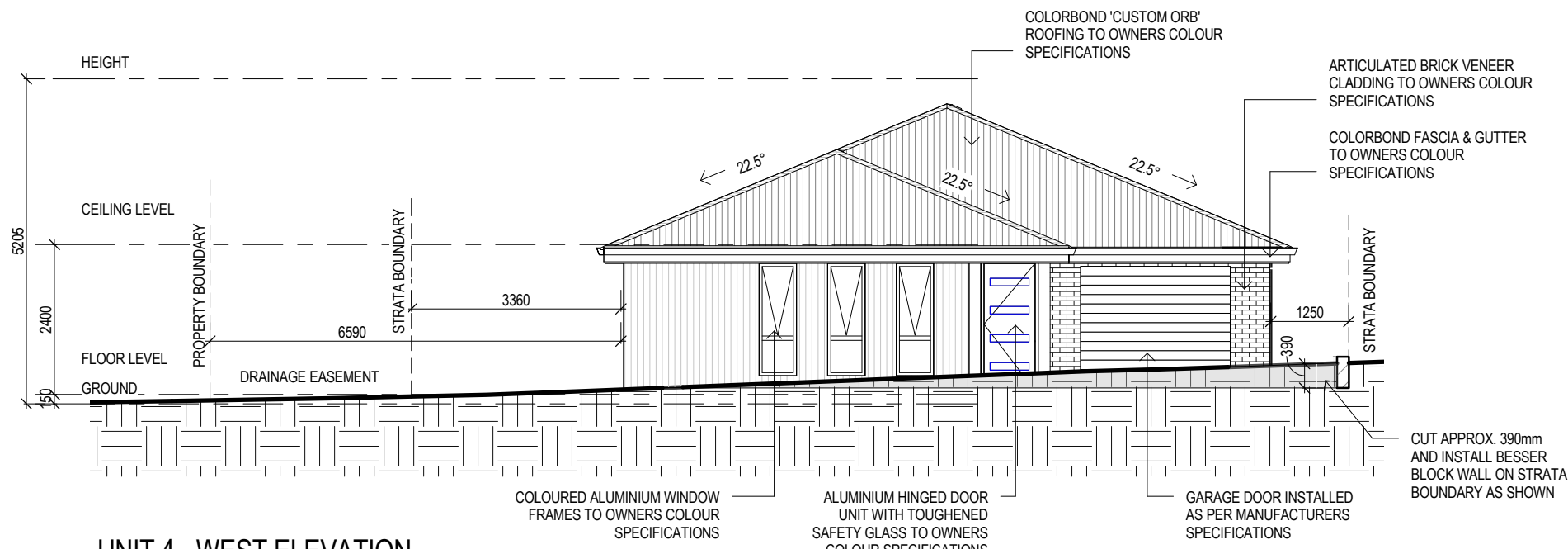
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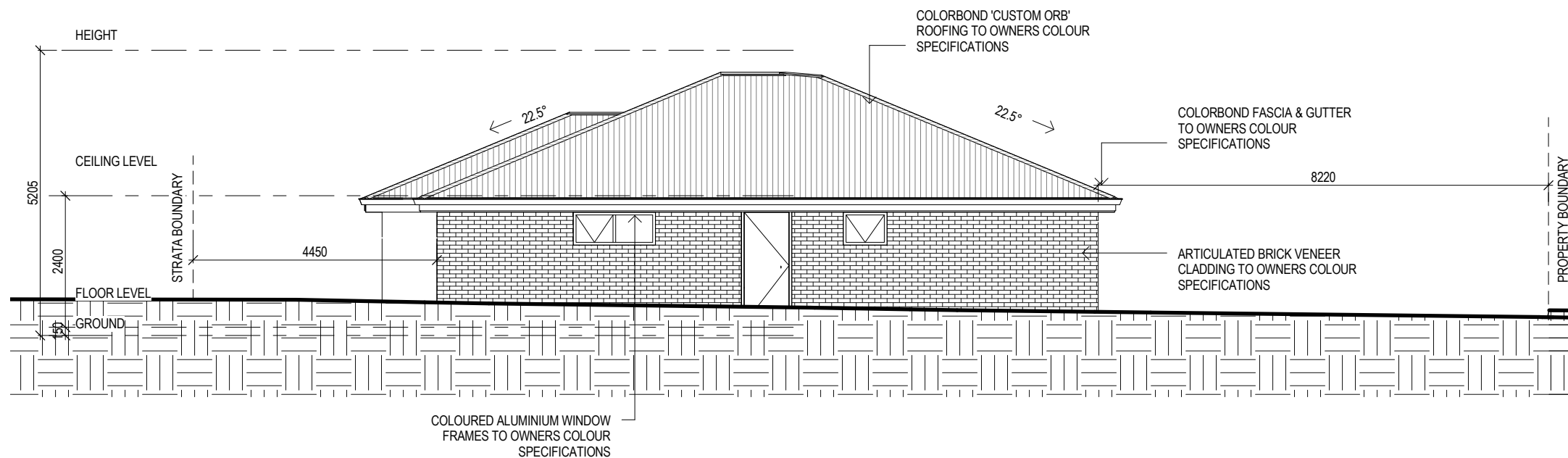
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**UNIT 4 - WEST ELEVATION**  
 SCALE 1:100



**UNIT 4 - SOUTH ELEVATION**  
 SCALE 1:100

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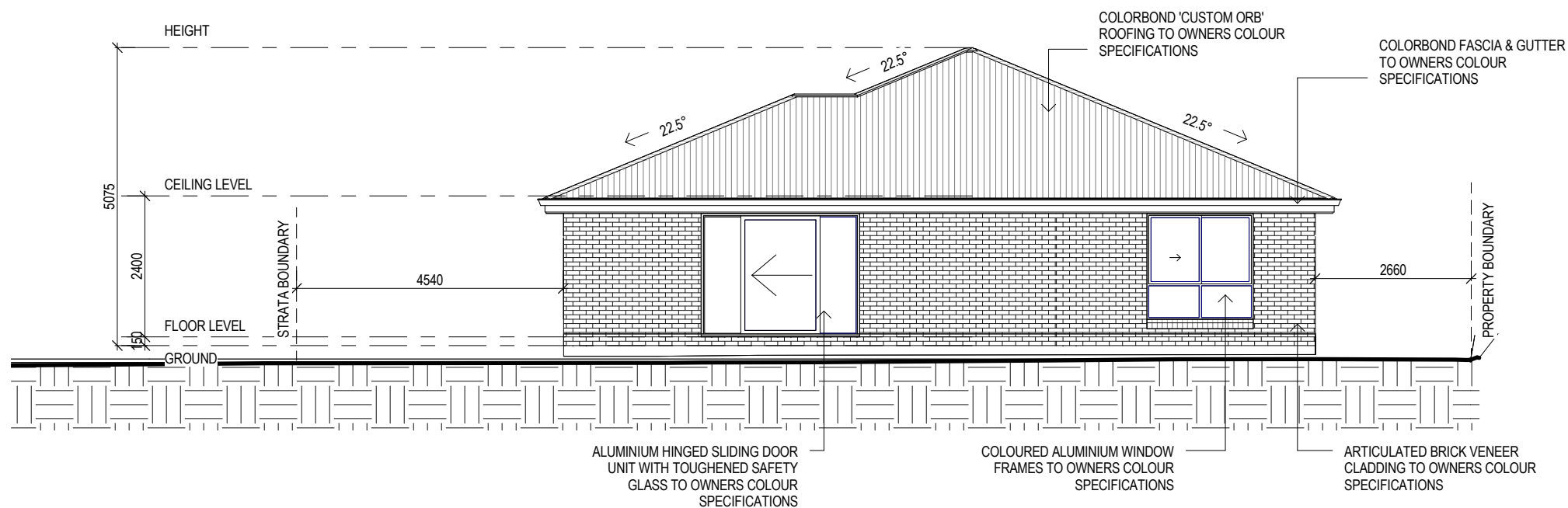
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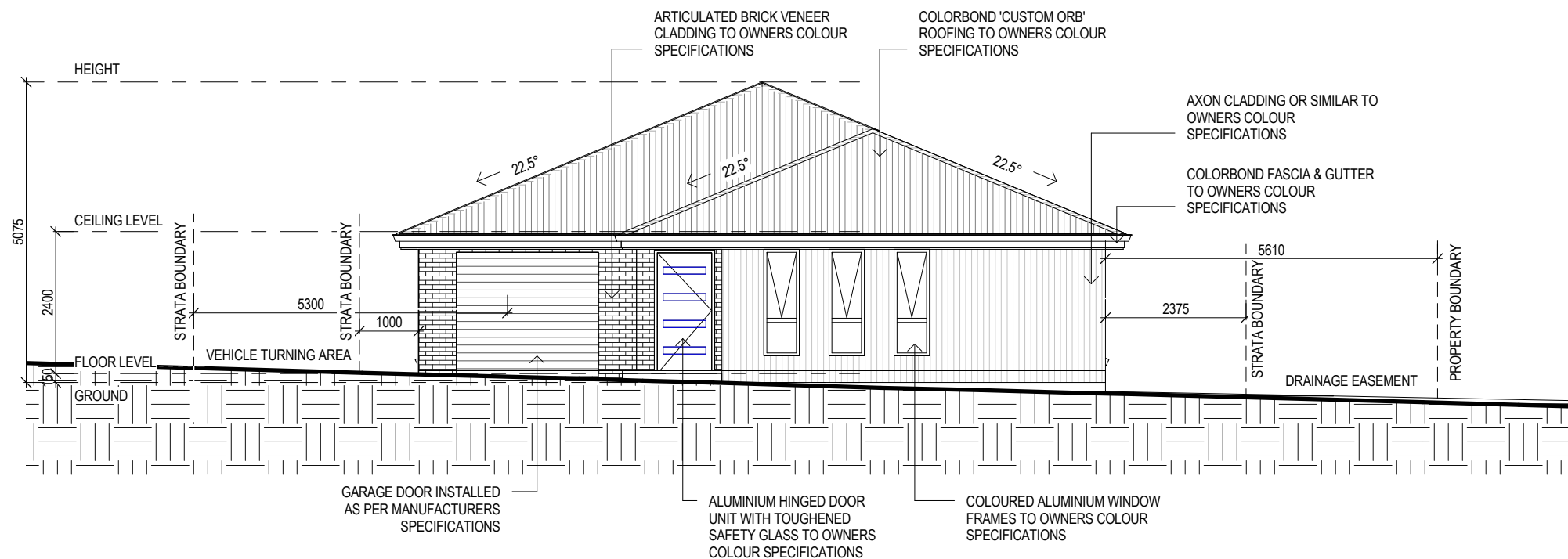
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Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121**  
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 Rev **B**



**UNIT 5 - NORTH ELEVATION**  
 SCALE 1 : 100



**UNIT 5 - EAST ELEVATION**  
 SCALE 1 : 100

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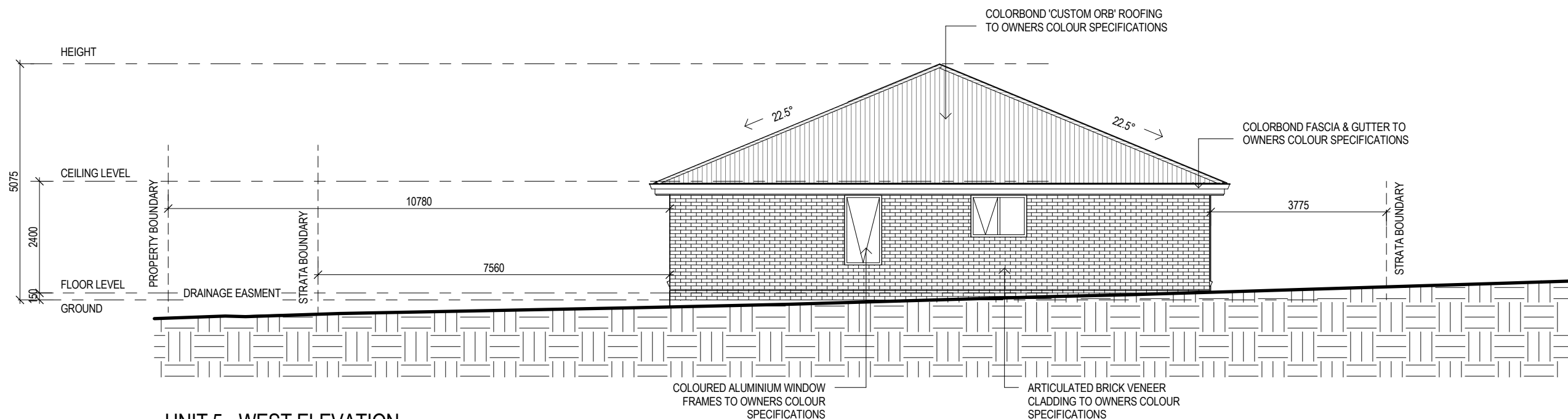
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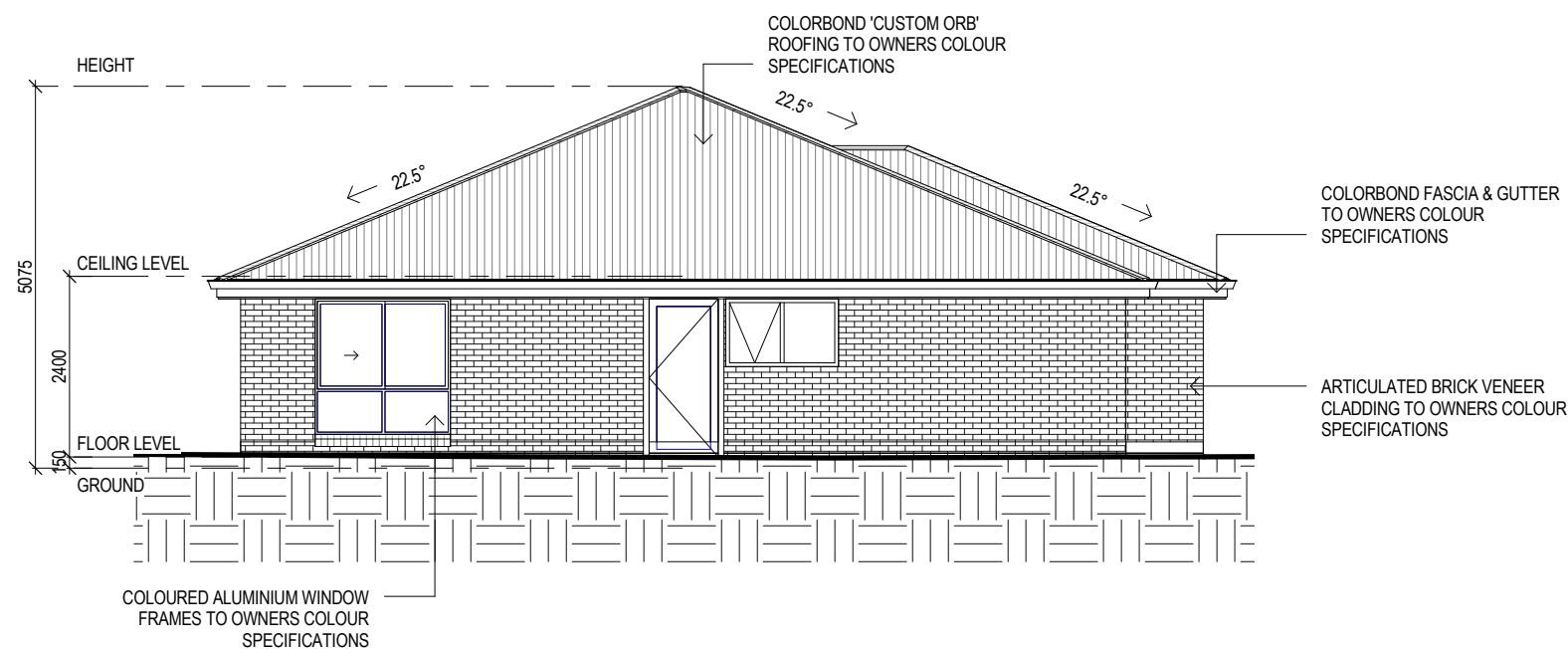
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**PLANNING AUTHORITY 3**





**UNIT 5 - WEST ELEVATION**  
 SCALE 1:100



**UNIT 5 - SOUTH ELEVATION**  
 SCALE 1:100

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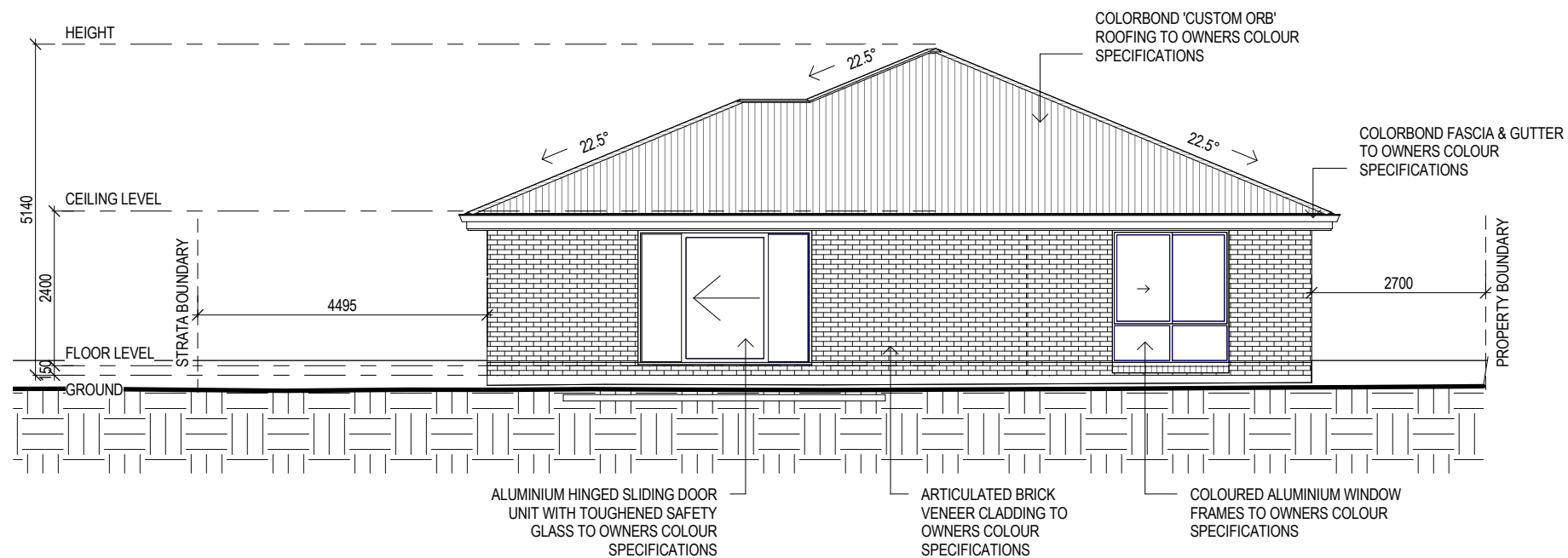
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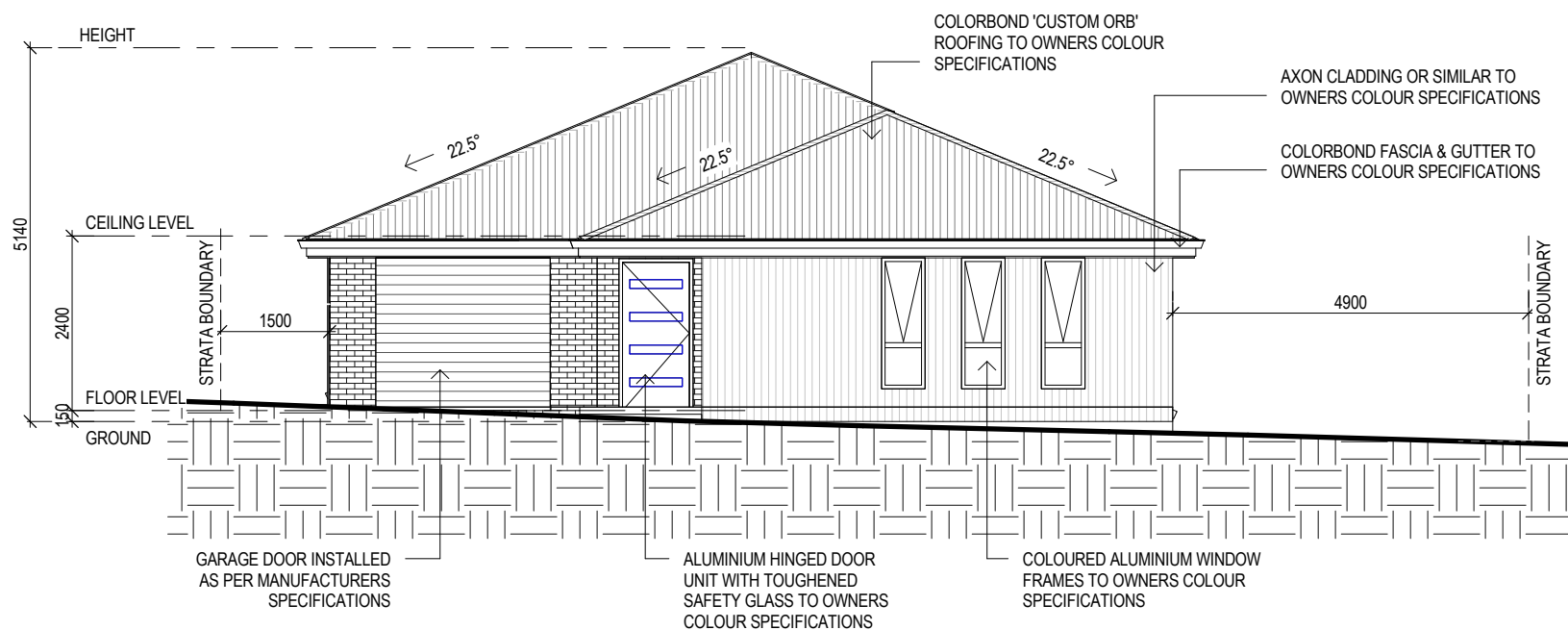
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Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

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**UNIT 6 - NORTH ELEVATION**  
 SCALE 1:100



**UNIT 6 - EAST ELEVATION**  
 SCALE 1:100

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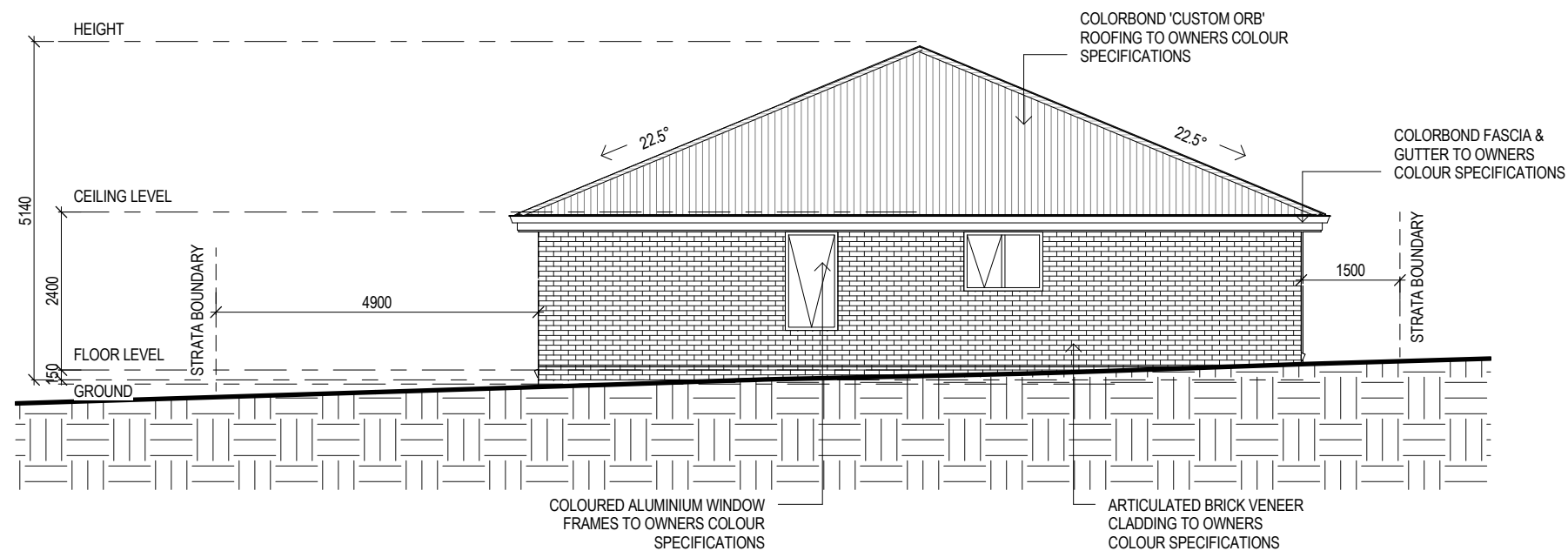
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 Project: **PROPOSED UNITS DEVELOPMENT**  
 Address: **6 FRANKLIN ST**  
**WESTBURY TAS 7303**

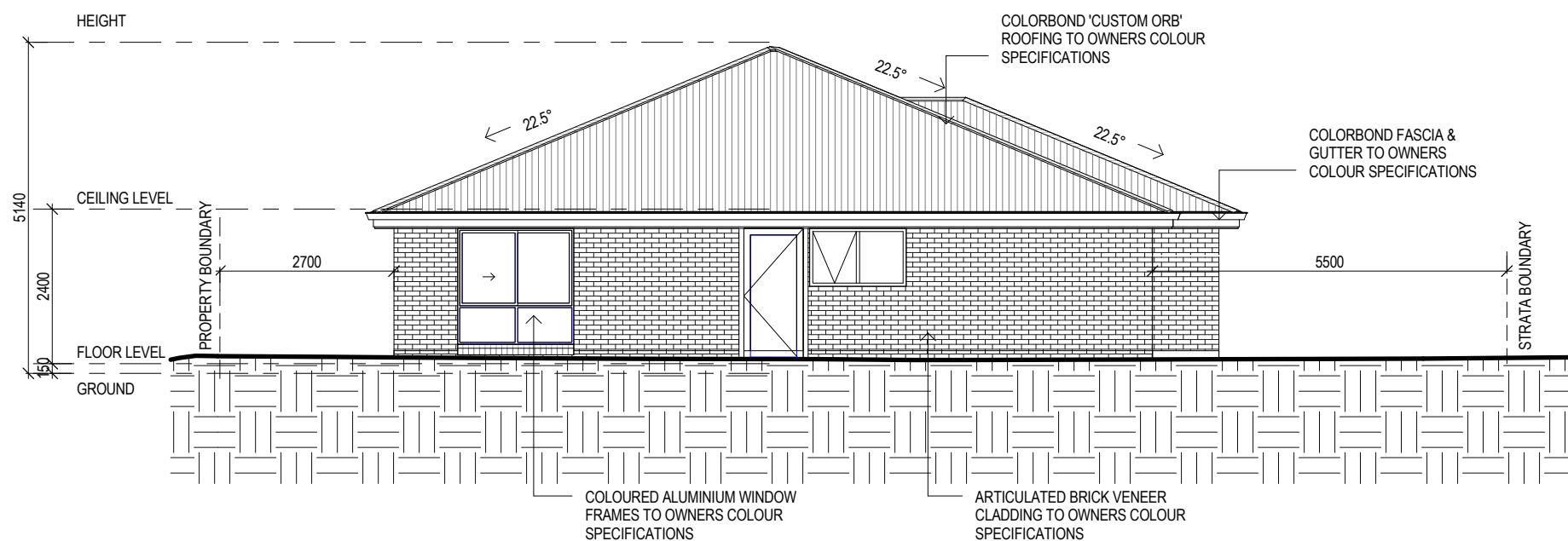
Mob 0417 362 783 or 0417 545 813  
 jack@engineeringplus.com.au  
 trin@engineeringplus.com.au

				Date Drawn: 18.06.21
				Drawn: E. Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	03.09.21	A.T	Accredited Building Designer
A	ISSUED FOR APPROVAL	01.08.21	A.T	Designer Name: J.Pfeiffer
	CONCEPT	23.06.21	A.T	Accreditation No: CC2211T
Rev:	Amendment:	Date:	Int:	

Drawing No: 13121  
 Page 226  
 A39  
 Rev B



**UNIT 6 - WEST ELEVATION**  
 SCALE 1:100



**UNIT 6 - SOUTH ELEVATION**  
 SCALE 1:100

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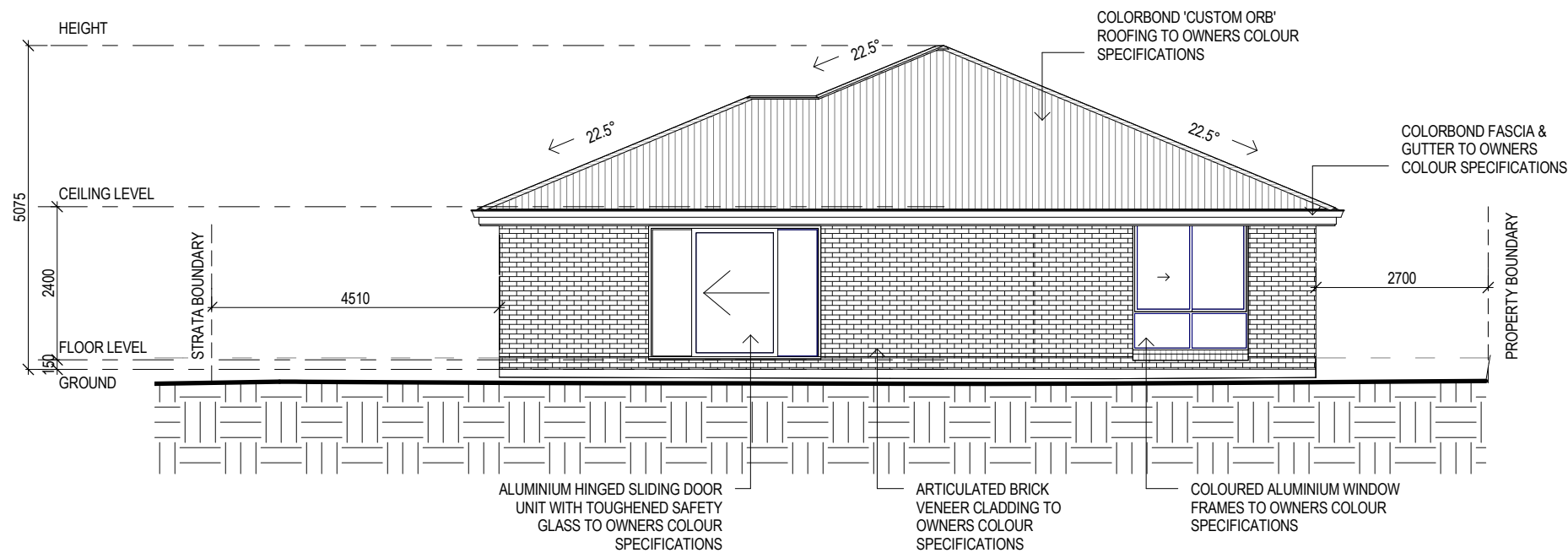
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 Project: **PROPOSED UNITS DEVELOPMENT**  
 Address: **6 FRANKLIN ST**  
**WESTBURY TAS 7303**

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 trin@engineeringplus.com.au

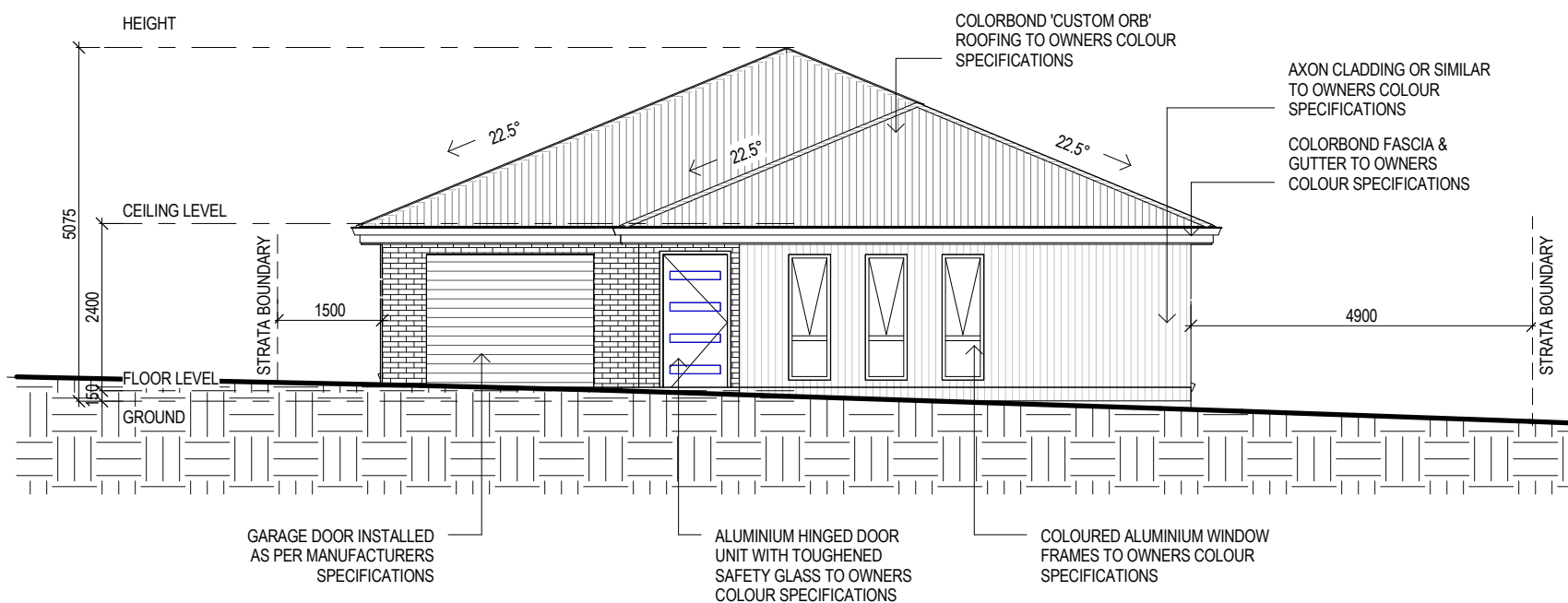
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	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121** Rev **B**  
 Page 227 of **A40**



**UNIT 7 - NORTH ELEVATION**  
 SCALE 1:100



**UNIT 7 - EAST ELEVATION**  
 SCALE 1:100

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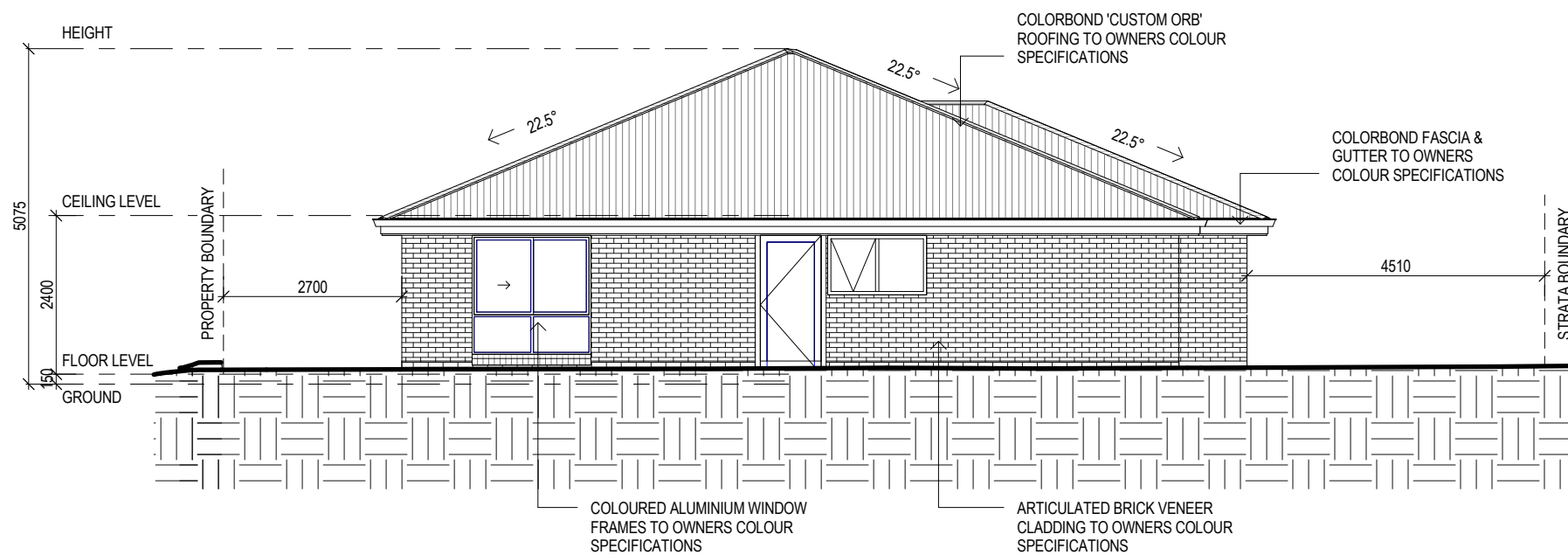
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 Project: **PROPOSED UNITS DEVELOPMENT**  
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 trin@engineeringplus.com.au

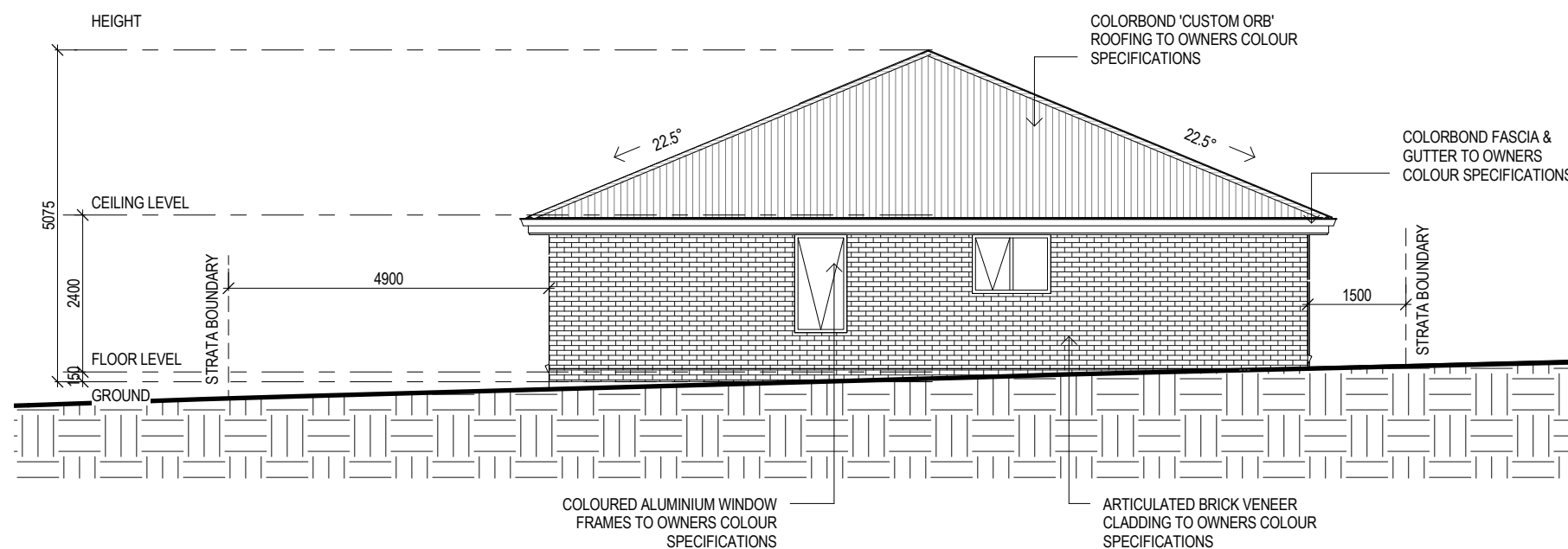
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	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121**  
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 Rev **B**



**UNIT 7 - SOUTH ELEVATION**  
 SCALE 1 : 100



**UNIT 7 - WEST ELEVATION**  
 SCALE 1 : 100

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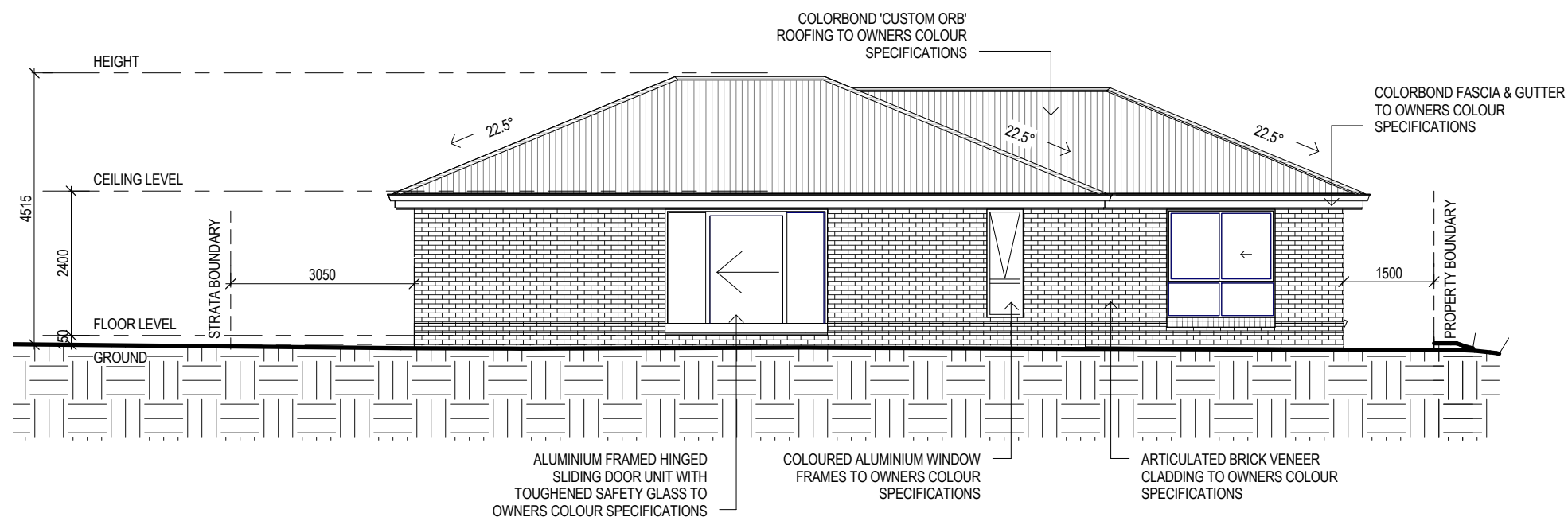
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 Project: **PROPOSED UNITS DEVELOPMENT**  
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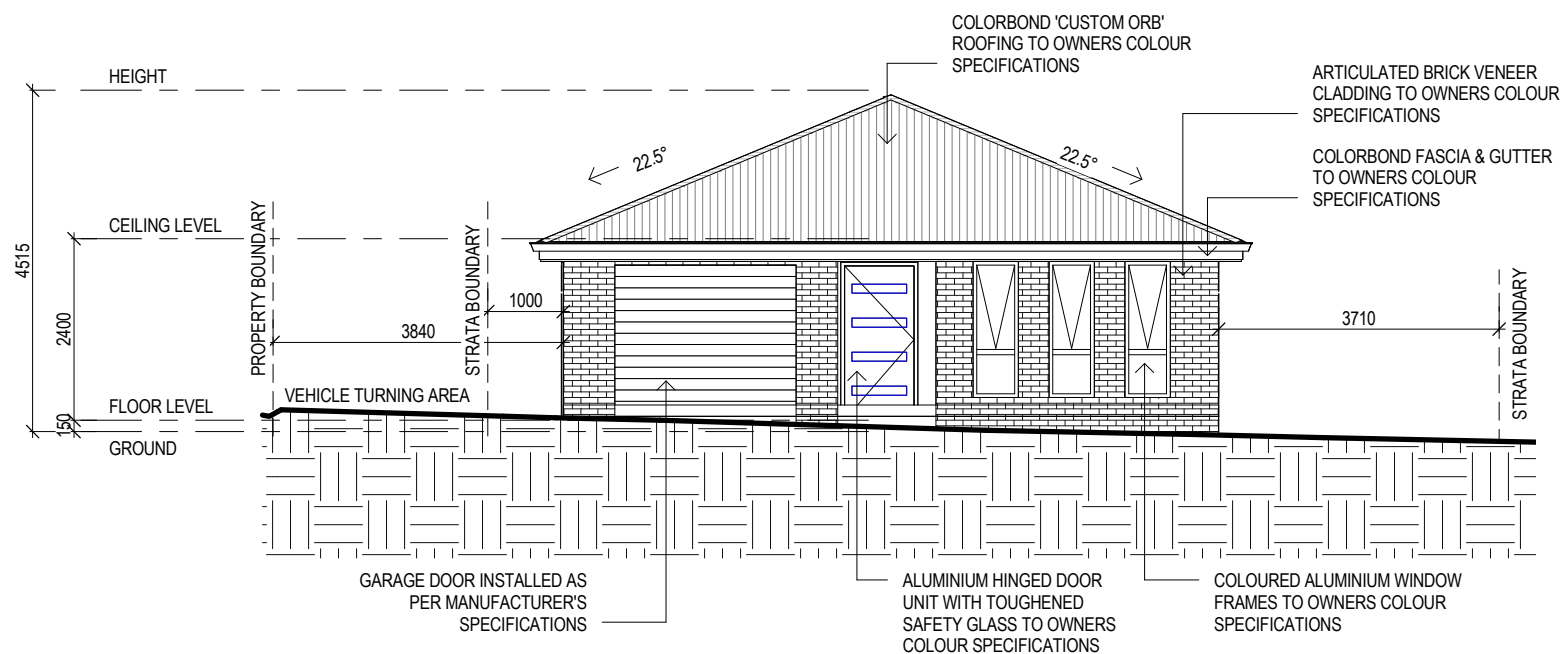
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	CONCEPT	23.06.21	A.T	
Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121**  
 Page **229**  
 A42  
 Rev **B**



**UNIT 8 - NORTH ELEVATION**  
 SCALE 1 : 100



**UNIT 8 - EAST ELEVATION**  
 SCALE 1 : 100

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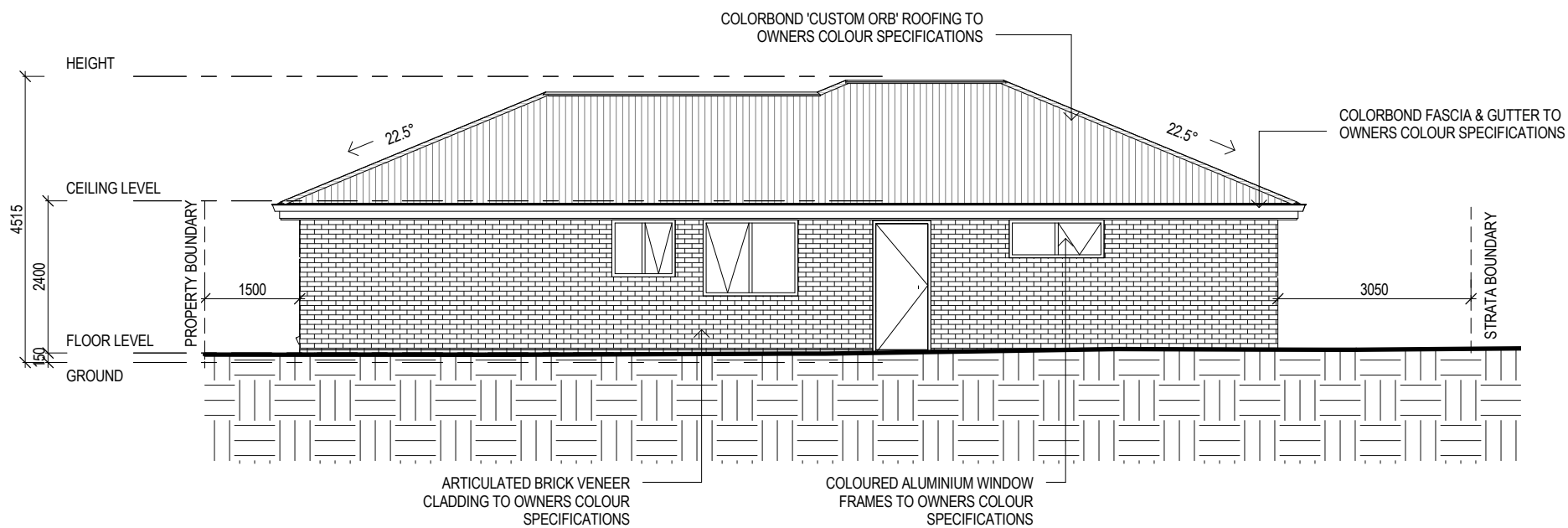
Client: **WILLIAM FRANKLIN PTY LTD**  
 Project: **PROPOSED UNITS DEVELOPMENT**  
 Address: **6 FRANKLIN ST  
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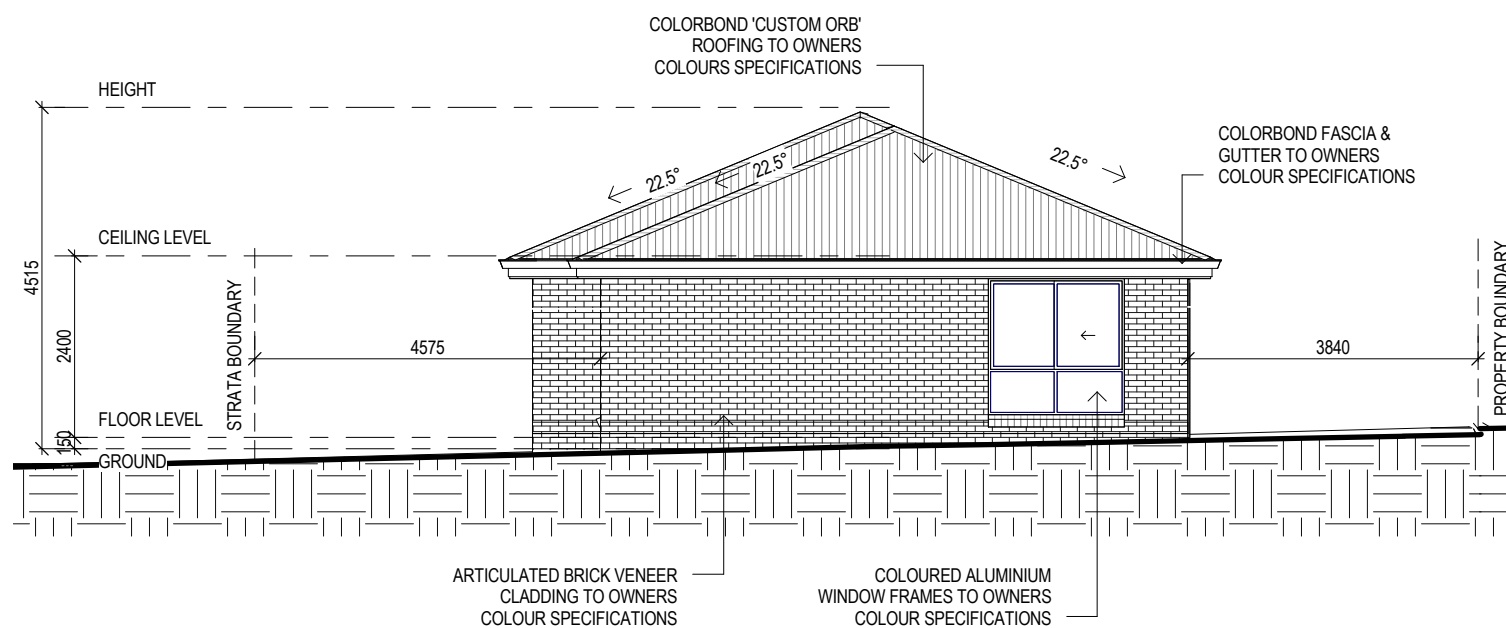
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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121** Page 230  
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**UNIT 8 - SOUTH ELEVATION**  
 SCALE 1:100



**UNIT 8 - WEST ELEVATION**  
 SCALE 1:100

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 Project: PROPOSED UNITS DEVELOPMENT  
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	CONCEPT	23.06.21	A.T	
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 Page 231  
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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

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 A45 Rev **B**

**PLANNING AUTHORITY 3**





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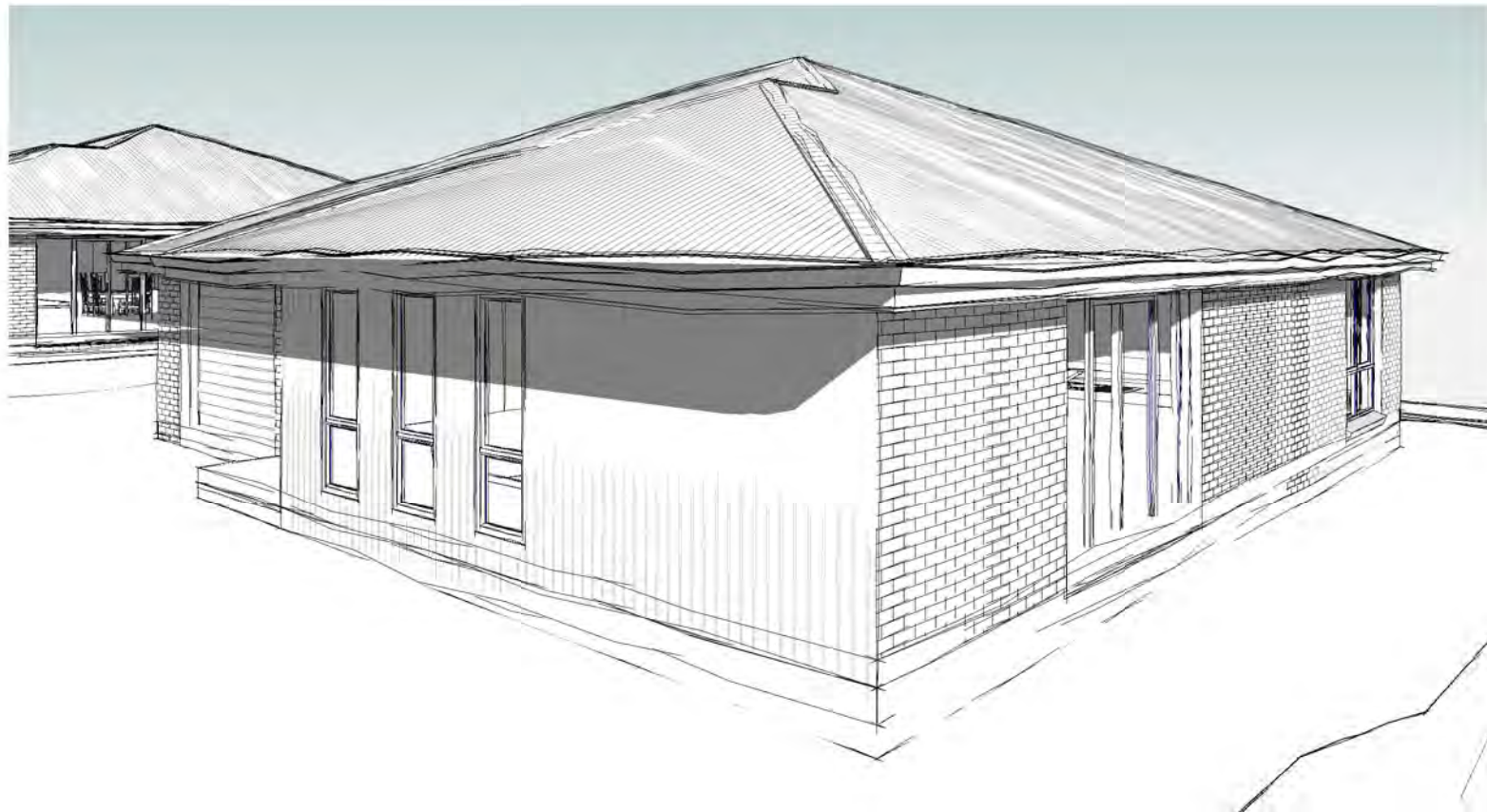
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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121** Page 233  
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**PLANNING AUTHORITY 3**



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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

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Rev **B**

**PLANNING AUTHORITY 3**



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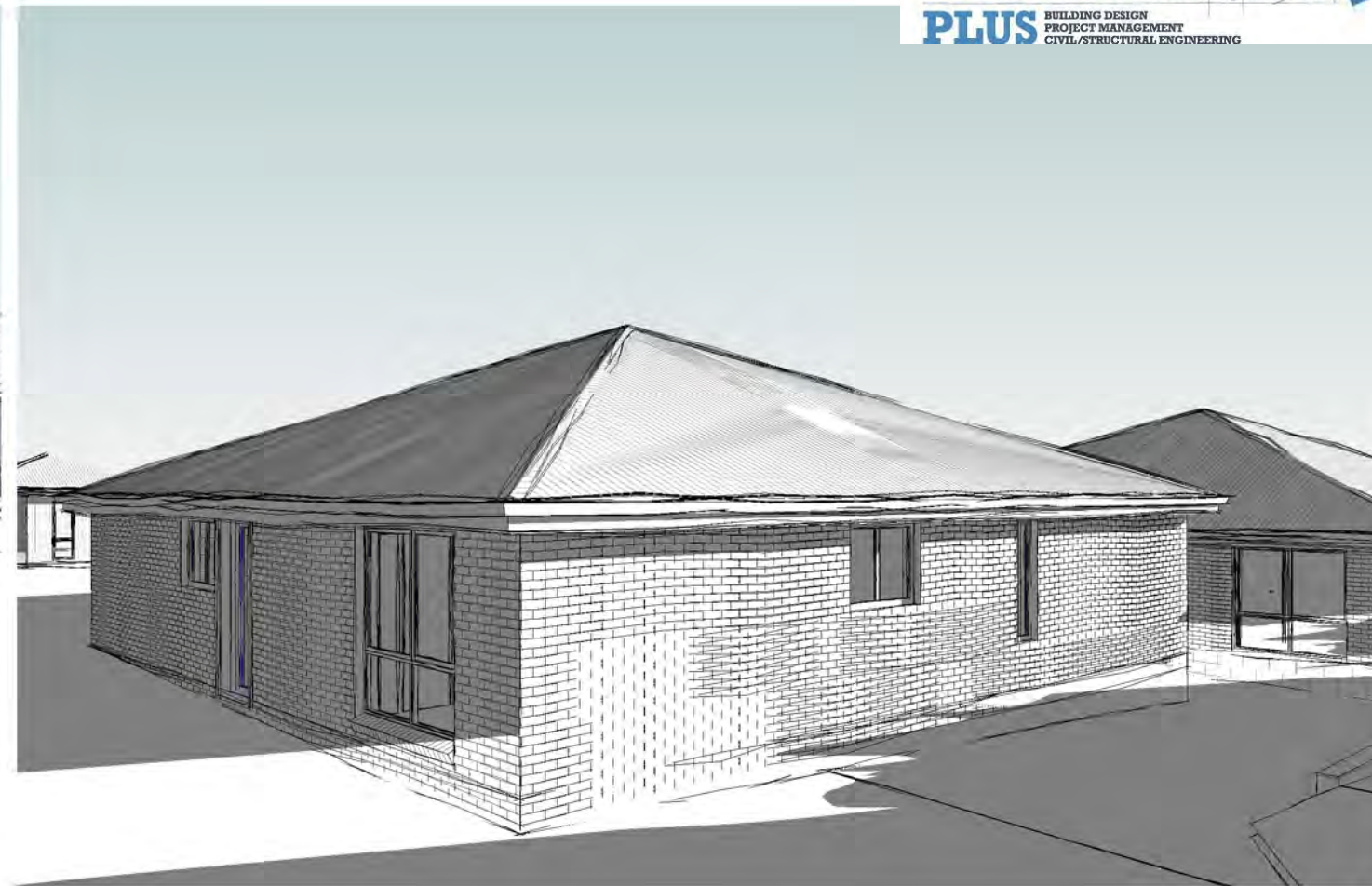
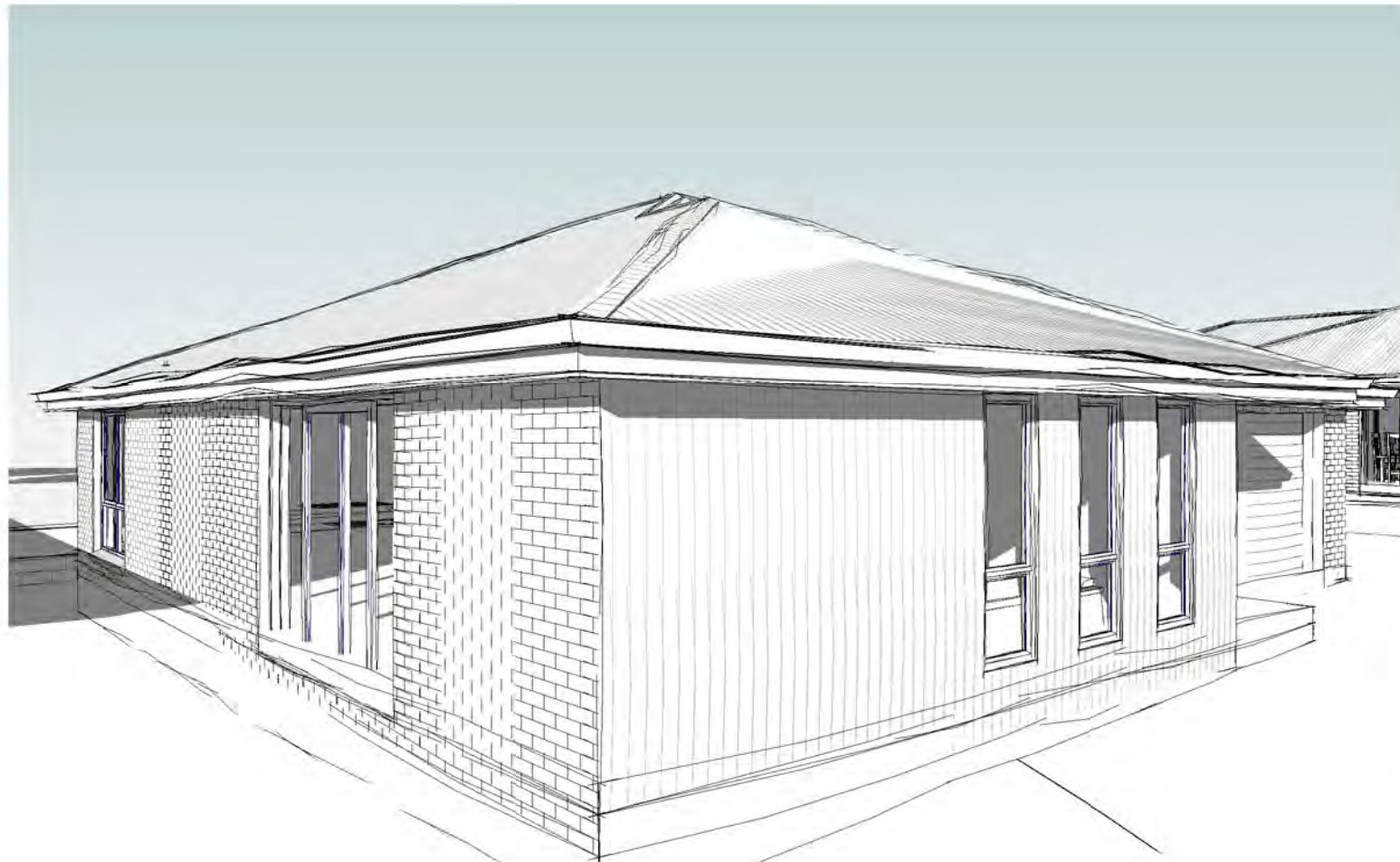
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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121** Page 235  
 A48 Rev **B**

**PLANNING AUTHORITY 3**



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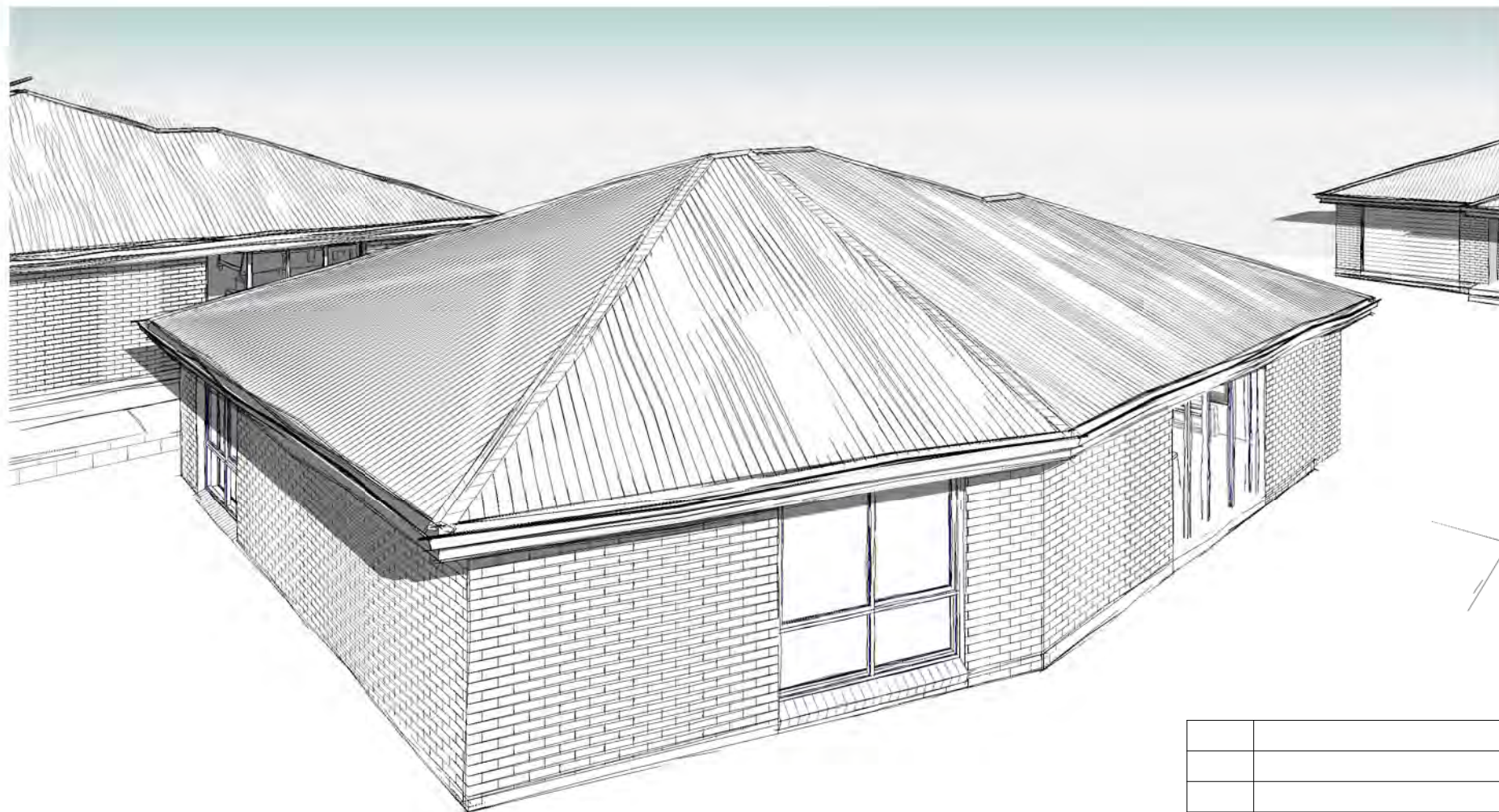
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Rev:	Amendment:	Date:	Int:	

Accredited Building Designer  
 Designer Name: **J.Pfeiffer**  
 Accreditation No: **CC2211T**

Drawing No: **13121** Page 236  
**A49** Rev **B**

**PLANNING AUTHORITY 3**



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Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Page 237  
 A50 Rev **B**

**PLANNING AUTHORITY 3**



**SHADOW PLAN #1 - 9.00AM**  
 SCALE 1 : 500



**SHADOW PLAN #2 - 10.00AM**  
 SCALE 1 : 500

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Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Rev **B**  
 Page 238  
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**PLANNING AUTHORITY 3**



**SHADOW PLAN #3 - 11.00AM**  
 SCALE 1 : 500



**SHADOW PLAN #4 - 12.00PM**  
 SCALE 1 : 500

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Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Rev **B**  
 Page 239 of **A52**

**PLANNING AUTHORITY 3**

TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>

TITLE: 179958/12  
 PID: 9796456  
 APPROX. AREA: 3560m<sup>2</sup>



**SHADOW PLAN #5 - 1.00PM**  
 SCALE 1 : 500

**SHADOW PLAN #6 - 2.00PM**  
 SCALE 1 : 500

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Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Rev **B**  
 Page 240 of **A53**

**PLANNING AUTHORITY 3**





**SHADOW PLAN #7 - 3.00PM**  
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 Project: **PROPOSED UNITS DEVELOPMENT**  
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 trin@engineeringplus.com.au

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Rev:	Amendment:	Date:	Int:	

Drawing No: **13121** Page 241  
 A54 Rev **B**

**PLANNING AUTHORITY 3**

## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	PA\22\0044	<b>Council notice date</b>	20/08/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/01406-MVC	<b>Date of response</b>	02/09/2021
<b>TasWater Contact</b>	Phil Papps	<b>Phone No.</b>	0474 931 272
<b>Response issued to</b>			
<b>Council name</b>	MEANDER VALLEY COUNCIL		
<b>Contact details</b>	planning@mvc.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	6 FRANKLIN ST, WESTBURY	<b>Property ID (PID)</b>	9796456
<b>Description of development</b>	Multiple dwellings x 6		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Engineering Plus	Site Plan / A03	A	01/08/2021
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> </ol> <p><b>56W CONSENT</b></p> <ol style="list-style-type: none"> <li>Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development (Unit 4) if built within two metres of TasWater infrastructure.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.</li> </ol> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			

**From:** "Sean Manners" [REDACTED]  
**Sent:** Thu, 16 Sep 2021 10:23:21 +1000  
**To:** "Planning @ Meander Valley Council" <Planning.AtMeander@mvc.tas.gov.au>  
**Subject:** Application: PA\22\0044

To whom it may concern.

My name is Sean Manners and I live at 12A Franklin Street. My representation follows  
The Northern end of Franklin Street is a no through road. It has Alison Court very near the end on the Eastern side and also the Westbury Bowls Club a little closer to Meander Valley Road also on the Eastern Side.

The amount of traffic movements a day, between 48 (according to MVC infrastructure dept) and 80 (MVC planning dept) is one of the issues that concerns me. Residents of Alison Court at the moment are used to only one neighbour to the right of the junction between Alison Court and Franklin Street. That is only apparently 6-10 car movements a day. Paying attention to the right could be a little slack!!

The Westbury Bowls Club as quite a number of traffic movements when there is an event or function is on. Competitive bowls is played twice a week and various community groups use it as a meeting place. Private functions such as weddings, birthdays etc also happen there regularly. This adds alot of traffic in a no through road.

The garbage truck at the moment goes to the house at the end of the street and then reverses past the entrance to Alison Court so it can drive down Alison Court to do its work. This is unsafe practice as it stands, add 8 units worth of cars plus the other house development that is being built, will make this practice even more dangerous. There appears to be no room for a truck to turn around at the end of Franklin Street. How is this safe???

Secondly I note that there is no pavement in the submitted plans on the internal roadway! Where are people supposed to walk safely? It seems to me that the developer is being over greedy in their desire to build 8 units without any consideration of pedestrian safety. What about young children. It is not enough for the developer to say that only "old" people will buy the units. I see no distinction or covenant on the development signifying that the units are for only a certain age group!

meander Valley Council may like the idea of more ratepayers in the Municipality but at what cost??? to personal amenity. Just because something may tick the boxes or be in the rules does not make it right!! 272sq meters for a block because planning rules say you divide overall space by the number of units to get an average that is over the required square meters is unethical, disgusting and a rort.

Sean Manners



Index No. 21183			
File No.			
RCVD	24 SEP 2021	MVC	
Action Officer	LR	Dept.	D&S
EO		OD	✓

## “APPLICATION FOR PLANNING APPROVAL”

**APPLICANT:** ENGINEERING PLUS — PA\22\0044  
**LOCATION:** 6 FRANKLIN STREET, WESTBURY (CT:179958/12)  
**DEVELOPMENT:** MULTIPLE DWELLINGS 8 UNITS  
 PRIVATE OPEN SPACE, PEDESTRIAN ACCESS AND TRAFFIC GENERATION

### REPRESENTATION

**AUTHOR:** BARRY J. LEE  
**PROPERTY OWNER** (WITHIN 33M FROM BOUNDARY)  
 z ALISON COURT, WESTBURY.  
**DATE:** 24 SEPTEMBER, 2021



Looking South — 1 Franklin Street, Westbury

## Pre-Amble:

Firstly, I would like to advise Members of Council that in 1950's and 60's my grandfather (Tom Gelston) rented this land together with a large parcel on the North side of Western Rail Line. For the period 1965 to 1967 my parents rented house and land at Number 1 Franklin Street, Westbury. Therefore I have a very **intimate knowledge of the area**, which is now proposed to erect 8 Units.

## Actual Facts:

1. **Letter B. Lee (24/6/2019)** requesting a **rough** plan of proposed **New Property Entrances Lot 11, 12 and 13**.
  - (A) **Response by Council** Act. Manager De Paoli — prompt and courteous, but he could not supply detail required. His suggestion was could the Developer contact me direct.
  - (B) A partner from William Franklin Pty Ltd made phone contact (while I was on a bush walk) he stated that the proposed development would be done in stages. With several blocks to be sold (private treaty) **a couple of Units would be built**, all buildings would be single level, and he was unsure of actual timeframe for this large development.  
**He requested that I should withdraw my Letter of representation.**
2. On 9/7/2019 I attended the normal Monthly Council Meeting, and **outlined my concerns** and asked for **specifications** regarding the proposed construction of a vehicle **turning head**.
  - (A) The turning head to allow Service Vehicles to turn, would be constructed to the standards set down by LGAT. **No Specification to hand — 9/7/2019!**



3. I made contact with the other Partner (perhaps—The Principal) outlining my personal concerns—i.e. new entrances x 3, together with any alterations to existing property at No. 8, No. 1 and No. 3 Franklin Street. Also I ask **straight out - What would be built on Lots 11, 12 and 13.**

(A) **You would already know this** — the proposed turning head, no comment on proposed building on Lots 11, 12 and 13. I was basically told that I was a G.O.M. Secondly, I am developing a basic piece of infill land near a rail line. The Development will be built to LGAT Standards—Do you know what LGAT means. I had a **“Gut Feeling”** during this phone call that I was actually **speaking to a Council Officer!**





Conclusion:

At the time (9/7/2019) when this original proposal was placed before Council there has been a **major change**. Now September 2021 the subdivision lots 12 and 13 are now adhered or combined.

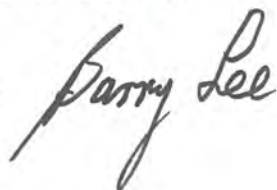
Resulting in a large scale building of Units, which will result in at least eleven (11) units on this land.

Currently, eleven separate crossovers exist for properties fronting William Street, Westbury. In Franklin Street, only two (2) crossovers will be provided to the final stage of this Development — **this is not adequate**.

Members of Council should also be aware that your Contractor has, over the past twelve months not on **one occasion** used this **famous turning head**.

The time is now to defer this proposed final stage development for 28 days to review. I note we are now living in a new century, and people expect quality Governance and in particular **Fair Play!**

I remain your most obedient ratepayer of over 52 years.

SIGNED: 

*“One change makes Many”*



## PLANNING AUTHORITY 4

(Reference No. 187/2021)

### DRAFT AMENDMENT 4/2020 – SECOND NOTIFICATION - REPORT ON REPRESENTATIONS RECEIVED – COUNTRY CLUB ESTATE - 100 COUNTRY CLUB AVENUE, PROSPECT VALE

**AUTHOR:** Jo Oliver  
Consultant Planner

#### 1) Recommendation

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

- 1. Endorse Table 1 - Consideration of Representations to Draft Amendment 4/2020 in the officer's report 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; and***
- 2. Recommend to the Tasmanian Planning Commission that the draft amendment is modified to adjust the southern boundary of the General Residential Zone and the corresponding Specific Area Plan outline in accordance with the representation by Niche Planning Studio.***

#### 2) Officers Report

At its Ordinary Meeting of the 9 February 2021, Council initiated and certified a draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- Rezone 44 hectares of land at 100 Country Club Avenue, Prospect Vale from Major Tourism Zone to General Residential Zone; and
- Insert a Specific Area Plan (SAP) over the land to provide for the key features of a residential estate.

The Tasmanian Planning Scheme commenced operation in Meander Valley on 19 April 2021, part way through the assessment of the draft amendment by the Tasmanian Planning Commission (Commission). Upon commencement of the Tasmanian Planning Scheme in a municipality, the amended provisions of the

*Land Use Planning & Approvals Act 1993 (LUPAA)* relating to the Tasmanian Planning Scheme and Local Provisions Schedule apply from that point forward.

Any draft amendments to the Meander Valley Interim Planning Scheme 2013 that were in progress, but not yet determined, at the commencement of the Tasmanian Planning Scheme are subject to the Schedule 6 - Savings and Transitional Provisions of LUPAA. This means that, at the point where the Interim Planning Scheme changed to the Tasmanian Planning Scheme, the draft amendment will then be assessed and determined as if it were an amendment to the Meander Valley Local Provisions Schedule (LPS). The provisions of Schedule 6 also provide that a planning authority may alter the draft amendment for the purposes of ensuring that it relates to the LPS.

The Commission issued a direction to the Meander Valley Council on 29 July 2021 to undertake a process of supplementary notification of aspects of Draft Amendment 4/2020 that are affected by the change of planning scheme from the Meander Valley Interim Planning Scheme 2013 to the Tasmanian Planning Scheme. The direction is included at Attachment 1.

The Commission direction focuses on that part of the Draft Amendment 4/2020 that intersects with the Tasmanian Planning Scheme – LPS changes at Travellers Rest, which are:

- the introduction of the Landscape Conservation Zone at Travellers Rest which encompasses a portion of the subject title to the south;
- the associated SAP that applies over the Travellers Rest Landscape Conservation Zone; and
- the Scenic Protection Area overlay that applies over the extent of the Travellers Rest Landscape Conservation Zone, as under the terms of the Tasmanian Planning Scheme, the scenic protection area cannot apply to the General Residential Zone.

Figure 1 shows the proposed area for rezoning and the associated Specific Area Plan, that shows the extent of change to the LPS zoning and Specific Area Plan MEA-S18.0 to the southern portion of the proposed draft amendment.

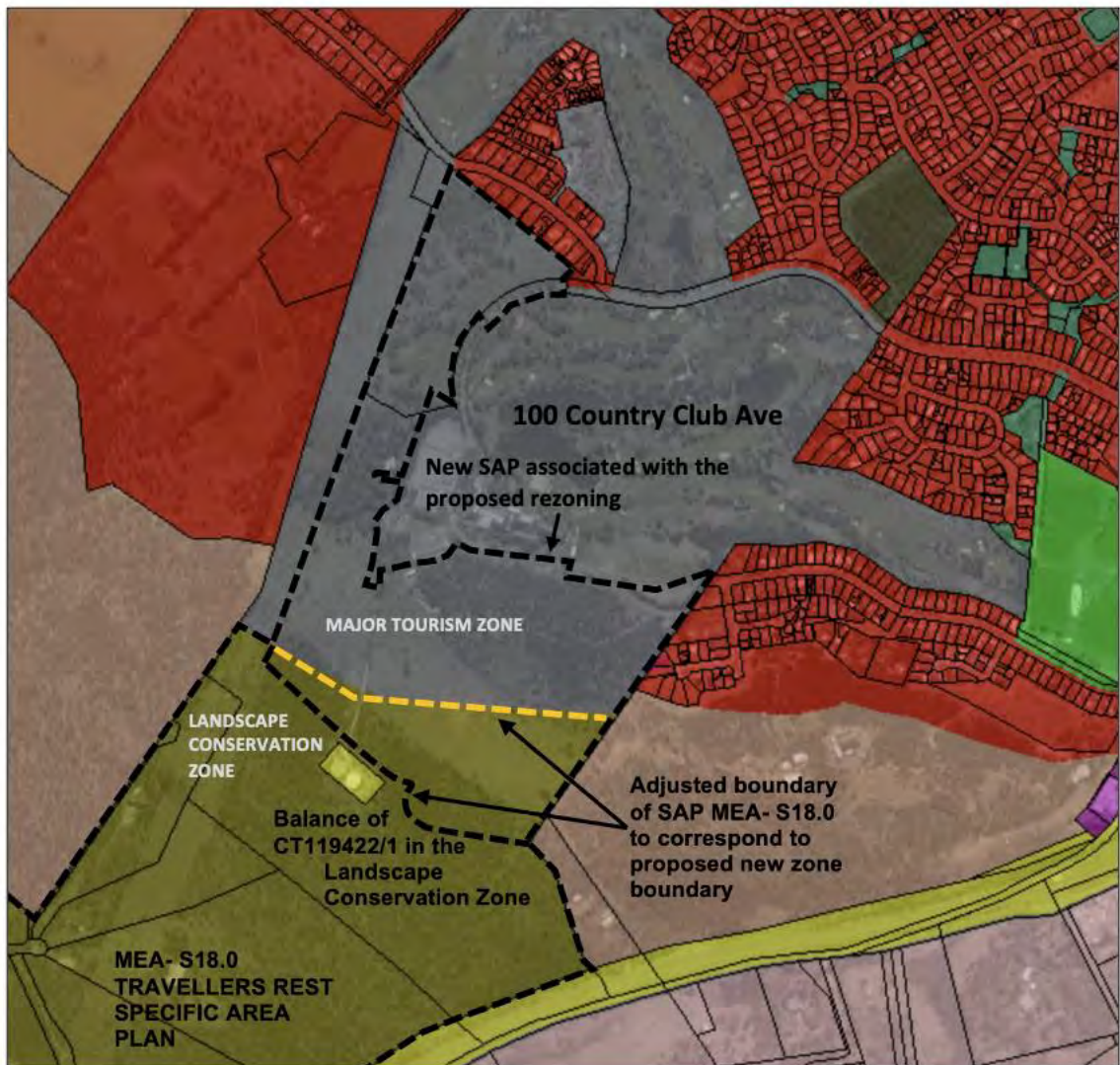


Figure 1: Diagram of current LPS zoning and Travellers Rest SAP adjustments for the proposed rezoning and SAP at 100 Country Club Avenue (CT119422/1).

When initiating the draft amendment at its February meeting, Council modified the proposed Specific Area Plan to:

- amend the title of the SAP;
- include a 1.52 hectare area of public open space over the central ridgeline;
- extend the northern internal road to Pitcher Parade; and
- include a standard to activate the required components of future subdivision.

Figure 2 shows the SAP as modified by the planning authority decision.

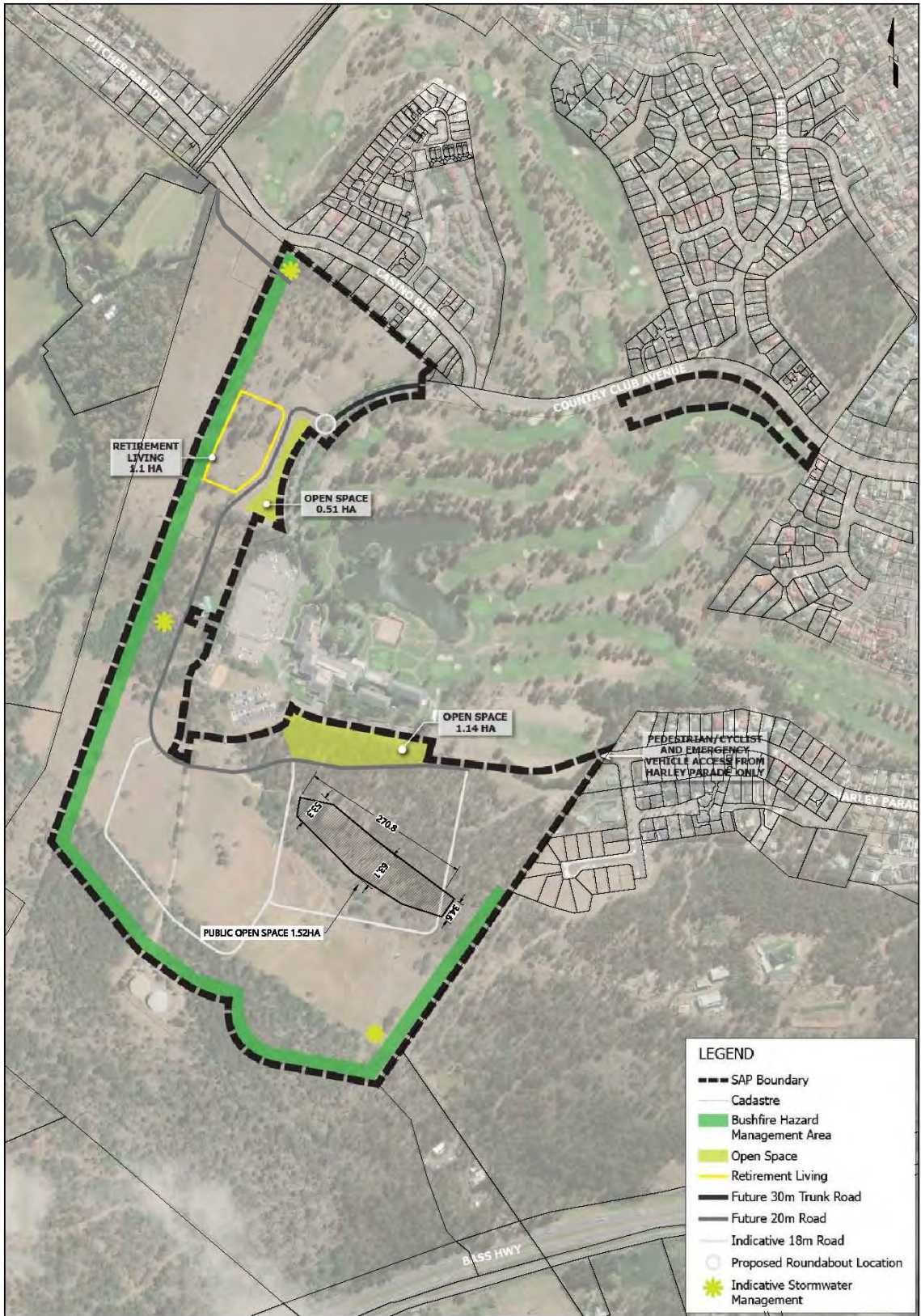


Figure 2: Initiated Specific Area Plan.

The changes resulting from the commencement of the Meander Valley LPS were described in a report and was advertised in accordance with the statutory period which commenced on Saturday 14 August and concluded on Monday 13 September 2021. That report in included as Attachment 2.

At the conclusion of the notification period, three representations had been received. In accordance with Section 40K 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 Commission.

Section 40K of the LUPAA stipulates that the planning authority’s report must include:

- a copy of each representation received by the authority in relation to the draft amendment or, where it has received no representations, a statement to that effect;
- a statement of the planning authority’s opinion as to the merit of each representation, including, in particular:
  - whether the planning authority is of the opinion that the draft amendment should be modified in consideration that representation; and
  - the effect of that recommendation on the draft amendment and the Local Provisions Schedule as a whole;
- a statement as to whether the planning authority is satisfied that the draft amendment meets the LPS criteria; and
- any recommendations in relation to the draft amendment that the planning authority thinks fit.

Recommendations of the planning authority may relate to consistency with provisions of the State Planning Provisions or whether a State Planning Provision or a provisions of the Local Provisions Schedule should, or should not, apply to the land.

Mandatory requirements of the State Planning Provisions cannot be altered through a recommendation of the planning authority.

Table 1: Consideration of Representations to Draft Amendment 4/2020 considers the representations in accordance with the requirements of Section 40K of the LUPAA.

**Table 1: Consideration of Representations to Draft Amendment 4/2020**

Representor: Grace Rock
Representation: <ul style="list-style-type: none"> <li>• Supports the draft amendment</li> <li>• Adds additional land supply to address the current shortage of properties</li> </ul>

<p>to buy or rent which is resulting in escalating property and rental prices.</p> <ul style="list-style-type: none"> <li>• Additional land supply helps to address homelessness.</li> </ul>
<p>Statement of Merit:</p> <p>Whilst the representation is not directly related to the subject of the supplementary notification, support for the draft amendment is noted. Council's original consideration of the draft amendment when initiated, acknowledged the complexities of the supply of land in the Greater Launceston urban market which was outlined in the analysis by Urban Initiatives, included in the application documents. Council agrees that additional supply of urban land is necessary and that the site is particularly well serviced with public transport and urban amenity for residential use.</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>Effect of recommended modification on draft amendment and LPS as a whole:</p> <p>Not applicable.</p>
<p>LPS Criteria:</p> <p>The representation does not affect the draft amendment's compliance with the LPS criteria.</p>
<p>Recommendation:</p> <p>The draft amendment is progressed as proposed.</p>
<p>Representor: Patrick Smith</p>
<p>Representation Issue:</p> <p>Concerns regarding traffic movement, particularly in regard to Country Club Avenue.</p>
<p>Statement of Merit:</p> <p>Whilst the representation is not directly related to the subject of the supplementary notification, Council's prior response to representations to the first notification relating to traffic issues is reiterated, as the representor raises similar issues that are addressed through the prior recommended modification to the Specific Area Plan and road network improvements that will be addressed over time.</p> <p>Council's Response:</p> <p><i>The representations raise relevant issues pertaining to traffic impacts.</i></p> <p><i>In response:</i></p> <ul style="list-style-type: none"> <li>• <i>Council will continue to work with Richard Burk on a 'Traffic and Development Plan' for Prospect Vale/Blackstone Heights to determine</i></li> </ul>

*thresholds for road and junction improvements, as well as key measures such as a new link through to Mt Leslie Road.*

- Council commits to pursuing road network interventions that eliminate the need to convert the 'Cheltenham Green' island into a roundabout, due to the amenity values expressed by existing residents. It is noted that the comments in the traffic impact assessment submitted in the application, relating to the installation of a roundabout at this location, do not take into account any extension of Mt Leslie Road to Pitcher Parade and Council's required modification to extend the internal road of this development to a future intersection on Pitcher Parade. This will distribute traffic away from the junction of Cheltenham Way with Country Club Avenue.*
- Council commits to future attention to the visual appearance of roundabouts and other crossing infrastructure. This will enhance the visual amenity of the area.*

*It is considered that increased traffic is inevitable with growth, along with associated noise effects. However it is noted that Country Club Avenue is already a busy collector road and was designed for that purpose. The design of future traffic management measures can take into account the resultant effects of vehicle behaviour adjacent to dwellings.*

*The impacts of noise at peak times will not likely be noticeable due to the high level of use of the road.*

*The crossing for the golf course and pedestrians will require detailed attention in the future work for subdivision, due to the increases in traffic on Country Club Avenue. As mentioned by a representor, this could also act as an effective traffic calming measure.*

At the time of initiation, the draft amendment was modified to include identification of a future road link through to a future junction on Pitcher Parade to coincide with a future extension of Mount Leslie Road. This will provide an alternate route to access nearby schools.

Need for Modification:

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

Effect of recommended modification on draft amendment and LPS as a whole:

Not applicable.

LPS Criteria:

The representation does not affect the draft amendment's compliance with the LPS criteria.

Recommendation:

The draft amendment is progressed as proposed.

Representor: Niche Planning Studio obo Federal Group and Kin Capital

Representation Issue:

- Following the modification of the draft amendment at initiation to include a central area of public open space in the SAP, the applicant has made adjustments to the future concept layout for subdivision that affects the alignment of the proposed General Residential Zone and corresponding SAP along the southern boundary of the draft amendment.
- The representation submits that the southern boundary of the draft amendment should be altered to provide for the amended concept development layout which allows for a better lot arrangement.
- The adjustment results in a 2000m<sup>2</sup> increase in the proposed General Residential Zone area and SAP area which is a marginal increase on the total rezoning area of 44 hectares at 0.45%.
- The balance area complies with the minimum lot size required in the Landscape Conservation Zone.

Statement of Merit:

The adjustment to the proposed zone and SAP boundary submitted in the representation relates to the portion of the site that is affected by the change in zoning to Landscape Conservation Zone and the corresponding Travellers Rest SAP and scenic protection area overlay.

However, the proposed adjustment does not affect the nature of the assessment undertaken for the draft amendment initially, or for the more recent changes due to the commencement of the Meander Valley Local Provisions Schedule. The assessment of impact and compliance with the LPS Criteria in the LUPAA are described in the notification report (attached), which concludes that the removal of the scenic protection overlay over the proposed General Residential zoned part of the land and the change to the Landscape Conservation Zone and associated SAP are appropriate, subject to the initial modification that requires the inclusion of the area of public open space over the central ridgeline. Despite being one of the most prominent topographical features when viewed from the suburb to the north, the ridgeline was not contained within the scenic protection area that transitioned from the 1995 Planning Scheme, through to the 2013 Interim Planning Scheme and into the Meander Valley LPS.

In consideration of actual view lines from the surrounding area, it is this modification to the SAP to retain the central vegetated ridgeline as public open space that better supports the strategic objectives for visual amenity for the area expressed in the Prospect Vale - Blackstone Heights Structure Plan, than the alignment of the southern boundary of the proposed rezoning.

A diagram of the view lines showing the mitigating effect of vegetation screening and the graduation of landscape buffers at the edge of the proposed rezoning is included at Attachment 2 of the notification report.



<p>The adjustment submitted in the representation is very minor and has no practical impact on the assessment of the appropriateness of the draft amendment undertaken to date and provides for a better subdivision layout in the future.</p>
<p><b>Need for Modification:</b></p> <p>The draft amendment should be modified to reflect the adjustment of the southern boundary of the proposed General Residential Zone and associated SAP, submitted by the representor.</p>
<p><b>Effect of recommended modification on draft amendment and LPS as a whole:</b></p> <p>The recommended modification affects only a small section of the alignment of the proposed General Residential Zone and associated SAP at the interface with the Landscape Conservation Zone, Travellers Rest SAP and scenic protection area.</p> <p>The analysis described in the notification report shows that the modification, in effect, makes no material difference to the assessment of scenic values or the planning authority's initial intentions in requiring the area of public open space over the central ridgeline to be included when initiating the draft amendment.</p> <p>The modification relates to only a small portion of the draft amendment area and does not affect the LPS as a whole.</p>
<p><b>LPS Criteria:</b></p> <p>The recommended modification has no material effect on the assessment of strategic objectives for the area and the justification provided for a Specific Area Plan over the proposed General Residential Zone. The draft amendment area and balance land in the Landscape Conservation Zone with the associated Travellers Rest SAP and scenic protection area overlay, maintain compliance with mandatory requirements of the Tasmanian Planning Scheme.</p>
<p><b>Recommendation:</b></p> <p>The draft amendment is modified by adjusting the southern boundary of the proposed General Residential Zone and the associated SAP in accordance with the diagram at Page 5 of the representation.</p>
<p><b>Statement of compliance:</b></p>
<p>Subject to the modifications of the draft amendment included at initiation and certification stage and the recommended modifications resulting from the consideration of representations to the first and supplementary notification of the draft amendment, the planning authority is satisfied that the draft amendment meets the LPS Criteria.</p>

### **3) Council Strategy and Policy**

Furtheres 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
- Future direction (3): Vibrant and engaged communities
- Future direction (4): A healthy and safe community
- Future direction (6): Planned infrastructure services

### **4) Legislation**

The Tasmanian Planning Scheme commenced operation in Meander Valley on 19 April 2021, following the approval of the Meander Valley Local Provisions Schedule (LPS). Upon commencement of the Tasmanian Planning Scheme in a municipality, the amended provisions of the *Land Use Planning & Approvals Act 1993* (LUPAA) relating to the Tasmanian Planning Scheme and LPS apply from that point forward.

Any draft amendments to the Meander Valley Interim Planning Scheme 2013 that were in progress, but not yet determined, at the commencement of the Tasmanian Planning Scheme are subject to the Schedule 6 - Savings and Transitional Provisions of LUPAA. This means that, at the point where the Interim Planning Scheme changed to the Tasmanian Planning Scheme, the draft amendment will then be assessed and determined as if it were an amendment to the Meander Valley LPS. The provisions of Schedule 6 also provide that a planning authority may alter the draft amendment for the purposes of ensuring that it relates to the Local Provisions Schedule.

At the direction of the Commission, a supplementary notification under section 40G was required of aspects of the Tasmanian Planning Scheme that were not included in the initiation and certification of the draft amendment and are now in operation and affected by the draft amendment. Council is then required to prepare a report on any representations received under section 40K.

Council's report, pursuant to section 40K of the LUPAA, is provided in Table1 - Consideration of Representations to Draft Amendment 4.2020 above.

### **5) Risk Management**

Not applicable

### **6) Government and Agency Consultation**

The supplementary notification of the draft amendment was referred to the relevant State agencies and authorities. No representations were received.

#### **7) Community Consultation**

This report responds to the representations received during the supplementary public notification period, which commenced Saturday 14 August and concluded on Monday 13 September, 2021. The Commission will hold hearings into all representations, prior to making a decision on the draft amendment.

#### **8) Financial Consideration**

Not applicable

#### **9) Alternative Recommendations**

Council may modify the report under Section 40K of the LUPAA prior to submission to the Commission.

#### **10) Voting Requirements**

Simple Majority

### **DECISION:**

# TASMANIAN PLANNING COMMISSION

Our ref: DOC/21/83712  
Officer: Karen Fyfe  
Phone: 6165 6808  
Email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

29 July 2021

Mr John Jordan  
General Manager  
Meander Valley Council

Attention: Krista Palfreyman

By email: [krista.palfreyman@mvc.tas.gov.au](mailto:krista.palfreyman@mvc.tas.gov.au);  
[mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Dear Mr Jordan

## **Tasmanian Planning Scheme – Meander Valley Draft amendment 4-2020**

### **Rezone and Country Club Specific Area Plan at 100 Country Club Avenue, Prospect Vale**

Thank you for your further submission dated 15 July 2021. Following consideration of the information provided and the transitional provisions of section 4(2)(b) and section 5(2)(b) of Schedule 6 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission has decided that in order to observe natural justice, this draft amendment requires alterations by the planning authority to ensure it relates to the Meander Valley Local Provisions Schedule (LPS).

The Commission considers that alterations to the substance of the draft amendment are required for the draft amendment to meet the LPS criteria. The Commission also considers that these alterations require a public consultation process.

The Commission directs the planning authority to prepare a revised draft amendment to address the LPS requirements including:

1. Alterations to address the part of folio the Register 119422/1 in the Travellers Rest Specific Area Plan;
2. Alterations to address the part of folio of the Register 119422/1 in the Landscape Conservation Zone;
3. Alterations to address the part of folio of the Register 119422/1 in the Scenic Protection Area;
4. Any other modifications or information the planning authority considers is required to address the LPS requirements, for example changes to the extent of the existing overlays or any new proposed overlays; and
5. Modification that may be required to identify where the 'retirement living' should be located and identified within the SAP area, having regard to the bushfire review information provided by Rebecca Green. Reconsider identifying the specified area differently if it is proposed not to be retirement living.

The Commission expects the altered draft amendment to follow the process for an amendment to a local provisions schedule, although not statutory, including exhibition under section 40G,

representations under section 40J and the planning authority's report to the Commission under section 40K.

In regard to the planning authority's section 40K report, an approach to addressing section 32(4) of the Act is available on the Planners Portal on the [Commission's website](#)<sup>1</sup>.

The Commission will consider the representations and reports received under section 39 of the former Act and 40K of the Act as part of its assessment.

The public exhibition notice should provide guidance to the public on the process that has occurred.

It is noted that section 40E of the Act provides an alternative to the planning authority to withdraw the draft amendment should this be preferred.

If you require further information please contact Karen Fyfe, Planning Adviser, on 6165 6808.

Yours sincerely



Roger Howlett  
**Delegate (Chair)**

cc applicant and representors

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<sup>1</sup> [www.planning.tas.gov.au/\\_\\_data/assets/pdf\\_file/0006/582846/An-approach-to-applying-section-324.pdf](http://www.planning.tas.gov.au/__data/assets/pdf_file/0006/582846/An-approach-to-applying-section-324.pdf)



Meander Valley Council  
Working Together

**Draft Amendment 4/2020**

**Rezoning and Specific Area Plan**

**100 Country Club Avenue  
Prospect Vale**

Supplementary Notification Following Commencement of the  
Meander Valley Local Provisions Schedule

## 1.0 Introduction

The Tasmanian Planning Commission (TPC) has issued a direction to the Meander Valley Council to undertake a process of supplementary notification of aspects of Draft Amendment 4/2020 that are affected by the change of planning scheme from the Meander Valley Interim Planning Scheme 2013 to the Tasmanian Planning Scheme. The direction is included at Attachment 1.

The Tasmanian Planning Scheme commenced operation in Meander Valley on 19 April 2021, following the approval of the Meander Valley Local Provisions Schedule (LPS). Upon commencement of the Tasmanian Planning Scheme in a municipality, the amended provisions of the *Land Use Planning & Approvals Act (LUPAA) 1993* relating to the Tasmanian Planning Scheme and LPS apply from that point forward.

Any draft amendments to the Meander Valley Interim Planning Scheme 2013 that were in progress, but not yet determined, at the commencement of the Tasmanian Planning Scheme are subject to the Schedule 6 - Savings and Transitional Provisions of LUPAA. This means that, at the point where the Interim Planning Scheme changed to the Tasmanian Planning Scheme, the draft amendment will then be assessed and determined as if it were an amendment to the Meander Valley LPS. The provisions of Schedule 6 also provide that a planning authority may alter the draft amendment for the purposes of ensuring that it relates to the Local Provisions Schedule.

The TPC direction focuses on that part of the Draft Amendment 4/2020 that intersects with the Tasmanian Planning Scheme – LPS changes at Travellers Rest, which are:

- the introduction of the Landscape Conservation Zone which encompasses a portion of the subject title to the south;
- the associated Specific Area Plan that applies over the Travellers Rest Landscape Conservation Zone; and
- the Scenic Management Area overlay that applies over the extent of the Travellers Rest Landscape Conservation Zone.

## 2.0 Background

### 2.1 Meander Valley Local Provisions Schedule

The Draft Meander Valley LPS was endorsed by the planning authority at its meeting on 12 December 2017 and submitted to the TPC. The TPC directed that the Draft LPS be publicly notified in accordance with the Act on 9 October 2018.

The draft LPS was publicly notified for 60 days on 20 October 2018. In accordance with the requirements of the Act, a notice was placed in two Saturday editions of the Examiner and Advocate newspapers and an article placed on Council's website under 'Latest News'. In addition to the requirements of the Act, a letter was sent to each property owner identified in Council's rates database.

Council received submissions from the residents of Travellers Rest relating to the regulatory impacts of the future planning scheme provisions and the long-standing scenic protection provisions that maintain the character of the locality.

The Scenic Protection Area overlay at Travellers Rest was included in Council's Draft LPS as a 'transitional provision', whereby specific overlay components in the prior *Meander Valley Planning Scheme 1995* could be carried forward into the new LPS where they did not conflict with the requirements of the Tasmanian Planning Scheme. The Minister for Planning declared Meander Valley Council's transitional provisions to be included in the future LPS in a notice issued in August 2018 and these were included in the public notification of the Draft LPS. Components of the LPS that are declared transitional provisions cannot be subject to amendment through the LPS process. However once the LPS is approved and the Tasmanian Planning Scheme is operational, the transitional components become a conventional part of the planning scheme and may be subject to amendment.

The future use and development provisions relating to Travellers Rest were considered in detail through the first round of TPC hearings into the Meander Valley LPS regarding the nature of development in the area and appropriate standards to reflect a residential environment with high aesthetic value. The provisions of the proposed Landscape Conservation Zone, together with a Specific Area Plan to tailor development standards appropriate to the character of the existing residential environment, were further considered as substantial modifications to the Draft LPS, through hearings held in 2020. The TPC issued its decision on the final form of the Meander Valley LPS in February 2021 and it commenced operation in Meander Valley on 19 April 2021.

## 2.2 Draft Amendment 4/2020

Draft Amendment 4/2020 was initiated and certified by Meander Valley Council at its Ordinary Meeting of 9 February 2021. The draft amendment proposes to rezone part of the land at 100 Country Club Avenue (Country Club Tasmania) from Major Tourism Zone to General Residential Zone and apply a Specific Area Plan (SAP) to make specific provision for:

- an area of public open space central to the development;
- primary and secondary road layout and key junctions;
- landscape retention and bushfire management areas; and
- an area allocated for a multi-level apartment building.

Figures 1 and 2 below show the certified rezoning and the associated Specific Area Plan.



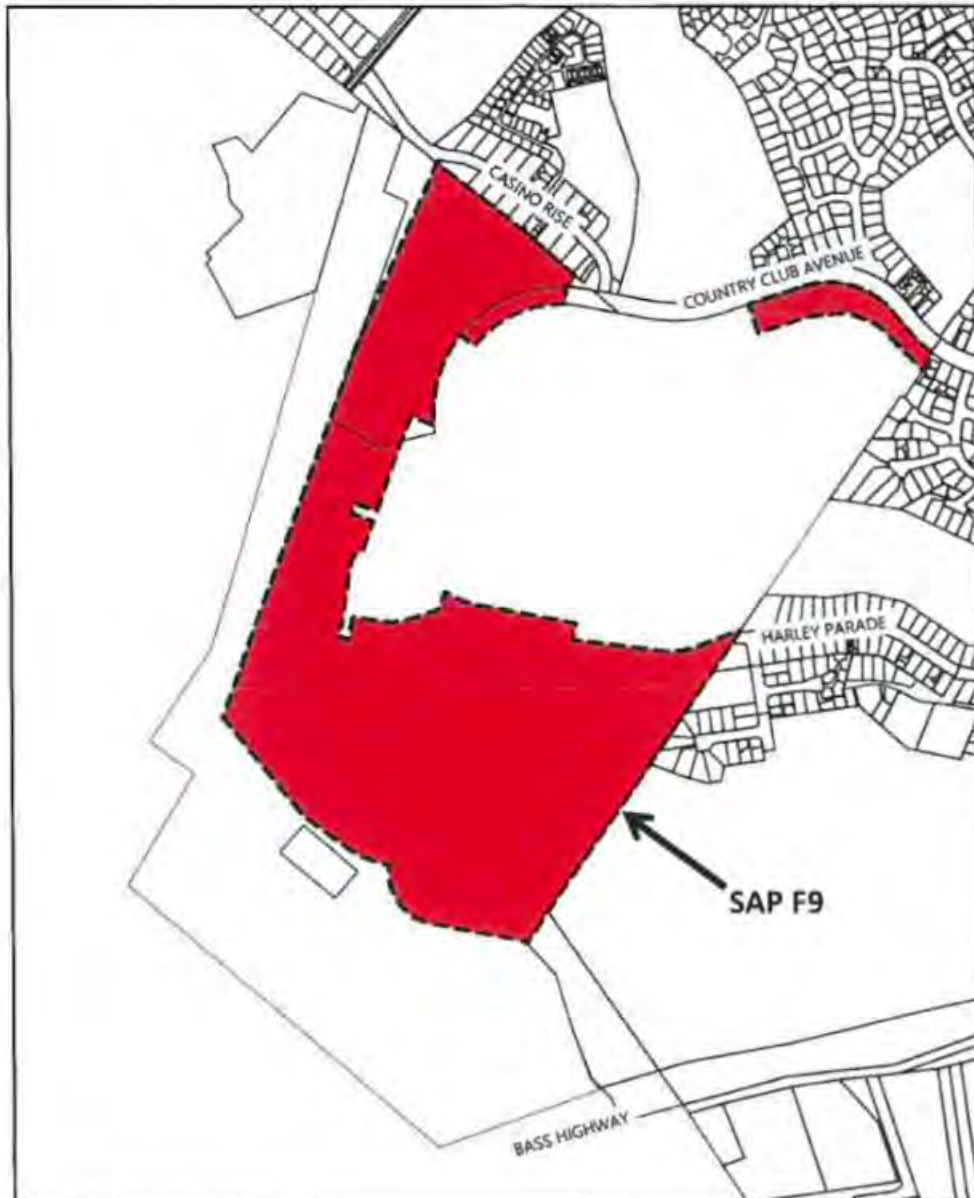


Figure 1: Land proposed to be rezoned to General Residential Zone (extract from Council's certification document) with SAP outline.

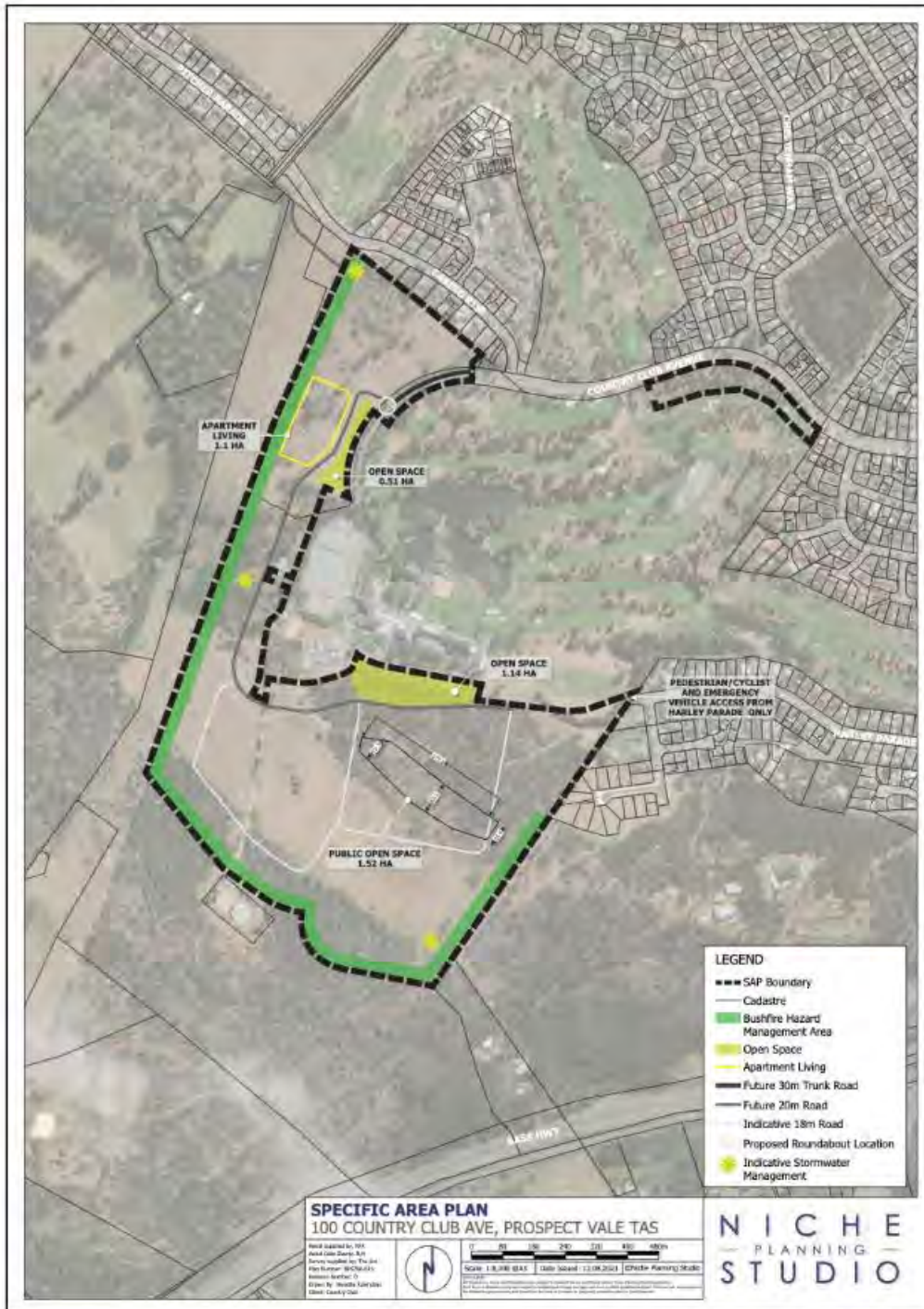


Figure 2: Proposed Specific Area Plan over the General Residential Zone

The draft amendment was publicly notified on 13 February 2021 for a period of 30 days. The documentation that was available for public viewing included the application planning report, supported by various technical reports assessing the suitability of the land. Appendix C (p.64) of the application planning report included identification and a comparative analysis of the proposal against the relevant components of the Draft LPS that were, at the time, under consideration by the TPC but not yet decided. Appendix C also identified and discussed the Codes and overlays that would apply to the land in the future, when the Draft LPS is approved and the implications of those codes and overlays on prospective development under the proposed rezoning.

Council's consideration of the proposal and application assessment report included recommendations for modifications to the proposal to ensure that the outcomes aligned with Council's strategic priorities for the local area and the subsequent decision to initiate the draft amendment included those modifications which were then publicly notified.

The TPC have highlighted procedural matters associated with the prior notification of the draft amendment in that the changes to the final form of the Meander Valley LPS in the southern part of the site, to the extent that it overlaps with the draft amendment, have not been specifically identified for public notification. This is irrespective of discussion of the draft future LPS provisions in the application report, due to the fact that technically, the LPS provisions did not exist at the time of prior notification and as the Draft LPS process was in train, it was not guaranteed that they would be the operational provisions in the future.

As such, this supplementary notification outlines those aspects that overlap and the associated alterations to the operational Meander Valley LPS to ensure that it complies with the requirements of LUPAA, the Tasmanian Planning Scheme and local strategic objectives.

### 2.3 The Draft Amendment and the Meander Valley Local Provisions Schedule

The land proposed for rezoning to General Residential Zone and the extent of the SAP over that zoning, intersects with the new Landscape Conservation Zone and the associated Travellers Rest SAP, as well as the Scenic Protection Area that was carried forward from the Interim Planning Scheme, in the southern part of the subject land. The degree of overlap can be seen in Figure 3 below. At the time of the application for rezoning, the entirety of the site at 100 Country Club Avenue was zoned Major Tourism Zone.

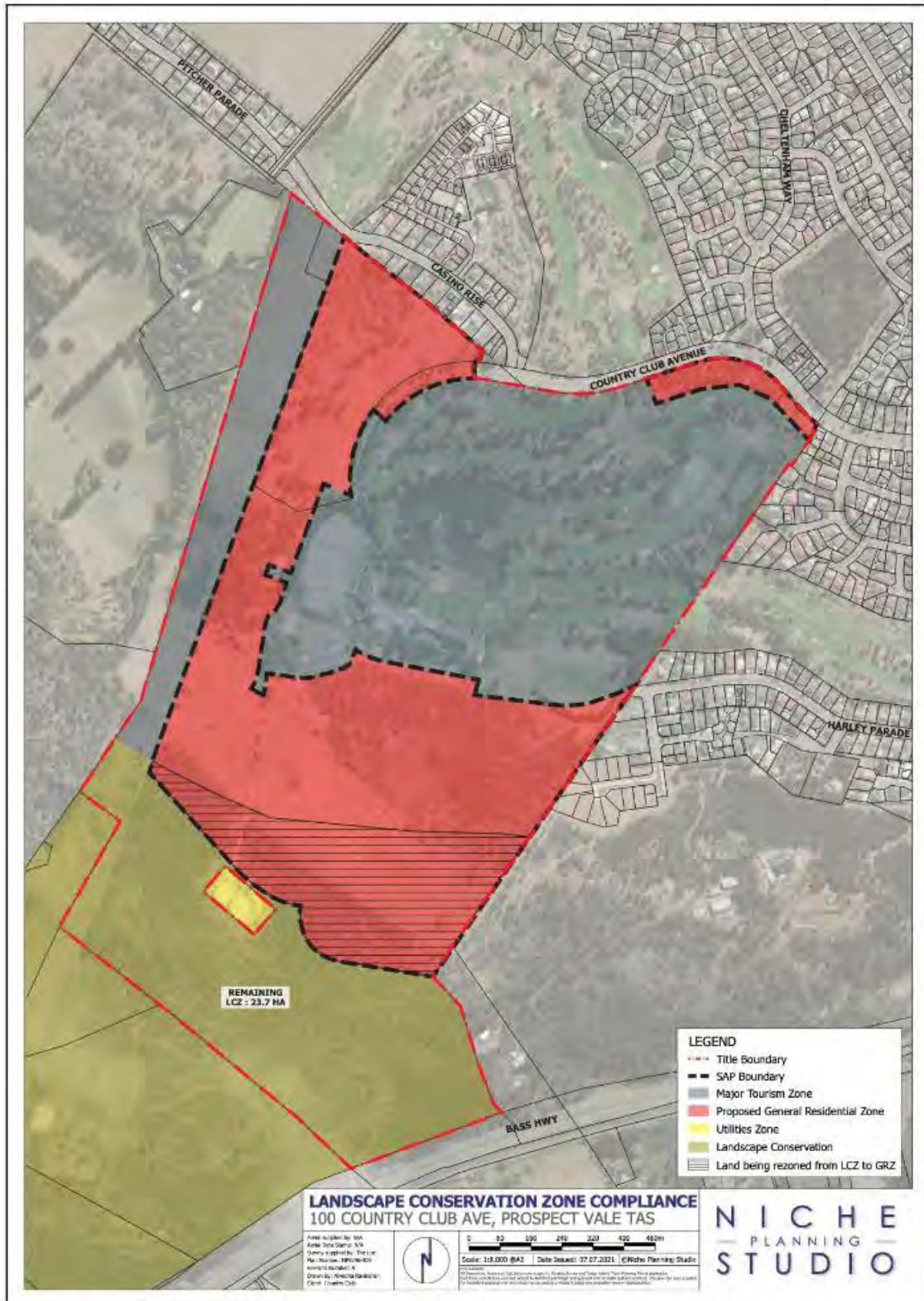


Figure 3: Diagram of initiated rezoning to General Residential Zone and SAP outline showing the extent of overlap with the Landscape Conservation Zone and Scenic Protection Area (hatched portion).

Figure 4 below shows the current arrangement of LPS zoning of Landscape Conservation Zone over Travellers Rest and the Major Tourism Zone over the Country Club Tasmania at 100 Country Club Avenue (the subject site). The southern portion of the subject site was

included in the Landscape Conservation Zone, in the Meander Valley LPS consistent with the adjacent topography of Travellers Rest.

The proposed draft amendment to rezone part of 100 Country Club Avenue to General Residential Zone, now takes in part of the site that has changed zoning with the commencement of the Tasmanian Planning Scheme to Landscape Conservation Zone with an associated SAP. The proposed draft amendment therefore now includes a required adjustment to the Landscape Conservation Zone and the associated MEA-18.0 Travellers Rest Specific Area Plan, to align the boundaries to the proposed extent of rezoning to the General Residential Zone. Figure 3 shows the extent of the adjustment to change the affected part of the Landscape Conservation Zone to the General Residential Zone and the realigned boundary of MEA-S18.0 Travellers Rest Specific Area Plan to match the boundaries of the Landscape Conservation Zone. Figure 4 shows the relationship of the adjusted MEA-18.0 Travellers Rest Specific Area Plan and the adjacent proposed new SAP associated with the rezoning to General Residential Zone.

The rationale as to why this change is appropriate in the context of the assessment undertaken for the draft amendment to date, is discussed in further detail in following sections.

*(Note: The Taswater title within the area being considered that contains the water supply reservoirs and is zoned Utilities Zone, is unaffected by the proposal)*

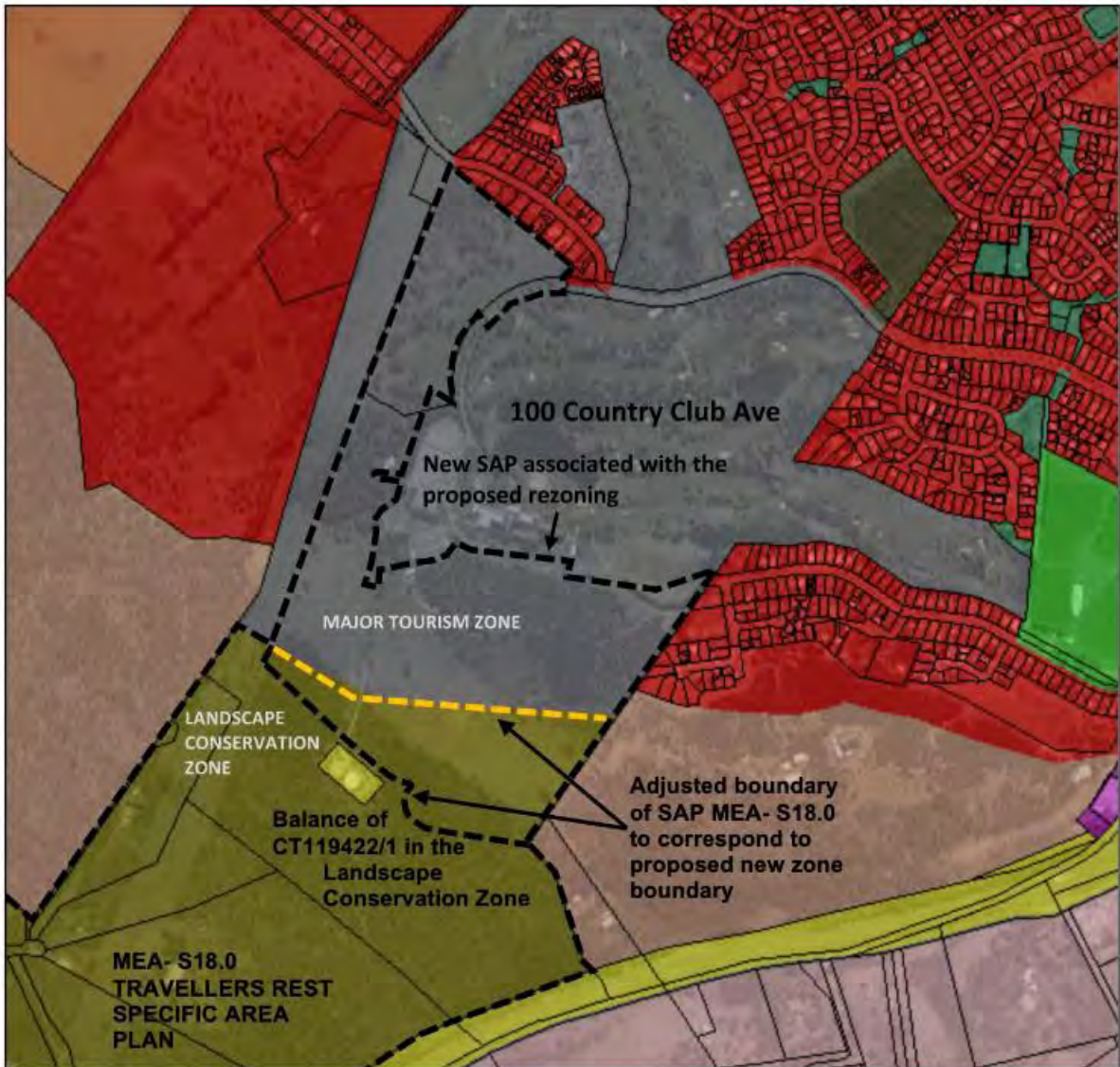


Figure 4: Diagram of current LPS zoning and Travellers Rest SAP adjustments for the proposed rezoning and SAP at 100 Country Club Avenue (CT119422/1).

## 3.0 Amendment to Meander Valley Local Provisions Schedule

### 3.1 Scenic Protection Area

The Scenic Protection Area at Travellers Rest and the Blackstone Hills has its foundations in the 1995 Meander Valley Planning Scheme. It was subsequently carried through to the Meander Valley Interim Planning Scheme in 2013 and into the Meander Valley Local Provisions Schedule as a transitional provision, declared by the Minister for Planning in August 2018. Pursuant to the requirements of the LUPAA, transitional provisions declared by the Minister could not be altered throughout the LPS assessment process.

The original boundaries of the scenic protection area were drawn in the 1995 Planning Scheme in response to early development of the Travellers Rest low density residential area and to manage the impacts of future potential use and development along the Blackstone Hills as viewed from the Bass Highway. The northern boundary of the scenic protection area was a relatively arbitrary designation that approximately followed a contour line that encompassed the two sides of the crest of the ridgeline of the Blackstone Hills (inclusive of Strahans Hill and the ridgeline to the south of Harley Parade), to enable potential future skyline impacts to be considered. The overlay was divided to either side of the existing high voltage powerline easement that traverses the ridge, due to the high degree of visual prominence of the powerlines and the inability to mitigate the visual impacts.

The extent of the Scenic Protection Area, as currently mapped in the Meander Valley LPS is shown below in Figure 5.



Figure 5: LPS Scenic Protection Area overlay (purple hatch) over aerial photograph.

To some degree, the extent of the overlay on the northern slopes, provides a general protection over the landscape when viewed from the north.

The Meander Valley LPS, in MEA-Table C8.1, describes the scenic value of the prominent topography of the Blackstone Hills and Strahan's Hill as:

- a) *The prominent, vegetated, hill-faces border the urban edge of Prospect Vale and provide a natural outlook feature to that suburb and from Hadspen to west.*
- b) *The range is a prominent natural feature when viewed from the Bass Highway on the approach to Launceston.*

The management objectives are:

- a) *To avoid significant landscape change on hill faces of visual prominence when viewed from Prospect Vale, Hadspen and the Bass Highway.*
- b) *To locate and design development to blend with the landscape and not be obtrusive.*

However, the northern face of the scenic protection area had not been subject to detailed analysis until the submission of the application for Draft Amendment 4/2020, which takes in an area of approximately 10.5 hectares of the scenic protection area at the southern edge of the proposed rezoning.

Council's original analysis of the proposed rezoning identified modifications to the proposal to include 1.52 hectares of vegetated land along the central ridgeline to be dedicated as public open space as an effective visual mitigation measure as well providing for high amenity parkland within the future development.

The anomaly that exists regarding the northern face of the scenic protection area is that the central ridgeline within the subject site that is not included in the overlay, is in fact, a continuation of the ridgeline to the east on adjoining land that is included in the overlay. This central ridgeline across the two adjoining titles and the scenic protection area, is shown in Figure 6 below, together with photographs taken from the north, which are extracted from Council's original assessment report for initiation of the draft amendment.

Photographs 1 to 5 below show various views toward the site and the Blackstone Hills from the suburban area to the north. A substantive portion of the proposed future development area is located within the 12 hectare cleared area behind the central ridgeline and cannot be seen from the north due to the screening effect of the vegetated central ridgeline and lower elevations of vantage points. This is the main rationale behind Council's modification of the draft amendment to retain the bulk of the central vegetated ridgeline as public open space, which effectively maintains the ridgeline in a vegetated state consistent with that part of the ridgeline on the adjacent property that is within the scenic protection area and protects the visual mitigation value in perpetuity as it will be in public ownership. As public parkland, the vegetation will be maintained and enhanced.





Figure 6: Aerial photo showing topography, current scenic protection area and photograph locations and view lines.



Photo 1: View south from Las Vegas Drive to central ridgeline where it crosses the boundary between the subject site and Lot 1 Harley Parade.

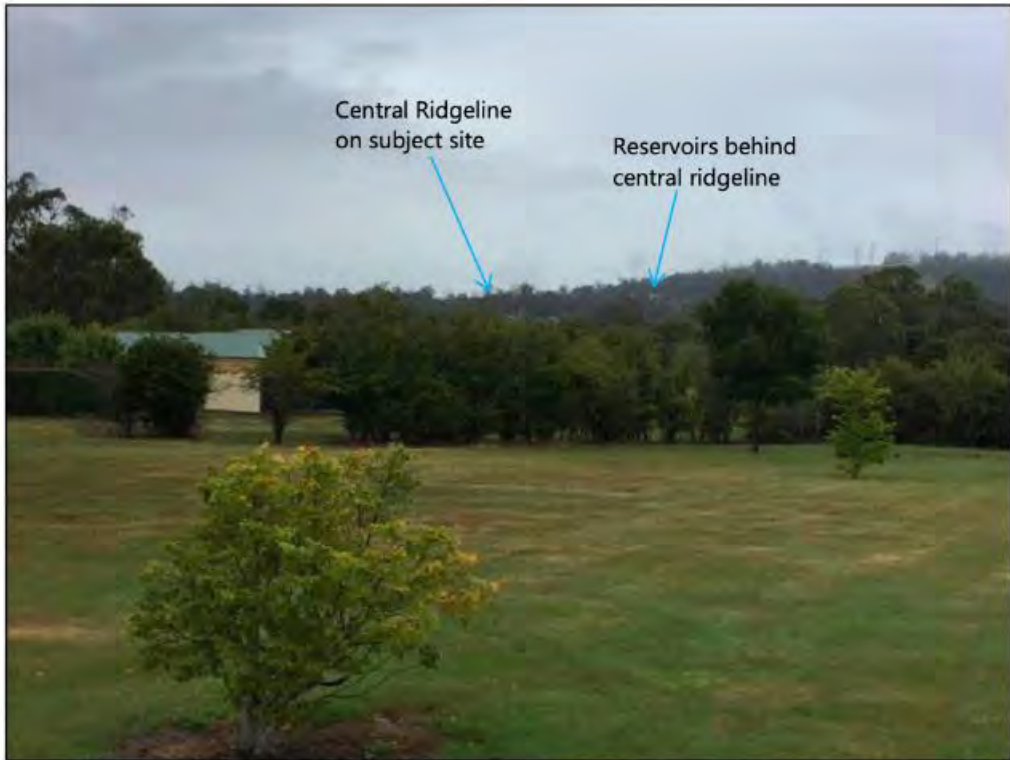


Photo 2: View south from Molecombe Drive Reserve to central ridgeline.



Photo 3: View south from Las Vegas Drive Reserve to central ridgeline.

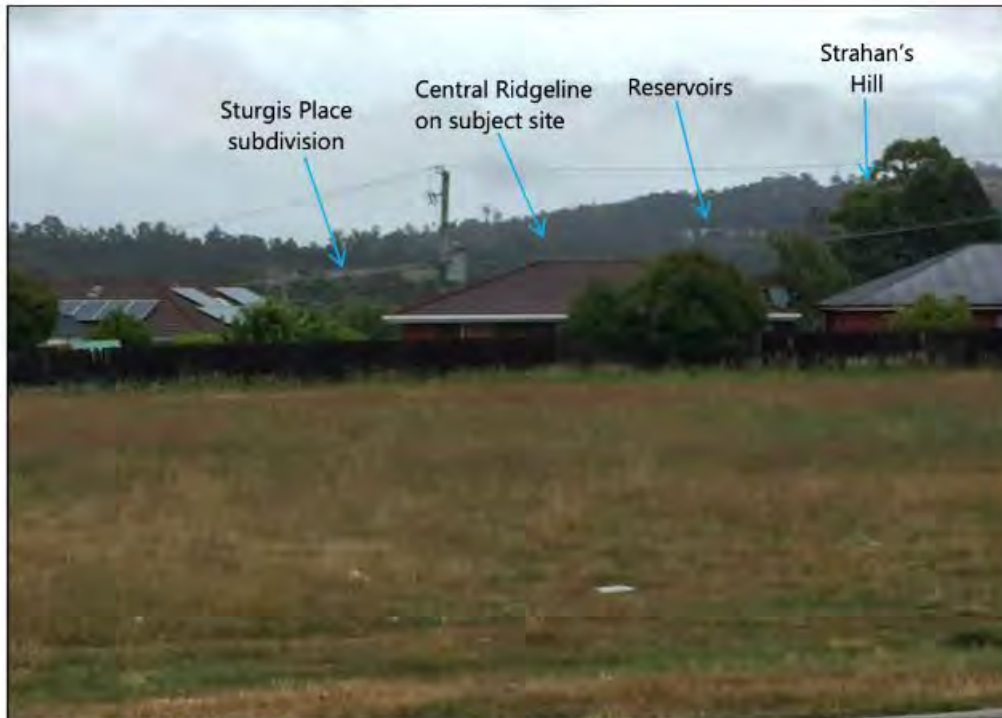


Photo 4: View south to central ridgeline, showing reservoirs and Strahan's Hill behind, from Prospect Vale Market Place car park (off Jardine Crescent).



Photo 5: View south to central ridgeline, showing reservoirs and Strahan's Hill behind, from Country Club Avenue.

Approximately 4.7 hectares of the cleared land is located within the current scenic protection area, which results in an unreasonable regulatory limitation over the land given

that this area is not visible from vantage points external to the site and also when considered in combination with the draft amendment modification to locate public open space along the ridgeline. The most visible, vegetated part of the subject site is not included in the scenic protection area, however when considering the proposed future development in totality, appropriate measures such as the retention of prominent, vegetated land for public open space will result in a more visually appropriate outcome.

The land that is proposed for rezoning to General Residential Zone is inclusive of a 26 metre wide, bushfire hazard management buffer area which is to be managed for passive recreation use. This 'buffer' area, although required to be thinned of vegetation, will have visual mitigation value, graduating visual impacts at the perimeter of the future development area and lowering the elevation of the resultant building envelopes of the southern-most lots. The visibility and the elevation of the reservoirs in the landscape when viewed from various vantage points, provides a useful reference to gauge the relative height and location of future buildings on lots and the mitigation value in retaining vegetation in public open space over the central ridgeline.

There will inevitably be narrow, captured views to some of the southern-most extent of development from more elevated parts of the suburb to the north. However, the future extent of development is considered in the context of the high degree of visibility of substantive, pre-existing infrastructure in the concrete reservoirs and the high voltage powerlines.

Attachment 2 shows a section across the landscape demonstrating the relative levels of view lines from the suburban area to the north of the subject site and the effect of mitigating features such as the public open space over the central ridgeline and the transitional buffer to the southern edge.

The adjustment of the scenic protection area to align with the boundary of the proposed General Residential Zone, as part of this draft amendment, is necessary as the State Planning Provisions do not allow the scenic protection area overlay to be applied to the General Residential Zone. The Specific Area Plan that is proposed as part of this draft amendment over the General Residential Zone includes the bushfire/landscape management buffer which ensures that vegetation management will occur at the periphery of the development area.

When the topography and visual character, as viewed from various vantage points is analysed in regard to existing mitigating elements, such as the established vegetation on the golf course, together with achievable inclusions in the draft amendment such as the perimeter landscape buffer and more effective visual mitigation through public open space over the central ridgeline, it is considered that amending the scenic protection area in the LPS to enable the proposed General Residential Zone is appropriate.

The draft amendment to the LPS scenic protection area (in conjunction with the certified, modified draft amendment) :

- complies with the requirements for LPS's stipulated in section 32 of the LUPAA;

- meets the objectives of the LUPAA as it corrects an anomaly and properly aligns the physical circumstances of development in the landscape with local strategy; and
- is consistent with the local strategies expressed in the Prospect Vale-Blackstone Heights Structure Plan in that it provides for a more refined, site-responsive outcome for development in consideration of visual and landscape values

### 3.2 Landscape Conservation Zone

The Landscape Conservation Zone at Travellers Rest was submitted in Council's Draft LPS as being the most appropriate zone reflective of the scenic protection area overlay, which was to transition from the Meander Valley Interim Planning Scheme 2013 to the Meander Valley LPS under Schedule 6 of the LUPAA, discussed in detail above.

The purpose of the Landscape Conservation Zone is:

- *to provide for the protection, conservation and management of landscape values;*  
and
- *to provide for compatible use or development that does not adversely impact on the protection, conservation and management of landscape values.*

The range of uses allowable in the zone is limited and the standards of the zone reflect the desire to achieve dispersed, low impact development outcomes. The Landscape Conservation Zone at Travellers Rest was considered in tandem with a Specific Area Plan to provide for the low-density residential development that was predominant in the area.

The foundational element that shaped the boundary of the Landscape Conservation Zone was the existing scenic protection area, promoting a generally consistent application of the zone across the localised topography. This encompassed that part of the subject land that traversed the hills adjacent to the Travellers Rest residential area that becomes part of the prominent slope adjacent to the Bass Highway. The State Planning Provisions did not allow application of the scenic protection area overlay to the Major Tourism Zone, which was the zoning of the land under the Meander Valley Interim Planning Scheme, therefore that part of the subject site within the scenic protection area was included in the Landscape Conservation Zone.

The Landscape Conservation Zone was predicated on the extent of the scenic protection area as the principal indicator of 'landscape values'. Considering the analysis of the application of the scenic protection area overlay over the subject site discussed above and the recommended amendments to enable the proposed rezoning to the General Residential Zone, it is appropriate that the Landscape Conservation Zone be amended to reflect the adjusted scenic protection area and maintain the consistency between the zone, scenic protection area and the Travellers Rest Specific Area Plan. Figure 3 above shows the area of Landscape Conservation Zone proposed to be rezoned to General Residential Zone.

The land to be retained in the Landscape Conservation Zone is the balance of CT 119422/1 which will remain in the ownership of Country Club Tasmania. This land is not proposed for future development with all development and bushfire hazard management areas

contained within the proposed General Residential Zone or the Major Tourism Zone associated with the Country Club complex.

Future development of the land retained in the Landscape Conservation Zone will continue to be subject to the use and development provisions of the zone that are not substituted by provisions in MEA-S18.0- Travellers Rest Specific Area Plan. The balance land area within the Landscape Conservation Zone at 23.7 hectares, meets the mandatory minimum of 20 hectares in the performance criteria.

### 3.3 Travellers Rest Specific Area Plan

The provisions of MEA-S18.0- Travellers Rest Specific Area Plan (SAP) were considered at some length through the process of assessment of the Draft Meander Valley LPS. Council's original submission of its Draft LPS included a Specific Area Plan to provide reasonable provisions for the locality that reflected the existing low density residential environment. The detail of the proposed provisions for Travellers Rest were further considered through notification and hearings into substantial modifications to the Draft Meander Valley LPS. The finalised Specific Area Plan for Travellers Rest came into effect with the commencement of the Tasmanian Planning Scheme on 19 April 2021 as MEA-18.0 Travellers Rest Specific Area Plan.

The spatial extent of the Specific Area Plan reflects the spatial extent of the Landscape Conservation Zone, as the provisions are designed to substitute and add to the State Planning Provisions that are included in that zone, to provide for use and development consistent with that which already exists in that locality and which could be reasonably accommodated in the locality in consideration of existing land use, such the Country Club Tasmania Land and its associated tourism use.

The purpose of MEA-18.0 Travellers Rest Specific Area Plan is:

- *To provide for residential use for a single dwelling as a permitted use at Travellers Rest;*
- *To provide for development that is compatible with the landscape values of Travellers Rest;*
- *To provide for subdivision for boundary adjustment; and*
- *To minimise the visual impacts of vegetation clearance and building development on the prominent slopes visible from the Bass Highway and the broader environment through vegetation management and appropriate forms of development.*

In consideration of the scenic landscape analysis described above and the purpose of the Specific Area Plan, the provisions of the Specific Area Plan are not appropriate for application to land proposed to be contained within the General Residential Zone. The inclusion of the Specific Area Plan in the Meander Valley LPS has followed a sequential process of the transition of the pre-existing scenic protection area, the appropriate zoning designation and then specific provisions that are best placed to serve the specific circumstances of the local environment.

In this instance, the more detailed analysis of potential landscape impacts and the modifications included in the draft amendment for mitigation of visual landscape impacts,

balanced against other strategic objectives for residential development contiguous to the suburban area of Prospect Vale to the north that support the proposal for rezoning, demonstrates that it is appropriate to adjust the boundary of MEA-18.0 – Travellers Rest Specific Area Plan to correlate with the adjusted boundary of the Landscape Conservation Zone and the scenic protection area overlay. The retention of the Specific Area Plan over the balance area of 100 Country Club Avenue (CT119422/1) within the Landscape Conservation Zone will ensure that future development on the prominent elements of the landscape will be appropriately considered for visual landscape impact.

Figure 4 above shows the proposed adjustment of the boundary of MEA-18.0 – Travellers Rest Specific Area plan to align with the adjustment of the Landscape Conservation Zone.

## 4.0 Tasmanian Planning Scheme – Code Overlay Maps

The commencement of the Tasmanian Planning Scheme implemented new code overlay maps and associated provisions that were not in effect when Draft Amendment 4/2020 was initiated and certified. Whilst many of the same code matters were relevant under the prior Meander Valley Interim Planning Scheme 2013 and were assessed for initiation and certification of the draft amendment, there are requirements in the Tasmanian Planning Scheme to apply particular code overlays.

A comparative analysis in changing to the Tasmanian Planning Scheme was included in the application planning report at Appendix C (p.65) and was considered as part of the assessment for initiation and certification.

For the purposes of clarity, the effect of the application of code overlay maps that are required to be included in the Meander Valley Local Provisions Schedule is discussed below.

### 4.1 Natural Assets Code

#### 4.1.1 Priority Vegetation Area

The mapped extent of the Priority Vegetation Area overlay on the site is shown below in Figure 7.

The Regional Ecosystem Model that forms the basis of the mapping provides for various elements of natural values, including threatened status, the type of community, habitat for fauna movement through the landscape and remnant values. Substantive areas of native vegetation are being retained in the southern bushland and also in Council's proposed modification to incorporate approximately 1.2 hectares of native vegetation over the central ridgeline in public open space. Both the original Entura report and the attached addendum emphasise that that the area of substantive natural value is the 23 hectares of retained bushland to the south, which forms connective habitat to bushland to the east and west. Smaller pockets of retained, but variously modified, native vegetation correlate with open drainage lines adjacent to the existing car park and across the golf course that are mapped as waterway protection areas.

Standard C7.7.2 includes an objective for future subdivision that “works will not have an unnecessary or unacceptable impact on priority vegetation” and that “future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation”.

The performance criteria P1.1(c) provides for subdivision in the General Residential Zone and P1.2 requires that associated works must minimise adverse impacts on priority vegetation having regard to:

- (a) *the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;*
- (b) *any particular requirements for the works and future development likely to be facilitated by the subdivision;*
- (c) *the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;*
- (d) *any mitigation measures implemented to minimise the residual impacts on priority vegetation;*
- (e) *any on-site biodiversity offsets; and*
- (f) *any existing cleared areas on the site.*

For the most part, the proposed General Residential Zone which will be subject to future urban development takes in previously cleared or modified land, including the area over the central ridgeline that Council will take over as public open space. The highest value native vegetation to the south is being retained in the Landscape Conservation Zone and will be subject to negligible pressure for development, with the intention to reserve the land for continued passive recreational pursuits to be privately managed by Country Club Tasmania. Similarly, the peripheral buffer will be modified for bushfire hazard management but will still retain natural values through tree retention and ground movement of fauna. Importantly, areas subject to future clearance or modification are not identified as threatened communities.

Future development and associated works will be directed to previously cleared land or modified areas of vegetation and as such, the works are not considered to lead to an unacceptable impact on the priority vegetation. Peripheral modification of some native vegetation is necessary for bushfire management yet is to be implemented in a manner that retains amenity values for residents through graduated vegetation retention as well as maintaining habitat value for the movement of fauna.

On-site biodiversity offsets are not considered necessary in this instance due to the retention of the balance land in the Landscape Conservation Zone, which has a moderating effect on future works on that area of the land and will ensure that native vegetation cover will be maintained to a high degree.

Additional comment in regard to the natural values assessment and the provisions relating to the Priority Vegetation Area is provided by Entura at Attachment 3.

The Priority Vegetation Area overlay will apply to any future application for subdivision in the General Residential Zone and is an appropriate overlay to apply to future development



to enable consideration of potential, site specific responses to a detailed development application.

#### 4.1.2 Waterway Protection Area

The mapped extent of the Waterway Protection Area overlay on the site is shown below in Figure 7.

The mapped Waterway Protection Area on the site occurs along open drainage lines to the western edge of the existing car park and across the golf course. The drainage lines flow through two feature dams on the golf course before discharge to the watercourse to the north of the site, which drains the southern area of Prospect Vale through Dalrymple Creek to the South Esk River. There are no waterways on the site in a natural state, however for aesthetic and amenity reasons relating to the presentation of the golf course, water quality is monitored to ensure that there are no adverse environmental effects that would contaminate the dams. This has the effect of protecting water quality within the site and downstream.

Additional comment in regard to the management of stormwater discharge to the mapped drainage lines is provided by Rare consulting at Attachment 4. As outlined in the Rare advice, the location of bio-retention basins to manage stormwater at strategic locations prior to discharge, serves to reduce flow rates therefore minimising potential for erosion and sedimentation. In addition, the ability to utilise existing and supplementary vegetation treatment within the bio-retention basins together with proprietary pollutant traps, protects downstream water quality.

The objective of standard *C7.6.1 of the Natural Assets Code - Buildings and works within a waterway and coastal protection area or a coastal refugia area* requires that “*buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets*”.

Although there will be no building development within the waterway protection area, future works for stormwater management and bio-retention basins will necessitate works within the mapped areas. These works will be subject to the following performance criteria:

*P1.1 - Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:*

- (a) impacts caused by erosion, siltation, sedimentation and runoff;*
- (b) impacts on riparian or littoral vegetation;*
- (c) maintaining natural streambank and streambed condition, where it exists;*
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (e) the need to avoid significantly impeding natural flow and drainage;*
- (f) the need to maintain fish passage, where known to exist;*
- (g) the need to avoid land filling of wetlands;*
- (h) the need to group new facilities with existing facilities, where reasonably practical;*
- (i) minimising cut and fill;*

- (j) building design that responds to the particular size, shape, contours or slope of the land;
- (k) minimising impacts on coastal processes, including sand movement and wave action;
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;
- (m) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and
- (n) the guidelines in the *Tasmanian Coastal Works Manual*.

As stated above, the mapped waterways within the site are not natural waterways, however they do discharge to drainage lines that eventually lead to natural waterways and as such, measures to protect water quality are incorporated into the design for stormwater management. The existing Country Club complex and golf course with its associated drainage arrangement through dams that act as detention basins, provides an ideal opportunity to integrate stormwater management measures within those drainage lines to ensure that future development does not have an unnecessary or unacceptable impact on natural assets. Similarly, the stormwater management area identified for the western discharge to the waterway on adjoining land will become part of the Council's urban drainage network and will be maintained in the same manner, which will ensure long term protection of water quality prior to being received by downstream natural waterways.

The stormwater modelling carried out taking into account future development, demonstrates that flow rates can be managed to avoid flooding, erosion, siltation and sedimentation. Adequate modelling in early stages of proposal formulating such as has been undertaken for this project, ensures that there will be no need for future works for the protection of natural assets as these have been incorporated into the design up-front. Standard practices such as those outlined in the *Wetlands and Waterways Works Manual* can be readily employed for future works to protect downstream environments, both constructed and natural.

Similarly, P3 requires that "*development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:*

- (a) *the need to minimise impacts on water quality; and*
- (b) *the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.*"

Whilst technically, future development will be utilising existing drainage lines that serve the Country Club, the intensified and changed nature of stormwater runoff from urban development could be classified as a 'new discharge point' into a waterway. Notably, watercourses are defined as a public drain under the *Urban Drainage Act 2016*.

The stormwater management measures described above also serve to achieve compliance with P3.

In conclusion, the stormwater engineering design and associated modelling submitted for this application, competently demonstrates that the objective and relevant performance criteria of standard C7.6.1 will be satisfied.

The Waterway Protection Area overlay will apply to any future application for subdivision in the General Residential Zone and is an appropriate overlay to apply to future development to enable consideration of potential, site specific responses to a detailed development application.

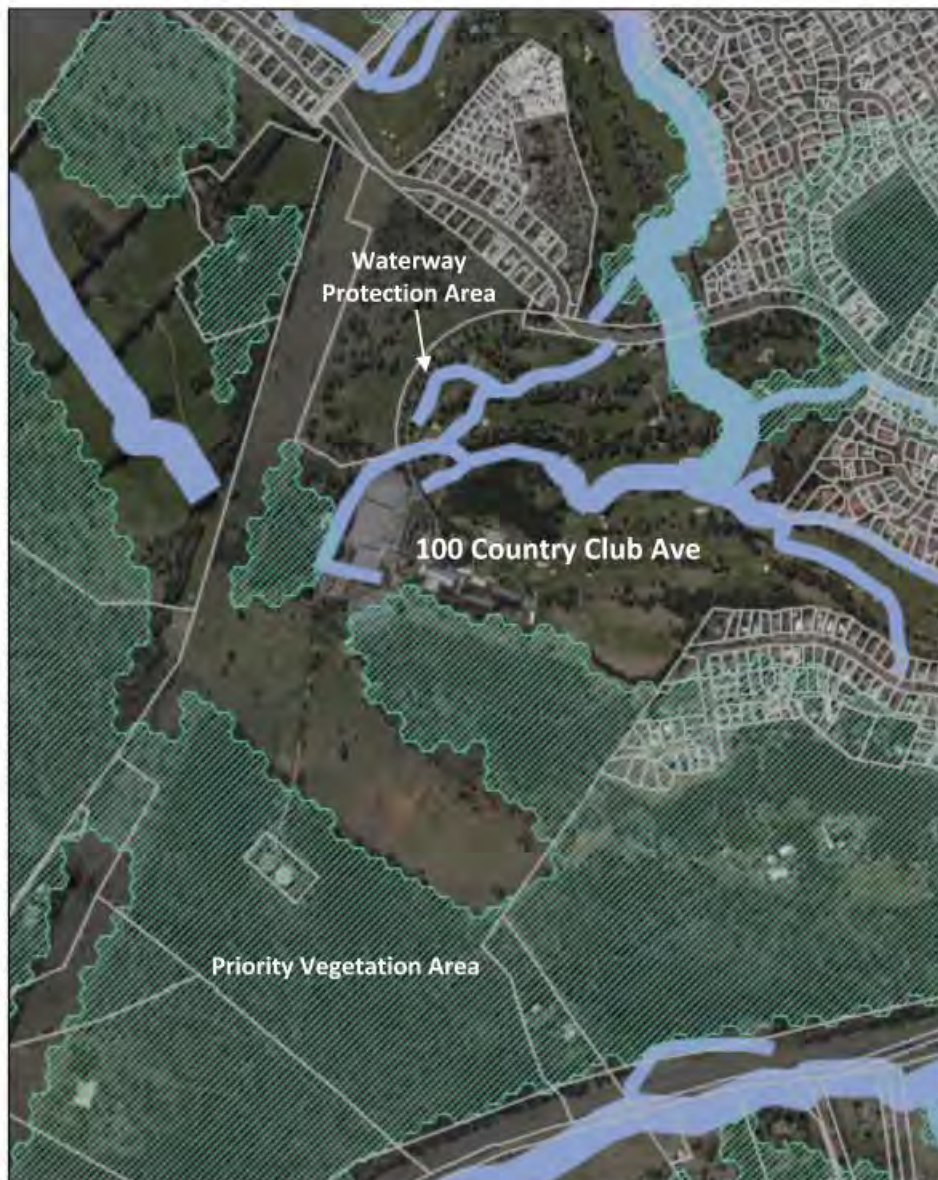


Figure 7: Priority Vegetation Area and Waterway Protection Area overlays.

#### 4.2 Electricity Transmission Infrastructure Code

The mapped extent of the Inner Protection Area and the Electricity Transmission Corridor overlay on the site is shown below in Figure 8.

The Inner Protection Area generally reflects easements on titles which contain restrictions for buildings and structures, tall vegetation and some uses. TasNetworks noted in its representation to the Meander Valley LPS that in some cases there were some minor discrepancies between easements on title and the Inner Protection Area overlay for

technical reasons. It is also noted that TasNetworks made representation to the application and did not raise any concerns in regard to that part of the proposal that is subject to the overlays.

Standard C4.6.1 – *Buildings and works within an electricity transmission corridor*, provides for use and development within the corridor overlay, but triggers a discretion for buildings or works within the inner protection area.

The objective of the standard is that *“buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to:*

- a) ensure operational efficiencies, access to, and security of, existing or future electricity transmission infrastructure; and*
- b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure.”*

The performance criteria require that *“buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:*

- (a) the nature, height and materials of the buildings and works;*
- (b) the extent of encroachment of the buildings and works into the electricity transmission corridor;*
- (c) the location of the buildings and works within the electricity transmission corridor; and*
- (d) any advice from the electricity entity.”*

The performance criteria allow for development within the inner protection area subject to the advice of TasNetworks. Typical practice for a powerline easement is to exclude that area of the lots from any building development or use that would create an increased risk. Only a small section of the inner protection area contains the landscape buffer and a stormwater management area, which does not require any building. Future roads will cross underneath the powerlines, however there are multiple occurrences of this along the transmission corridor in other locations. Future referral of subdivision applications to TasNetworks will ensure that appropriate safety standards are met and the code requirements will be complied with.



Figure 8: Inner Protection Area and Electricity Transmission Corridor overlays for the high voltage powerlines.

### 4.3 Bushfire Prone Areas Code

The mapped extent of the Bushfire Prone Area overlay on the site is shown below in Figure 9. The overlay applies across the subject site, excluding the golf course area.

Council has taken the advice of accredited bushfire practitioner Rebecca Green in the assessment of this draft amendment which is included as Attachment 5 which addresses the matters raised in the initial bushfire hazard assessment in the application documents prepared by North Barker. Ms Green outlines how future subdivision and housing development can readily meet the requirements of the Bushfire Prone Areas Code and mechanisms regularly employed in bushfire hazard management plans for enforceable hazard management areas both on the developing land and third party land.

*Note:* The original Specific Area Plan included a notation for a 'retirement living' over the apartment complex. The Specific Area Plan included above at Figure 2 has amended this notation to 'apartment living' due to potential confusion with the 'retirement village'

classification under the planning scheme, which invokes the definition of 'vulnerable use'. The provision in the Specific Area Plan is to enable a higher density apartment building arrangement and not an aged care facility, and therefore is not a 'vulnerable use'. The notation was simply a reflection of a likely market demographic, however the complex will be appropriately classified as multiple dwellings in the form of apartments.



Figure 9: Bushfire Prone Area overlay map

## 5.0 Land Use Planning & Approvals Act 1993

Section 34 of the LUPAA lists the *LPS criteria to be met by a relevant planning instrument*, which includes any amendment to a LPS. The criteria are addressed individually below:

(2)

*(a) contains all the provisions that the SPPs specify must be contained in an LPS;*

Comment:

The draft amendment does not seek to alter the required components of the State Planning Provisions. All SPP overlays will apply to the land, some of which are new and are addressed above.

*(b) is in accordance with section 32:*

⇒

Section 32 specifies the contents of an LPS:

*(1) An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.*

Comment:

The draft amendment applies only within the Meander Valley LGA.

*(2) An LPS –*

*(a) must specify the municipal area to which its provisions apply; and*

*(b) must contain a provision that the SPPs require to be included in an LPS; and*

*(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and*

Comment:

The draft amendment applies the SPP zoning and required overlays.

*(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme;*

Comment:

Section 11 of LUPAA stipulates the allowable contents of the Tasmanian Planning Scheme. Particularly relevant are subsections:

*(a) make any provision which relates to the use, development, protection or conservation of any land; and*

*(b) set out policies and specific objectives; and*

*(c) regulate or prohibit the use or development of any land; and*

*(d) set out requirements for the provision of public utility services to any land.*

Comment:

The draft amendment proposes a Specific Area Plan to include provisions that specifically deliver Council's policies and specific objectives relating to local strategic planning. In furthering those objectives, the draft amendment sets out the requirements for the provision of public utilities in open space and the road network. To achieve the strategic outcomes, subsequent amendments are required to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the

Scenic Protection Area overlay in the newly commenced Tasmanian Planning Scheme – Meander Valley Local Provisions Schedule.

Section 12 of LUPAA provides protections for existing uses. The draft amendment does not affect existing use rights under the Act as only the subject site is impacted by changes to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Area overlay.

*(e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land;*

Comment:

The draft amendment modifies the Scenic Protection Area overlay in accordance with the requirements of the SPP's.

*(f) must not contain a provision that is inconsistent with a provision of section 11 or 12;*

Comment:

The draft amendment does not contain provisions that are inconsistent with the allowable content of planning schemes, nor does it affect existing rights under section 12.

*(g) may designate land as being reserved for public purposes;*

Comment:

The Specific Area Plan makes provision for designated public open space within the limits set under the Local Government (Building & Miscellaneous Provisions) Act 1993. Amendments to the LPS Scenic Protection Area Overlay and the Landscape Conservation Zone are appropriate as a result of the ability to designate land for public purposes in order to achieve strategic objectives.

*(h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter;*

Comment:

Not applicable.

*(i) may, if permitted to do so by the SPPs, override a provision of the SPPs;*

Comment:

Not applicable.

*(j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs;*

Comment:

Following the approval and commencement of the Tasmanian Planning Scheme, the application of the Scenic Protection Area overlay requires amendment to correlate with the boundary of the Landscape Conservation Zone as described above. The Scenic Protection Area is a SPP overlay that is permissible to amend through the Local Provisions Schedule.

*(k) may, subject to this Act, include any other provision that –*

*(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and*



*(iii) is permitted by the SPPs to be included in an LPS;*

Comment:

The draft amendment requires an adjustment of the MEA-S18.0 Travellers Rest Specific Area Plan to conform with operational requirements of the SPP's and remove conflicting provisions.

*(l) must not contain a provision that the SPPs specify must not be contained in an LPS.*

Comment:

The Scenic Protection Area overlay requires amendment as the SPP's specify that this overlay cannot apply to the General Residential Zone. Analysis of the proposed extent of the General Zoning and associated Specific Area Plan is discussed above in regard to the Scenic Protection Area overlay and why it is appropriate to allow for the amendment to its boundary.

*(3) Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –*

*(a) a particular purpose zone, being a group of provisions consisting of –*

*(i) a zone that is particular to an area of land; and*

*(ii) the provisions that are to apply in relation to that zone; or*

*(b) a specific area plan, being a plan consisting of –*

*(i) a map or overlay that delineates a particular area of land; and*

*(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or*

*(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.*

Comment:

The draft amendment requires the adjustment of MEA-18.0 Travellers Rest Specific Area Plan. The Travellers Rest Specific Area Plan was approved as being in accordance with the LPS Criteria and justified under Section 32(4) of the LUPAA. The history and rationale behind the co-ordinated application of the Scenic Protection Area overlay, Landscape Conservation Zone and the Travellers Rest Specific Area Plan is discussed above. A more detailed analysis of the landscape impacts and the relationship to the application of these three elements of the Meander Valley LPS concludes that it is appropriate to make amendments to accommodate the proposed General Residential Zone.

*(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –*

*(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

*(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

Comment:

Refer to comment above.

*(5) An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.*

Comment:

The draft amendment is prepared in accordance with the structure of the SPP's and the Meander Valley LPS. Amendments to the Scenic Protection Area overlay, Landscape Conservation Zone and MEA-18.0 Travellers Rest Specific Area Plan are in accordance with the structure of the SPP's.

*(6) A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.*

Comment:

The draft amendment is prepared in accordance with the form of the Meander Valley LPS. Amendments to the Scenic Protection Area overlay, Landscape Conservation Zone and MEA-18.0 Travellers Rest Specific Area Plan relate to the spatial application of those components only and do not affect the drafted text of the ordinance.

*(7) A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.*

Comment:

Not applicable.

⇒

*(c) furthers the objectives set out in [Schedule 1](#);*

Part 1:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The adjustment to the Landscape Conservation Zone does not alter or affect the assessment of natural values undertaken for the draft amendment, which considered in detail natural environment of the site.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment.
(c) to encourage public involvement in resource management and planning; and	This notification process for the changes to the operational components of the Meander Valley LPS provides for additional public comment in respect to those changes which will be considered as part of the overall assessment of the draft amendment.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are an anticipated consequence of the draft amendment and will support the economic development objectives outlined in the assessment of the application.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	Further consultation with relevant authorities will result from this notification. There are no practical changes to the proposal that affect the interests of various authorities.
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Part 2:

(a) to require sound strategic planning and co-ordinated action by State and local government; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. The detailed landscape analysis and associated modifications to the draft amendment result in a more appropriate development response to local strategic objectives.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not undermine the operation of the LPS and its ability to implement appropriate controls for use, development and protection of land.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment, which determined that the environmental, social and economic impacts were appropriate.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme and do not alter the assessment against State Policies and the Northern Tasmania Regional Land Use Strategy.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	Not applicable.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and	The aspects of the proposal, including the required modification to include public open space, that support the health and well-being of residents in the locality are not altered by the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	Not applicable.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not affect the ability to deliver infrastructure associated with this proposal.

(i) to provide a planning framework which fully considers land capability.	The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not facilitate unanticipated development. The capability of the land to support the intended residential development was assessed as suitable.
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*(d) is consistent with each State Policy;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not affect State Policy requirements.

*(da) satisfies the relevant criteria in relation to the TPPs;*

Comment:

Not applicable.

*(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay do not alter the assessment of the draft amendment against the Northern Tasmania Regional Land Use Strategy (NTRLUS).

Amendments to the NTRLUS were gazetted on 23 June 2021 and became effective on that date.

The purpose of the amendments to the NTRLUS were to:

- provide for rezoning to be considered through the normal planning scheme amendment process under the LUPA Act for previously identified Future Investigation Areas;
- clarify that the current mapped Urban Growth Areas are indicative by providing for a rezoning to be considered through the normal planning scheme amendment process for land contiguous to the mapped areas;
- clarify provisions around Rural Residential Areas;
- provide for consequential amendments to provisions to enable the above matters to be implemented; and
- correct minor errors.

The NTRLUS amendments do not affect the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay as the land is wholly contained within the identified South-West 'Growth Corridor' in the Regional Framework Plan, which is defined as being part of the 'Urban Growth Area'.

The detailed analysis of landscape impacts described above remain compliant under the updated RLUS.

*(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;*

Comment:

The amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay are a consequence of the change to the Tasmanian Planning Scheme. These are anticipated procedural changes that were identified in the original application assessment, which determined that the proposal was supported by Council's Community & Strategic Plan 2014 -2024;

*(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;*

Comment:

At the time of writing, the only adjacent municipal area that has an operational LPS is the West Coast Council area. The area of land subject to the amendments to the Landscape Conservation Zone, MEA-18.0 Travellers Rest Specific Area Plan and the Scenic Protection Overlay, is located at the eastern end of the municipality and is not located within proximity to the adjoining West Coast Council area.

*(h) has regard to the safety requirements set out in the standards prescribed under the [Gas Safety Act 2019](#).*

Comment:

Not applicable.

# ATTACHMENTS

# TASMANIAN PLANNING COMMISSION

Our ref: DOC/21/83712  
Officer: Karen Fyfe  
Phone: 6165 6808  
Email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

29 July 2021

Mr John Jordan  
General Manager  
Meander Valley Council

Attention: Krista Palfreyman

By email: [krista.palfreyman@mvc.tas.gov.au](mailto:krista.palfreyman@mvc.tas.gov.au);  
[mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Dear Mr Jordan

## **Tasmanian Planning Scheme – Meander Valley Draft amendment 4-2020**

### **Rezone and Country Club Specific Area Plan at 100 Country Club Avenue, Prospect Vale**

Thank you for your further submission dated 15 July 2021. Following consideration of the information provided and the transitional provisions of section 4(2)(b) and section 5(2)(b) of Schedule 6 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission has decided that in order to observe natural justice, this draft amendment requires alterations by the planning authority to ensure it relates to the Meander Valley Local Provisions Schedule (LPS).

The Commission considers that alterations to the substance of the draft amendment are required for the draft amendment to meet the LPS criteria. The Commission also considers that these alterations require a public consultation process.

The Commission directs the planning authority to prepare a revised draft amendment to address the LPS requirements including:

1. Alterations to address the part of folio the Register 119422/1 in the Travellers Rest Specific Area Plan;
2. Alterations to address the part of folio of the Register 119422/1 in the Landscape Conservation Zone;
3. Alterations to address the part of folio of the Register 119422/1 in the Scenic Protection Area;
4. Any other modifications or information the planning authority considers is required to address the LPS requirements, for example changes to the extent of the existing overlays or any new proposed overlays; and
5. Modification that may be required to identify where the 'retirement living' should be located and identified within the SAP area, having regard to the bushfire review information provided by Rebecca Green. Reconsider identifying the specified area differently if it is proposed not to be retirement living.

The Commission expects the altered draft amendment to follow the process for an amendment to a local provisions schedule, although not statutory, including exhibition under section 40G,

representations under section 40J and the planning authority's report to the Commission under section 40K.

In regard to the planning authority's section 40K report, an approach to addressing section 32(4) of the Act is available on the Planners Portal on the [Commission's website](#)<sup>1</sup>.

The Commission will consider the representations and reports received under section 39 of the former Act and 40K of the Act as part of its assessment.

The public exhibition notice should provide guidance to the public on the process that has occurred.

It is noted that section 40E of the Act provides an alternative to the planning authority to withdraw the draft amendment should this be preferred.

If you require further information please contact Karen Fyfe, Planning Adviser, on 6165 6808.

Yours sincerely



Roger Howlett  
**Delegate (Chair)**

cc applicant and representors

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<sup>1</sup> [www.planning.tas.gov.au/\\_\\_data/assets/pdf\\_file/0006/582846/An-approach-to-applying-section-324.pdf](http://www.planning.tas.gov.au/__data/assets/pdf_file/0006/582846/An-approach-to-applying-section-324.pdf)



7 July 2021

Our ref: E309196

### **Addendum – Country Club Estate Development – Natural Values Report**

Entura prepared the natural values report to support the Section 33 application planning scheme amendment for future development of the Country Club Estate in Prospect Vale, Launceston. Our understanding is that the amendment was initiated by Meander Valley Council in late February 2021. Planning documentation prepared for the proposal addressed the *Meander Valley Interim Planning Scheme 2015*, however since then the Tasmanian Planning Scheme (TPS) has come into effect for the Meander Valley local government area. As such, to support the directions hearing at the Tasmanian Planning Commission for the above project (AM-MEA-4-2020), Meander Valley Council require a submission from the consultant to address the provisions within the new scheme relating to clearance within a priority vegetation area, determined by the presence of the priority vegetation overlay.

The total area subject to the planning scheme amendment and SAP application is 43.7 hectares (ha) (refer Niche Planning Studio Planning Scheme Amendment Request Report, dated 2 February 2021). Within the 43.7 ha, approximately 40% of the area is covered by the priority vegetation overlay. Within this covered area, the vegetation is predominately *Eucalyptus amygdalina* forest and woodland, as well as areas of non-eucalypt forest and woodland, and areas of pasture with native tree canopy.

It should be noted that the area subject to the abovementioned proposal avoids the approximately 27 ha patch of native vegetation, comprising predominantly of *Eucalyptus amygdalina* forest and woodland on dolerite (22 ha) as well as *Allocasuarina verticillata* forest (5 ha), located south of the project site (on the same land parcel as that of the project), which will remain in the Landscape Conservation Zone. This patch is also mapped with the priority vegetation overlay, and will be maintained as a bushland reserve (separate to that mentioned above), in addition to other native vegetation patches within the project site.

According to the TASVEG mapping, the broad vegetation types present on the project site are also within the broader area, including continuing to the west, south and, to a lesser extent the east of the project site; all of these areas are also covered by the TPS priority vegetation overlay.

While no priority vegetation will be impacted immediately as a result of the scheme amendment, priority vegetation will be impacted as a result of future development, however efforts have been made to retain native vegetation, such as the 27 ha patch of native vegetation in the south of the parcel. It is also of note that future subdivision and any subsequent development will need to be assessed against the TPS Natural Assets Code as well as the Country Club Specific Area Plan.

The table below provides response to Clause C7.6.2 'Clearance within a priority vegetation area' of the Natural Assets Code within the Tasmanian Planning Scheme.

**WE OWN. WE OPERATE. WE CONSULT.**

C7.6.2 – Performance criteria	Consultant response
<p><b>P1.1</b> Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> <li>(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;</li> <li>(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</li> <li>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</li> </ul>	<p>Assessment against P1.1 requires satisfaction of one of the requirements under the clause.</p> <p>This proposal satisfactorily addresses P1.1(c), as well as (d).</p> <p>Future subdivision will be in the General Residential Zone, as specified in (c). The clearance of native vegetation will be as a result of the subdivision and not the proposed rezoning. Under the previous Tasmanian Interim Planning Scheme overlay, there was no priority habitat shown within the project site. The new TPS overlay has identified priority vegetation within the project site, some of which may be impacted as a result of subdivision, noting that the subdivision and any subsequent development will be subject to assessment on its own merit, against the planning scheme and if formally amended, the F9 Country Club Specific Area Plan.</p> <p>The rezoning is also to assist in land supply for the greater Launceston area, generally in accordance with the intent of the Northern Tasmania Regional Land Use Strategy and the Greater Launceston Plan, consistent with (d).</p>

C7.6.2 – Performance criteria	Consultant response
<p><b>P1.2</b></p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</li> <li>(b) any particular requirements for the buildings and works;</li> <li>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</li> <li>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</li> <li>(e) any on-site biodiversity offsets; and</li> <li>(f) any existing cleared areas on the site.</li> </ul>	<p>Assessment against P1.2 requires satisfaction of all requirements under the clause. The proposal satisfactorily addresses P1.2 (a) to (f).</p> <ul style="list-style-type: none"> <li>(a) The proposed concept plan as well as the Specific Area Plan avoids any development within approx. 27 ha of the extent of priority vegetation within the rezoning block (i.e. the southern boundary of the project site, south of the water tanks).</li> <li>(b) Given this assessment is accompany a rezoning application, this requirement does not apply as no building works are proposed.</li> <li>(c) This does not apply for the immediate proposal given no habitable buildings are proposed. Any future development will need to be assessed against the code based on its own merit.</li> <li>(d) As part of the proposed concept plan, there are a number of open space buffers and bushland reserve plans which include areas that are mapped as priority vegetation under the TPS overlay. These are also proposed for formal inclusion within the Specific Area Plan.</li> <li>(e) The large patch (approx. 27 ha) of native vegetation in the south of the rezoning block (south of the water tanks) which is mapped as priority vegetation under the TPS overlay will be managed as a bushland reserve and will be retained in its original form, with minor maintenance for bushfire management.</li> <li>(f) Existing cleared areas on the site largely relate to the golf course, which will remain unchanged. Currently cleared areas are prioritised for use in development.</li> </ul>

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## Water Quality Discharge Requirements

Country Club Estate  
380 Lot Subdivision  
100 Country Club Ave, Prospect Vale

Prepared for:	Kin Capital
Project No:	211078
Document No:	211078 WQDR – 002
Issue No:	01
Revision No:	1

22-24 Paterson Street  
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## DOCUMENT CONTROL

Project	Country Club Estate - 380 Lot Subdivision - 100 Country Club Ave, Prospect Vale
Report Title	Country Club Estate – Water Quality Discharge Requirements
Project No	211078
Document ID	211078.WQDR-002
File Path	R:\Projects\2021\211000 Civil Infrastructure\211078 - Country Club Estate - 380 Lot Subdivision - 100 Country Club Ave, Prospect Vale\03 Internal Design\02 Design Development\21-07-05 LPD4 Quality Discharge
Client	Kin Capital

Record of Report					
Issue	Reason	Revision	Date	Prepared By	Approved By
01	Water Quality Discharge Requirements	1	12/07/2021	RJ	RJ

Distribution of Report			
Company	Name & Address	Contact	Copies
Kin Capital	David Bacon Suite 305, 15 Lime Street Sydney NSW 2000	E: <a href="mailto:dbacon@kincapital.com.au">dbacon@kincapital.com.au</a> Ph: 0438 733 389	1 (elec)

## 1. INTRODUCTION

Rare Innovation Pty Ltd (Rare) have been engaged by Kin Capital to investigate the required measures to ensure stormwater quality outcomes for stormwater discharges from both the Stormwater Management area that discharges to the existing reservoir to the west of the Country Club Car Park and from the open drain along the western edge of the Country Club Carpark that eventually discharges into the western lake in the golf course. These works will be part of the proposed 380 lot subdivision subject of the TPC Meander Valley Council Draft Amendment 4 –2020.

## 2. SUBMITTED REPORTS

A report has been prepared by ADG – Country Club Estate – Conceptual Stormwater Management Plan – 13 November 2020 (the report). This report addresses both the stormwater quantity and stormwater quality requirements associated with the development. In the Water Quality section of the report, ADG have used MUSIC modelling with the following water quality management targets from the State Stormwater Strategy:

- 80% reduction in the annual average load of suspended solids;
- 45% reduction in the annual average load of total phosphorus; an
- 45% reduction in the average load of total nitrogen.

### Legal Point of Discharge 4 (LPD4) – Catchment C4

The output of the MUSIC model showing the pollutant reductions is reported in Table 17 of the report. For the catchment area (C4) discharged at LPD4 to provide the necessary pollutant load reductions, a bioretention basin with a filtration area  $31\text{m}^2$  is required. It will require a filter media with a depth of 0.4m and an extended detention depth 0.3m. The combined detention and bioretention basin will control stormwater quantities and provide treatment to the stormwater to deliver a satisfactory stormwater quality outcome.

An on-site inspection of the planned Stormwater Management area reveals that there is adequate area to construct the bioretention basin. Detailed design plans and specification will be supplied at the Engineering Design Approval (EDA) stage. See Photo 1 in Appendix A.

### Legal Point of Discharge 5 (LPD5) – Catchment C3

The MUSIC model has a trial bioretention basin area of  $221\text{m}^2$  to achieve the water quality targets. While the results are not reported, the plan in the Appendix C of the report indicates a bioretention basin with an area of  $160\text{m}^2$  to provide the necessary pollutant load reductions. It will require a filter media with a depth of 0.4m and an extended detention depth 0.3m. The bioretention basin will provide treatment to the stormwater to deliver a satisfactory stormwater quality outcome subject to final design.

An on-site inspection of the proposed location for the C3 bioretention basin adjacent to the existing open drain revealed that there is adequate area to construct the bioretention basin. Significant excavation works will be required to adjust the adjacent ground levels to form an offline basin. See Photo 3 in Appendix A.

## 3. RECEIVING WATERS

### Legal Point of Discharge 4 (LPD4) – Catchment C4

The stormwater overflow discharge from the detention/bioretention basin will be directed across the Electricity Transmission Easement in a westerly direction. The current condition has a DN300 concrete stormwater pipe directing flow onto an informal grassed swale that forms the natural gully. This natural gully directs the flows down a moderately steep slope to a reservoir 100 metres away. See Photo 2 in Appendix A.

The construction of the combined detention and bioretention basin will mean that quantity of stormwater discharge will not be increased from the current natural catchment conditions. The report in Section 4.3 reports decreased discharges because of the detention basin.

The detailed design of the detention/bioretention basin will ensure adequate scour protection is installed on the discharge side of the basin prior to entering the grassed gully area. Due to the flow velocities down the moderately graded gully, it is unlikely that any additional beneficial water quality outcomes will be delivered. Having said this there will be no detrimental water quality outcomes.

#### Legal Point of Discharge 5 (LPD5) – Catchment C3

The existing open drain meets a headwall at Country Club Drive where a concrete box culvert conveys flows under the road prior to discharging into an open drain that leads to the Western Lake in the golf course. The treated flows from the bioretention basin will be conveyed to the lake. The open channel will have some overland flow from the golf course. The nutrient load from the grass on the golf course is usually managed and greenkeepers are aware of ensuring minimal loss in value of fertilizers by not applying these prior to forecast rain events. Hence there will be minimal change to the treated stormwater after it is discharged into the open channel and prior to discharging into the Western Lake. Photo 4 shows where C# discharges across Country Club Avenue into the Golf Course.

#### 4. SUMMARY

A combined detention and bioretention basin will be constructed in the Stormwater Management area to the west of the existing Country Club car park. The initial water quality modelling indicates that the State Stormwater Strategy water quality management targets will be achieved. The flow pathway from the proposed basin to the reservoir further to west will convey the treated stormwater and not cause any further pollution.

An offline bioretention basin will be constructed adjacent to the open channel along the western edge of the Country Club Carpark that conveys the C3 catchment and discharges towards the Western Lake in the Golf Course. This bioretention basin will deliver water quality outcomes in accordance with the State Stormwater Strategy targets.

5. APPENDIX A – SITE PHOTOS



Plan showing photo locations.



Photo 1 – Stormwater Management Area – suitable to construct combined Detention/Bioretention Basin.



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Photo 2 – Discharge Gully – grassed with reservoir in front of tree line.



Photo 3 – Location of Offline Bioretention Basin to treat C3 catchment discharges in open drain

Of beauty rich and rare.

**rare.**



Photo 4 – Looking from Golf Course back towards open drain discharge, bio retention will be constructed on the rightside through the open gate.

Ms. Krista Palfreyman  
Meander Valley Council  
26 Lyall Road  
WESTBURY TAS 7303

13 July 2021

Dear Krista,

**RE: Tasmanian Planning Scheme – Meander Valley**

**Draft Amendment 4-2020**

**Rezone and Country Club Specific Area Plan at 100 Country Club Avenue, Prospect Vale**

Rebecca Green, bushfire accredited practitioner BFP-116 has been engaged by Meander Valley Council to provide assistance in relation to provision of additional submissions requested by the Tasmanian Planning Commission dated 28 June 2021, in relation Point 5,

Point 5 requires additional submissions as follows:

*5. a submission on how the draft amendment meets the requirements of Bushfire-Prone Areas Code and if the planning authority is satisfied with advice provided by North Barker in their Bushfire Hazard Management Area Advice as it applies to the amendment including the specific area plan.*

Response:

The North Barker report raises concerns about the 'retirement village' being a vulnerable use and recommends setbacks that are larger than be accommodated by the powerline easement.

- North Barker have misinterpreted their clients' intentions and it is not a vulnerable use as per the Bushfire-Prone Areas Code as a retirement village with aged care, but is termed 'retirement living' on the SAP for the purposes of designation. It is my understanding that the apartments will not fall under the *Retirement Villages Act 2004* and therefore not a "Vulnerable use". The building proposed for that area is simply a multiple level apartment block that will be attractive to the retired demographic, though will be open to all age groups. The SAP makes provision for the larger building form.
- The 'Retirement Living' on the SAP (10) is to be located southwest of an area identified as (06) an open space which will be maintained landscape and bushfire

buffer to be managed from my understanding by the proponents, the Country Club, this area is to be maintained in order that it meets the Exclusions of 2.2.3.2 of AS 3959:2018 – Construction of Buildings in Bushfire-prone areas for low threat vegetation and non-vegetated areas. Beyond this area is a powerline easement, the classified vegetation under such would best be described as Grasslands. A physical separation of 50 metres to Grassland classified vegetation would result in a BAL of LOW. However, as the 'Retirement Living' on the SAP is not intended to be a Vulnerable Use as per the definitions of the Bushfire-Prone Areas Code, a BAL LOW is not specifically required, and there is no need to consider this component any further other than for future subdivision under the Code as part of the amendment. A physical separation of 14-16m from grassland (whether that be by the way of provision of the open space (O6) area or a combination with a hazard management area within a future lot for the Retirement Living use would result in a BAL 12.5. A lesser separation would result in a higher BAL and apart from subdivision demonstrating each lot can achieve a BAL 19 buildable area, a BAL 19 or BAL 29 structure may be approved under the *Building Act 2016*.

North Barker seem to be focussed on concerns about multiple dwellings/density within the General Residential Zone and where this interfaces with Bushfire Prone vegetation.

- The operational outcomes, given that most of the site is mapped as BPA, is that any residential development, be it single or multiple dwellings will be required under the *Building Act 2016* to meet the standard for the designated BAL including specified distance to bushfire prone vegetation. Any residential lot created will be required to meet BAL 19 or lower and any permit issued for subdivision will have a requirement on the balance lot to maintain the land to meet this standard, if required. This is normal practice for subdivision. Bushfire Hazard Advisory Note BHAN 1 Version 3.0 also assumes that lots zoned General Residential and less than 1,500m<sup>2</sup> are to be considered as lot threat vegetation. There is no need to specifically alter the standard for bushfire risk for this development through this SAP to address issues of density, as the regulatory standard prevails and ensures appropriate setbacks and maintenance for the hazard through both the subdivision process and subsequent building permit process.
- What may not be obvious in the concept plan is the inclusion of a fire trail that enables vehicular access for emergency services within the landscape/bushfire buffer area, however vehicular access would be essential for maintenance purposes in any case. It is possible that a BHMP for subdivision would inevitably include this requirement, but this is not mandatory. The perimeter buffer if required to provide adequate separation from the risk to future buildable areas to be partly managed can be managed by way of permit condition and / or a bushfire management easement, as I understand that Meander Valley Council will not be taking over the perimeter buffer as public open space. A bushfire management easement on titles created as part of subdivision is one mechanism to ensure management regimes around perimeters of subdivisions including stages, or alternatively lot sizes are to consider this separation and provide adequate distance between the risk and future buildable areas. In other words, lots with extra depth may be required at future detailed subdivision design stage. This does not affect the SAP at this stage.
- Any future permit issued for subdivision, whether for staged development, or for any application for creation of a 'super lot' would include a BHMP that would bind

the owner of the land to the management regime in that plan, which would include balance land as a lot. Permits run with the land, not the owner, so all obligations on the permit fall to whoever the future owner is. This is enforceable under LUPAA.

- I understand that Meander Valley Council do not enter into Part 5 Agreements for bushfire maintenance on third party land due to risk and liability implications. It is a joint venture proposal at this stage, but for their part, the Country Club and Kin Capital are prepared to enter into a binding agreement between themselves to secure future maintenance obligations for the buffer to provide extra surety long term.

On the basis of the information provided above in relation to future processes, management regime options and the need for future consideration of bushfire risk at any subdivision application stage, I confirm that a peer review of the advice provided by North Barker in their Hazard Management Area Advice as it applies to the amendment including the specific area plan does not raise any concerns in that the concept plan cannot be implemented into future subdivision proposals that causes development at an unacceptable level of risk in my opinion.

Please let me know if you require any additional information.

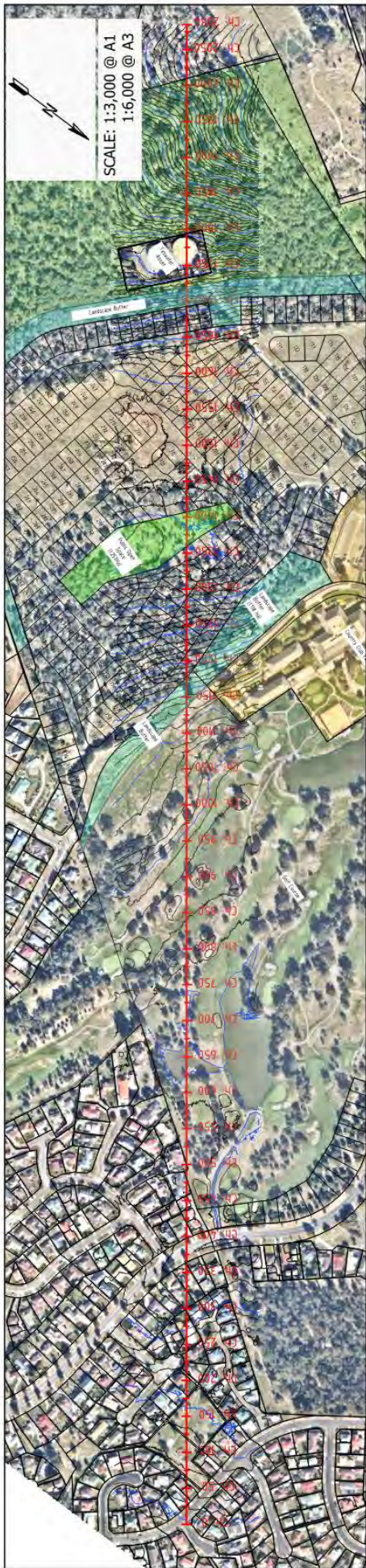
Kind Regards,



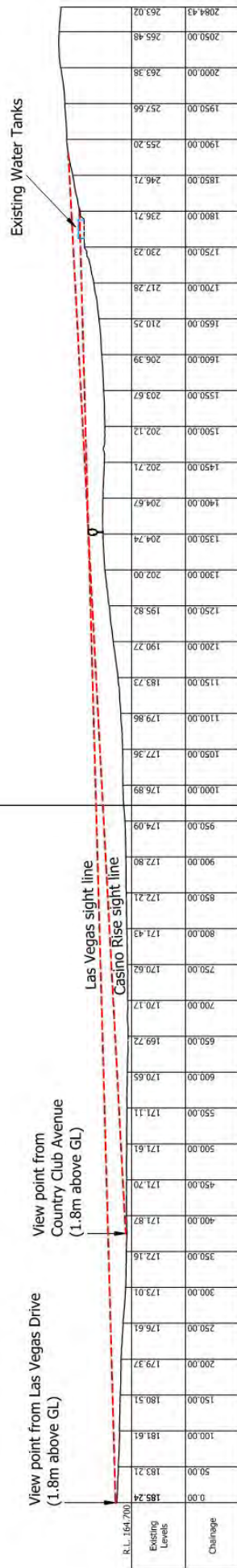
Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor (BFP-116)  
m. 0409 284422  
e. admin@rgassociates.com.au





SEE SHEET 3 FOR ENLARGEMENT



LONG SECTION - ALIGNMENT 1.0  
 SCALES: HORIZONTAL 1:3,000 @A1 1:6,000 @ A3  
 VERTICAL 1:3,000 @ A1 1:6,000 @ A3

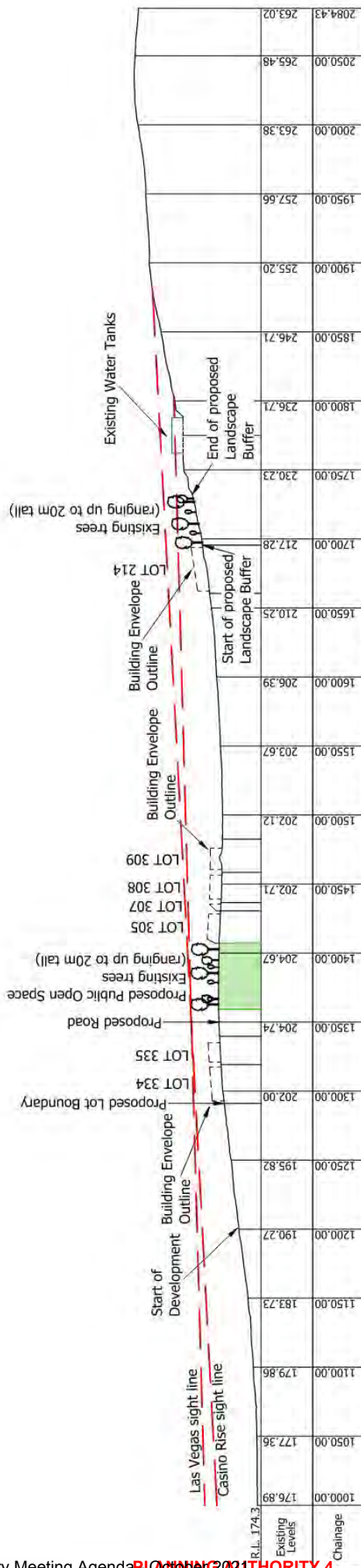
WOODCOTT SUIVEVEE  
 1000175 Long Street, Geelong, VIC 3216  
 Tel: (03) 5247 1111  
 Fax: (03) 5247 1111  
 Email: info@woodcotsuivevee.com.au

LONG SECTION - ALIGNMENT 1.0  
 OVERALL  
 LAUNCESTON COUNTRY CLUB DEVELOPMENT  
 CASINO RISE, RESPECT VALE

Drawn: MK  
 Date: 2/10/21  
 Scale: As shown  
 Sheet: 2 of 3

AKN Number: L200015

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LONG SECTION - ALIGNMENT 1.0

CH 1000 to CH2084

SCALES: HORIZONTAL 1:1,500 @ A1 1:3,000 @ A3  
 VERTICAL 1:1,500 @ A1 1:3,000 @ A3

Approved by the Council on 27 September 2021 100 South Street, Launceston, Tasmania 7250 Phone: (01) 8332 3790 Email: info@modgott.com.au		338 Number 120815 Sheet 2 of 3	
<b>MODGOTT BUILDINGS</b> Drawn: JAMES DUNN, JAMES DUNN, JAMES DUNN Date: 28/09/21 Scale: AS SHOWN		<b>LONG SECTION - ALIGNMENT 1.0</b> CH 1000 to CH2084 LAUNCESTON COUNTRY CLUB DEVELOPMENT CASINO RISE, INSPECT VALE	



**From:** "Grace Rock" [REDACTED]  
**Sent:** Sat, 14 Aug 2021 15:49:34 +1000  
**To:** "Planning @ Meander Valley Council" <Planning.AtMeander@mvc.tas.gov.au>  
**Subject:** Representation regarding Draft Amendment 4/2020 (100 Country Club Avenue, Prospect Vale)  
**Importance:** High

Dear Sir / Madam,

I am writing to express my strong support to the Draft Amendment 4/2020 (100 Country Club Avenue, Prospect Vale) to rezone the land to General Residential Zone.

Tasmania is facing a huge issue with homelessness and unaffordable renting properties. Any Council trying to tackle the issue by allowing residential developments, and as a result, decreasing the problem of homelessness should be applauded.

I hold a strong view that people should be able to own or to rent an affordable house. At this stage, when there is a significant shortage of properties to buy or rent, and the real estate prices are skyrocketing, more and more Tasmanian residents end up living on the streets, because they either have no place to go or they are not able to pay outrageous rent.

Ensuring that people can buy or rent a property by releasing land for residential developments is a responsibility of every Council and the Tasmanian Planning Commission. Declining to rezone land for residential purposes (General Residential Zone) is supporting homelessness and putting additional pressure on the Tasmanian population.

The Meander Valley Council already demonstrated high level of awareness about environmental issues by resurfacing roads in Prospect Vale with product derived from recycled tires. To the best of my knowledge it is the only Council in Tasmania, which undertook and no doubt will continue this honourable initiative.

I also would like to point out that Australia (and as a result the State of Tasmania) is a party to the seven core international human rights treaties, including (but not limited to) the International Covenant of Economic, Social and Cultural Rights (ICESCR). Part III, Article 11, point 1 states that: "The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right (...)".

The Meander Valley Council's plans and efforts to comply with the above are highly commendable.

Yours Respectfully,

Grace Rock  
[REDACTED]




Sent from [Mail](#) for Windows 10

Document Set ID: 1489969  
Version: 1, Version Date: 16/08/2021

**From:** denisemike\_1 denisemike\_1 [REDACTED]  
**Sent:** Tuesday, 17 August 2021 2:54 PM  
**To:** Planning @ Meander Valley Council  
**Subject:** rezone@100 country club ave prospect vale

Hi, Patrick Smith here. My wife and I live at 82 Country Club ave and have just read your "Notice of draft amendment" for our area. My question is to traffic movement in our area. At the present time, traffic along Country Club avenue is about right but with new developments at the Casino and also Blackstone Heights, it will put pressure on the exit at Westbury Road. Is there any consideration to disburse the traffic along another exit road. At the moment, leaving Country Club avenue between 8.15 and 9.0 am is a nightmare. It would seem that the extra domestic works at the Casino and Blackstone Heights will make this much worse. Looking forward to your response, Regards Patrick.

From: Nicola Smith [redacted]   
 Subject: Draft Amendment 4/2020 – 100 Country Club Avenue, Prospect Vale  
 Date: 10 September 2021 at 4:51 pm  
 To: planning@mvc.tas.gov.au, Jo Oliver | Terra Firma Town Planning jo@terrafirmaplanning.com.au  
 Cc: [redacted]



Jo,

Please accept our representation on behalf of Kin Capital in support of Draft Amendment 4/2020 – 100 Country Club Avenue, Prospect Vale.

We support the statements contained within Councils report.

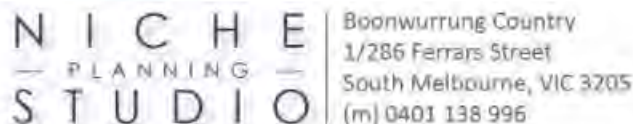
We have also suggested a minor modification to the SAP/Zoning boundary to facilitate a more uniform subdivision area as a result of the inclusion of the open space area atop the ridgeline. We have included this minor change in the attached plan for your information and support. We are happy to discuss this plan further with Council as required.

We look forward to continuing to work together with Council staff to facilitate progress of this amendment.

As always, please do not hesitate to contact me should you have any queries,

Kind regards,  
 NS

**Nicola Smith**  
 Director  
 RPIA Fellow



*Niche Planning Studio acknowledges the Aboriginal and Torres Strait Islander peoples as the first Australians and traditional custodians of the lands on which we work. We pay our respect to their Elders past, present and emerging.*

**WINNER** - 2018 UDIA WA State Award for Excellence – [Affordable Development – Evermore, WGV](#)

**FINALIST** - 2018 UDIA WA State Award – [Environmental Excellence – Evermore, WGV](#)

**WINNER** - 2018 UDIA & Frasers Property [National Women in Leadership Award for Excellence](#)

**WINNER** - 2017 UDIA VIC [Women in Leadership Award](#)

**FINALIST** - 2016 PIA National Awards for Excellence – [Greater Launceston Plan](#)

**WINNER** - 2015 PIA State Award – [Greater Launceston Plan](#)



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10 September 2021

General Manager - Meander Valley Council  
c/ Jo Oliver  
PO Box 102  
Westbury, TAS, 7303

Delivered via email: [planning@mvvc.tas.gov.au](mailto:planning@mvvc.tas.gov.au)



Dear Jo,

PLANNING SCHEME AMENDMENT REPRESENTATION - DRAFT AMENDMENT 4/2020 – 100 COUNTRY CLUB AVENUE, PROSPECT VALE

Niche Planning Studio continues to act on behalf of Kin Capital (Developer) and Federal Group (Landowner) in regard to the proposed Planning Scheme Amendment at Country Club Estate located at 100 Country Club Avenue, Prospect Vale.

For consistency, the proposed amendment is referred to as Draft Amendment 4/2020 and includes:

- Rezoning part of the land at 100 Country Club Avenue to General Residential Zone (Certificates of Title 119422/1, 33678/1) and
- Applying a Specific Area Plan (SAP) over the part of the land at 100 Country Club Avenue to be rezoned to General Residential Zone.

This amendment would support 380 new lots and approximately 80 apartment dwellings within the surrounds of the existing Country Club.

We understand that the Tasmanian Planning Commission (TPC) has issued a direction to Meander Valley Council to undertake a process of supplementary notification of aspects of the Draft Amendment that are affected by the change of planning scheme from the Meander Valley Interim Planning Scheme 2013 to the Tasmanian Planning Scheme, which commenced operation on 19 April 2021.

These changes specifically relate to:

- Introduction of the Landscape Conservation Zone (LCZ) which encompasses a portion of the subject site to the south
- Associated SAP that applies over the Travellers Rest LCZ
- Scenic Management Area overlay that applies over the extent of the Travellers Rest LCZ.

We have reviewed Council's position in regard to these changes and support the justification that the LCZ be amended to reflect the adjusted scenic protection area and maintain the consistency between the zone, scenic protection area and the Travellers Rest SAP.

#### Minor modification

As foreshadowed in our previous representation of 15 March 2021, Kin Capital supports Council's modification to the SAP to include a new area of open space and a northern road connection, specifically to:

- include a 1.52 hectare area of public open space over the central ridgeline;
- extend the northern internal road to Pitcher Parade

We submit that a further minor modification needs to be made to the southern boundary of the SAP, and subsequently to the southern zoning boundary, to allow for consequential changes resulting from inclusion of the new area of public open space.

We propose that the southern boundary is rationalised and straightened to accommodate a more uniform area to the south of the open space which can be efficiently subdivided. This will result in a minor increase in residential land area of approximately 2000m<sup>2</sup> (refer attached plans).

This modification ensures 23.5ha is retained within the balance land zoned RCZ, ensuring compliance with the mandatory minimum lot area of 20 hectares as stipulated in the performance criteria.

#### Conclusion

In summary, we thank Council for consideration of this minor modification to facilitate an improved urban design outcome as a result of inclusion of the proposed open space area.

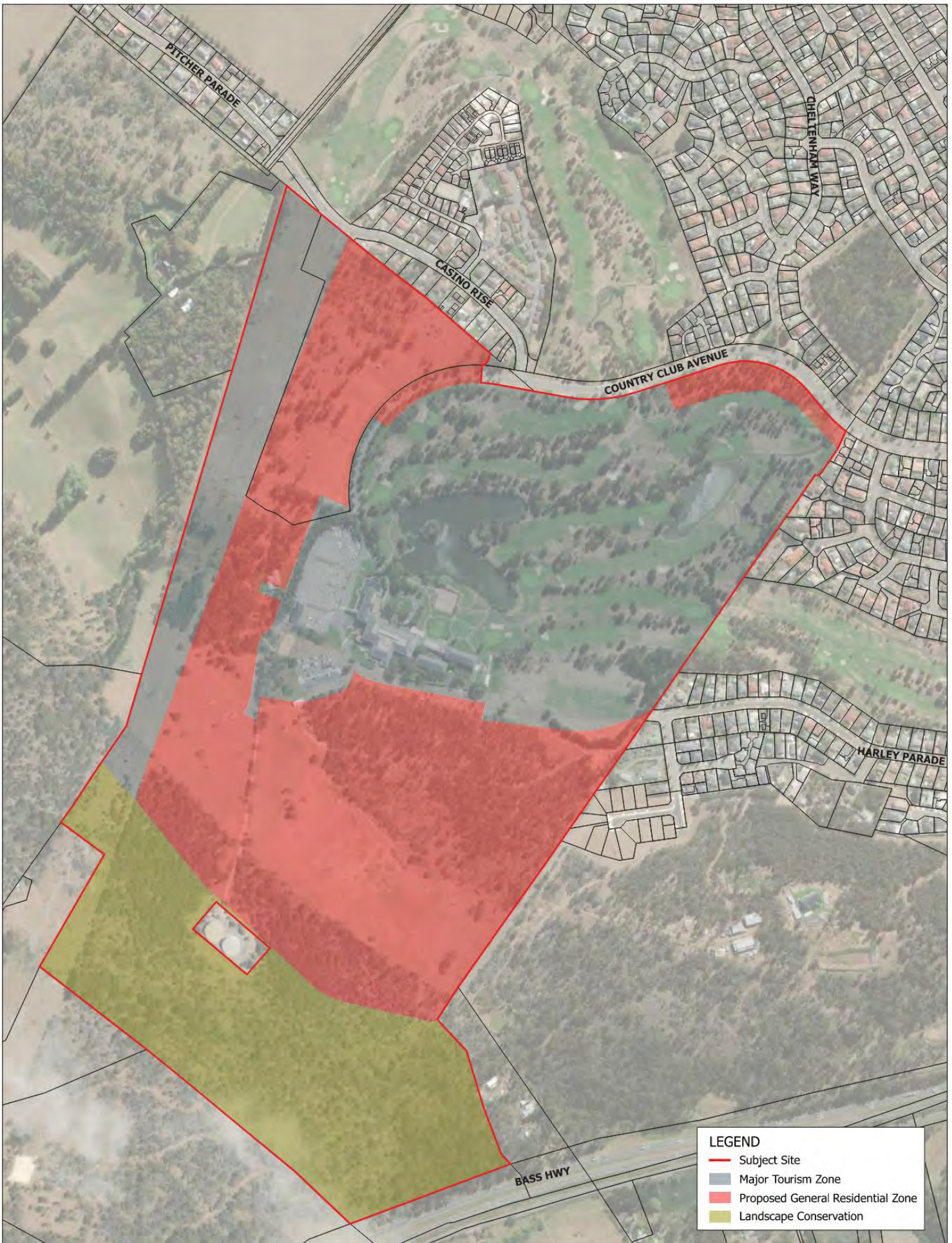
We strongly believe this project will facilitate a range of benefits to the broader community of Meander Valley and the existing Country Club Estate and to this end ask both Council and the TPC for ongoing expediency in considerations of this Draft Amendment.

Thank you for your time in reviewing this representation and we look forward to working with you to deliver a great development outcome for Meander Valley Council and the local community.

Kind regards,



Nicola Smith  
Director



**LEGEND**

- Subject Site
- Major Tourism Zone
- Proposed General Residential Zone
- Landscape Conservation

**PROPOSED ZONING PLAN**  
**100 COUNTRY CLUB AVE, PROSPECT VALE TAS**

Aerial supplied by: N/A  
 Aerial Date Stamp: N/A  
 Survey supplied by: The List  
 Plan Number: NPS796-019  
 Revisions Number: 0  
 Drawn By: Nivedita Ravindran



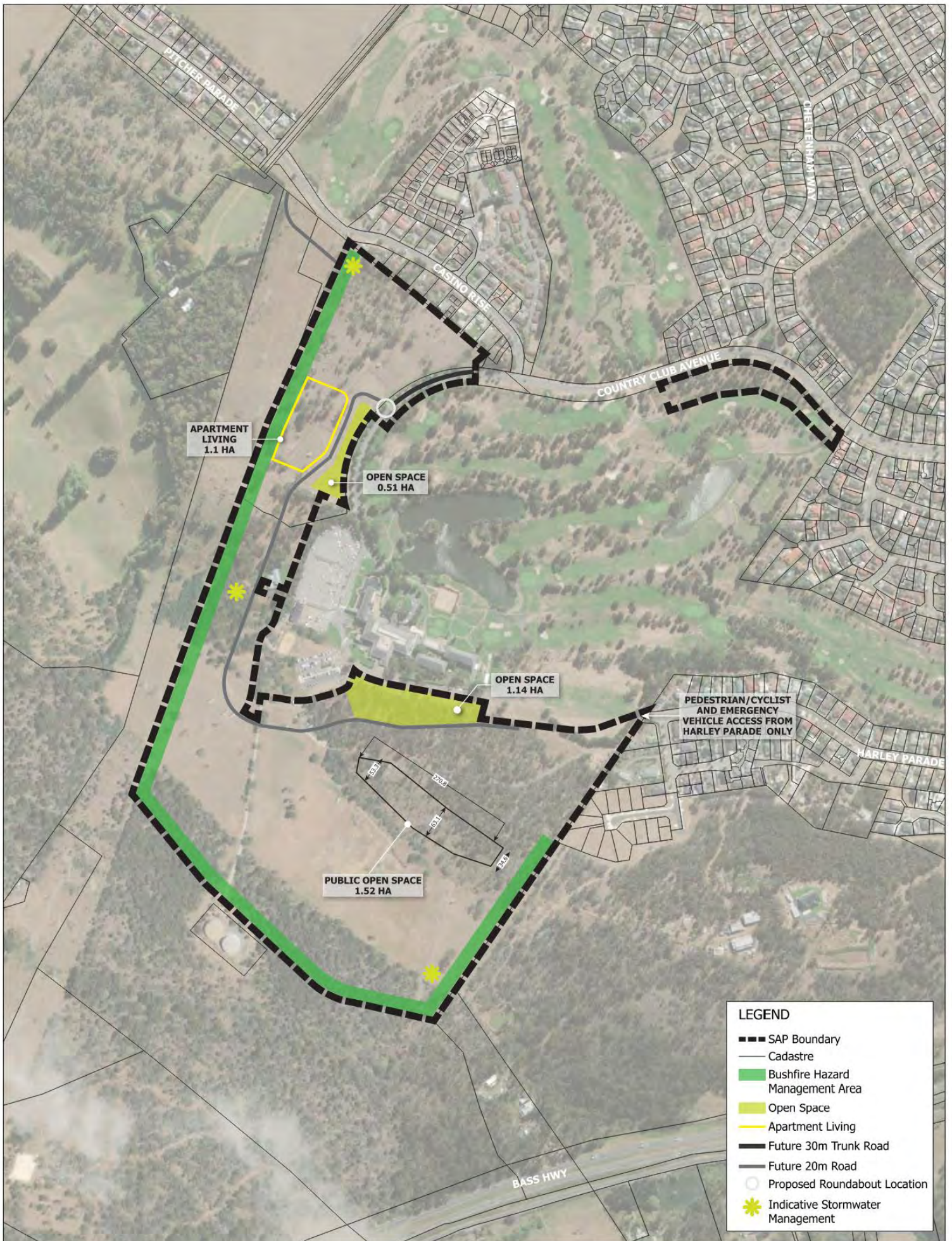
0 80 160 240 320 400 480m

Scale: 1:8,000 @A3 | Date Issued: 07.09.2021 | ©Niche Planning Studio

DISCLAIMER:  
 All dimensions, areas and calculations are subject to Detailed Survey and Design before Town Planning Permit application.  
 The information contained herein is for general information only and does not constitute an offer of any financial product. This plan has been prepared  
 and is intended to be used as a guide only. It is not intended to be used as a basis for any legal proceedings or to create any proprietary value or other potential.

**NICHE**  
 — PLANNING —  
**STUDIO**

Page 319



**LEGEND**

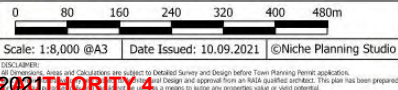
- SAP Boundary
- Cadastre
- Bushfire Hazard Management Area
- Open Space
- Apartment Living
- Future 30m Trunk Road
- Future 20m Road
- Proposed Roundabout Location
- ★ Indicative Stormwater Management

**SPECIFIC AREA PLAN**  
**100 COUNTRY CLUB AVE, PROSPECT VALE TAS**

Aerial supplied by: N/A  
 Aerial Date Stamp: N/A  
 Survey supplied by: The List  
 Plan Number: NPS796-016  
 Revision Number: D

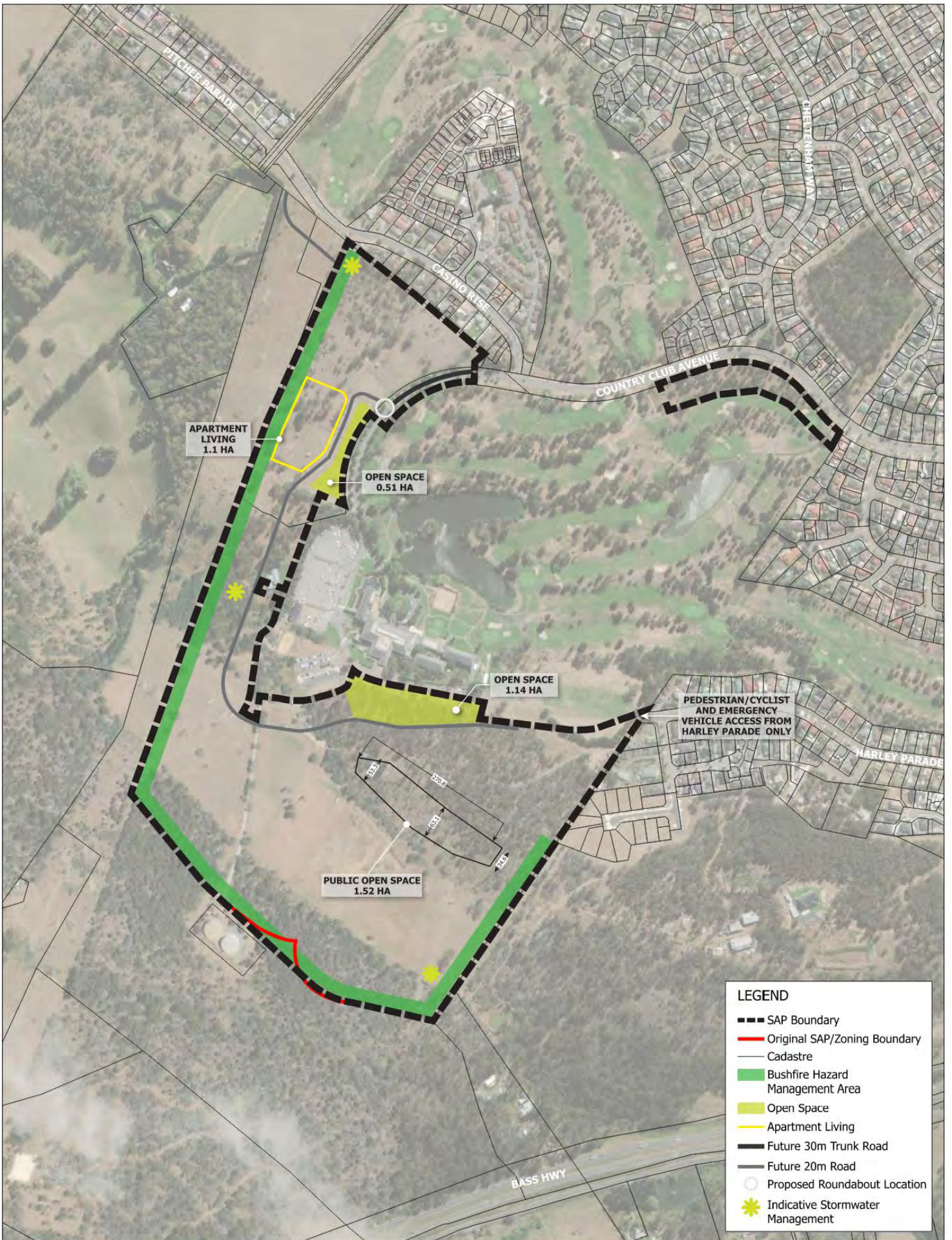
Scale: 1:8,000 @A3 | Date Issued: 10.09.2021 | ©Niche Planning Studio

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 All Dimensions, Areas and Volumes are subject to Detailed Survey and Design before Town Planning Permit application.  
 Final Design and approval from an NATA qualified architect. This plan has been prepared for the purpose of providing information only. It is not intended to be used as a basis for any other purpose. It is a means to judge any properties value or yield potential.



**NICHE**  
 — PLANNING —  
**STUDIO**





**LEGEND**

- SAP Boundary
- Original SAP/Zoning Boundary
- Cadastre
- Bushfire Hazard Management Area
- Open Space
- Apartment Living
- Future 30m Trunk Road
- Future 20m Road
- Proposed Roundabout Location
- ★ Indicative Stormwater Management

**SPECIFIC AREA PLAN - COMPARISON PLAN**  
**100 COUNTRY CLUB AVE, PROSPECT VALE TAS**

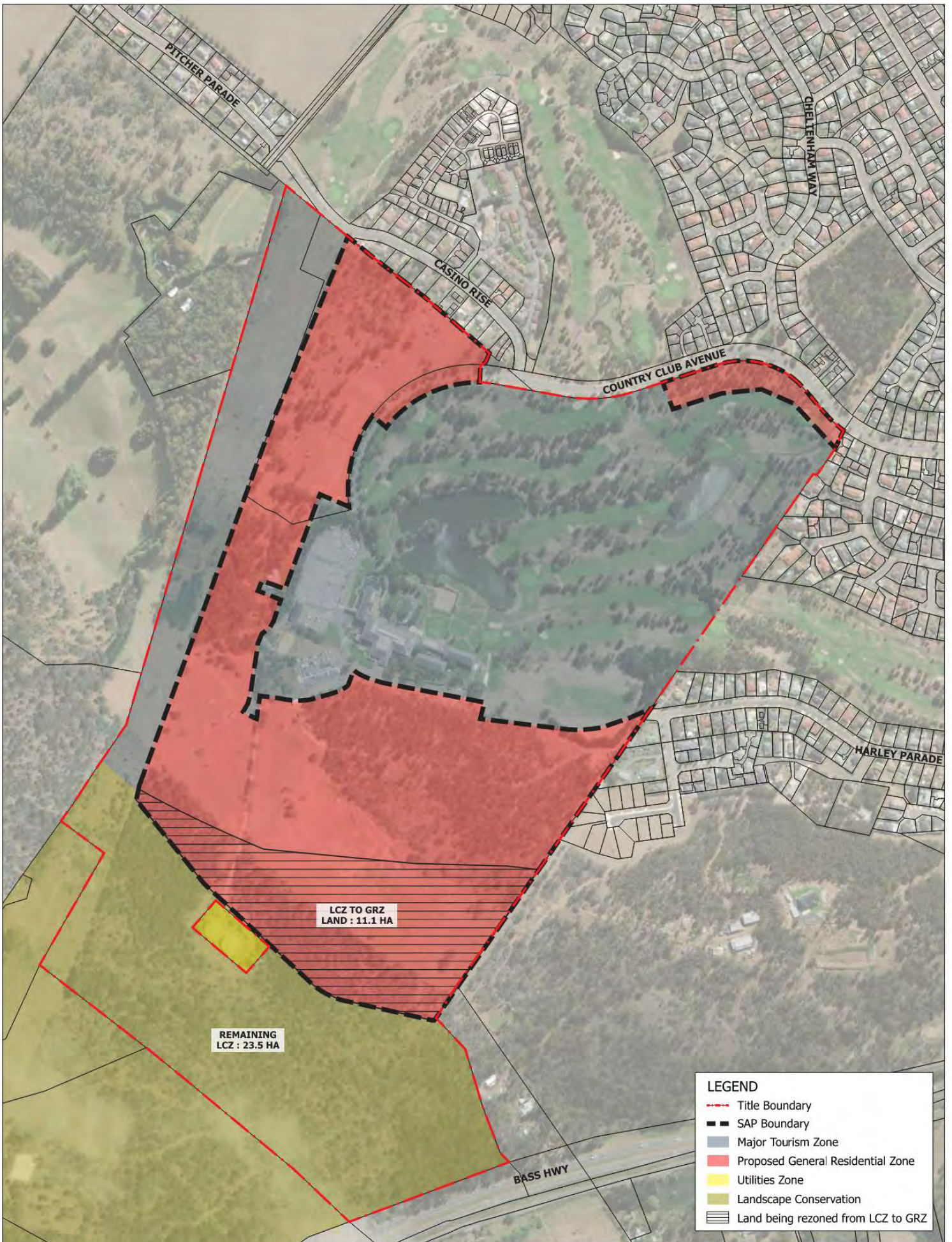
Aerial supplied by: N/A  
 Aerial Date/Stamp: N/A  
 Survey supplied by: The List  
 Plan Number: NPS796-016  
 Revision Number: E  
 Drawn By: Nivedita Ravindran  
 Client: Kin Capital

0 80 160 240 320 400 480m

Scale: 1:8,000 @A3 | Date Issued: 10.09.2021 | ©Niche Planning Studio

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 This Plan is illustrative only and subject to architectural Design and approval from an NATA qualified architect. This plan has been prepared for illustrative purposes only and should not be used as a means to judge any properties value or yield potential.



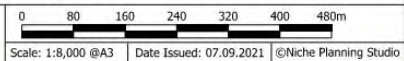


**LEGEND**

- - - Title Boundary
- SAP Boundary
- Major Tourism Zone
- Proposed General Residential Zone
- Utilities Zone
- Landscape Conservation
- Land being rezoned from LCZ to GRZ

**LANDSCAPE CONSERVATION ZONE COMPLIANCE**  
**100 COUNTRY CLUB AVE, PROSPECT VALE TAS**

Aerial supplied by: N/A  
 Aerial Date Stamp: N/A  
 Survey supplied by: The List  
 Plan Number: NPS796-019  
 Revision Number: 0  
 Drawn By: Nivedita Ravindran



DISCLAIMER:  
 All Dimensions, Areas and Calculations are subject to Detailed Survey and Design before Town Planning Permit application.  
 This plan has been prepared for informational design and approval only as a guide to assist in the planning process. It is not intended to be used as a means to justify any property value or other potential.

**NICHE**  
 — PLANNING —  
**STUDIO**

# CORPORATE SERVICES 1

(Reference No. 188/2021)

## RECEIPT OF 2021 FINANCIAL STATEMENTS AND AUDITOR GENERAL'S REPORT

**AUTHOR:** Justin Marshall  
Team Leader Finance

---

### 1) Recommendation

***It is recommended that Council receive the certified 2021 Financial Statements and associated Delegate of the Auditor-General's independent audit report.***

### 2) Officers Report

Council's Financial Statements were prepared and submitted to the Tasmanian Audit Office on 13 August 2021.

A copy of the Tasmanian Audit Office's report and opinion 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 Statements that will appear in Council's Annual Report for presentation at the Annual General Meeting in December 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 2021 financial year resulted in a net profit of \$3,454,928 however after removing capital, non-recurrent items and the prepaid Financial Assistance Grant for 2022, there was an underlying deficit of \$533,222.

The financial performance was significantly impacted by the delivery of the 'Community Care and Recovery Package', approved by Council in April 2020, to assist the Meander Valley community to both manage and recover from the

impacts of the COVID-19 Pandemic. A full overview of Council's financial performance will be provided in the 2021 Annual Report.

### **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**

Section 84 (Financial Statements) of the *Local Government Act 1993*.

### **5) Risk Management**

Not Applicable

### **6) Government and Agency Consultation**

Not Applicable

### **7) Community Consultation**

Council's Annual General Meeting, scheduled for 14 December 2021, 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 2021 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) present fairly, in all material respects, Council's financial position as at 30 June 2021 and its financial performance and its cash flows for the year then ended
- (b) are 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 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><b>Valuation of property and infrastructure</b>  <i>Refer to notes 21 to 22, 24 to 27, 32 and 44</i></p>	
<p>At 30 June 2021, Council’s assets included land, land under roads, buildings, and infrastructure assets, such as roads and streets, bridges and stormwaters assets valued at fair value totalling \$236.53m. The fair values of these assets are based on market values and current replacement cost. Council undertakes formal revaluations on a regular basis to ensure valuations represent fair value.</p> <p>During 2020-21, Council undertook a full revaluation of bridges and land assets. The valuations were determined by external experts and are highly dependent upon a range of assumptions and estimated unit rates.</p>	<ul style="list-style-type: none"> <li>• Assessing the scope, expertise and independence of experts engaged to assist in the valuations.</li> <li>• Evaluating the appropriateness of the valuation methodology applied to determine fair values.</li> <li>• Critically assessing assumptions and other key inputs in the valuation models.</li> <li>• Testing the mathematical accuracy of valuation model calculations.</li> <li>• Testing the accuracy of recording independent values in Council’s asset register and general ledger.</li> <li>• Evaluating the adequacy of disclosures made in the financial report, including those regarding key assumptions used.</li> </ul>

**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.

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 are 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 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 represent 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.

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.



Stephen Morrison  
**Assistant Auditor-General – Audit  
Delegate of the Auditor-General**  
Tasmanian Audit Office

24 September 2021  
Hobart



# Statement of Comprehensive Income

For the Year Ended 30 June 2021

	Note	Budget 2021 \$	Actual 2021 \$	Actual 2020 \$
<b>INCOME FROM CONTINUING OPERATIONS</b>				
<b>Recurrent Income</b>				
Rates and Charges		13,046,800	13,106,285	12,803,314
Interest	3	645,800	572,652	823,968
Reimbursements and Contributions Monetary Assets		270,300	333,067	388,464
User Fees and Charges		1,150,100	1,407,531	1,254,089
Operational Grants	4	4,350,400	4,342,048	4,883,869
Investment Revenue from Water Corporation		-	278,000	278,000
		<u>19,463,400</u>	<u>20,039,583</u>	<u>20,431,704</u>
<b>Capital &amp; Non-Recurrent Income</b>				
Capital Grants	4	5,481,600	2,844,466	2,059,185
Subdivision Assets Taken Over		300,000	981,647	638,576
Contributions Monetary Assets		10,000	11,623	13,119
Profit/(Loss) on Disposal of Land & Buildings	10	-	190,130	293,878
		<u>5,791,600</u>	<u>4,027,866</u>	<u>3,004,758</u>
<b>TOTAL INCOME FROM CONTINUING OPERATIONS</b>		<b>25,255,000</b>	<b>24,067,449</b>	<b>23,436,462</b>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>				
<b>Recurrent Expenditure</b>				
Employee Costs	5	7,805,600	7,259,508	6,872,951
Materials and Contracts	6	8,502,300	7,897,896	7,642,231
Depreciation and Amortisation	7	5,132,200	5,082,762	5,068,152
Finance Costs	8	271,600	244,036	266,212
Other Expenses	9	142,500	108,097	113,606
(Profit)/Loss on Disposal of Assets	10	134,000	20,222	(2,236)
		<u>21,988,200</u>	<u>20,612,521</u>	<u>19,960,916</u>
<b>TOTAL EXPENSES FROM CONTINUING OPERATIONS</b>		<b>21,988,200</b>	<b>20,612,521</b>	<b>19,960,916</b>
<b>OPERATING RESULT FROM CONTINUING OPERATIONS</b>	2(a)	<b>3,266,800</b>	<b>3,454,928</b>	<b>3,475,546</b>
<b>OPERATING RESULT FROM DISCONTINUED OPERATIONS</b>		<b>-</b>	<b>-</b>	<b>-</b>
<b>NET OPERATING RESULT FOR THE YEAR</b>		<b>3,266,800</b>	<b>3,454,928</b>	<b>3,475,546</b>
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items that will not be reclassified subsequently to net result</b>				
Fair value adjustments on equity investment assets	18	-	3,452,529	(13,021,159)
Revaluation Increment/(Decrement) for Land	35	-	1,750,325	3,006,262
Revaluation Increment/(Decrement) for Buildings	35	-	(160,231)	1,218,012
Revaluation Increment/(Decrement) for Stormwater	35	-	-	972,311
Revaluation Increment/(Decrement) for Bridges	35	-	267,019	-
<b>TOTAL OTHER COMPREHENSIVE INCOME</b>		<b>-</b>	<b>5,309,642</b>	<b>(7,824,574)</b>
<b>TOTAL COMPREHENSIVE RESULT</b>		<b>3,266,800</b>	<b>8,764,570</b>	<b>(4,349,028)</b>



# Statement of Financial Position

As at 30 June 2021

	Note	Actual 2021 \$	Actual 2020 \$
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	11	2,791,150	3,114,679
Trade and Other Receivables	12	2,091,250	958,739
Investments	13	18,382,609	18,469,868
Other	14	166,832	182,188
<b>Total Current Assets</b>	2(b)	<b>23,431,841</b>	<b>22,725,474</b>
<b>NON-CURRENT ASSETS</b>			
Investment in Water Corporation	18	46,023,125	42,570,596
Loans and Other Receivables	19	3,762,000	4,686,887
Work in Progress	20	849,804	819,400
Land	21	10,842,751	8,600,000
Land Under Roads	22	29,031,368	28,994,771
Land Improvements	23	9,557,277	7,500,247
Buildings	24	21,820,321	21,466,143
Roads and Streets	25	125,230,206	122,080,776
Bridges	26	27,979,485	28,746,622
Stormwater	27	21,622,112	21,290,349
Plant and Equipment	28	3,080,836	2,958,462
Heritage	29	19,203	19,483
Computer Software	30	109,723	153,878
Valuations	31	136,231	147,794
<b>Total Non-Current Assets</b>	2(b)	<b>300,064,442</b>	<b>290,035,408</b>
<b>TOTAL ASSETS</b>		<b>323,496,283</b>	<b>312,760,882</b>
<b>CURRENT LIABILITIES</b>			
Trade and Other Payables	15	1,434,975	1,743,040
Provisions	16	1,360,514	1,443,346
Contract Liabilities	17	894,697	-
<b>Total Current Liabilities</b>		<b>3,690,186</b>	<b>3,186,386</b>
<b>NON-CURRENT LIABILITIES</b>			
Borrowings	33	3,600,000	3,600,000
Provisions	34	5,905,937	4,438,906
<b>Total Non-Current Liabilities</b>		<b>9,505,937</b>	<b>8,038,906</b>
<b>TOTAL LIABILITIES</b>		<b>13,196,123</b>	<b>11,225,292</b>
<b>NET ASSETS</b>		<b>310,300,160</b>	<b>301,535,590</b>
<b>EQUITY</b>			
Accumulated Surplus		218,665,310	215,210,382
Reserves	35	91,634,850	86,325,208
<b>TOTAL EQUITY</b>		<b>310,300,160</b>	<b>301,535,590</b>

## Statement of Changes in Equity

For the Year Ended 30 June 2021

2021	Note	Total	Accumulated	Asset	Fair Value
		2021	Surplus	Revaluation	Reserve
		\$	\$	\$	\$
<b>Balance at beginning of the financial year</b>		301,535,590	215,210,382	95,441,688	(9,116,480)
Net Operating Result for the Year		3,454,928	3,454,928	-	-
Other Comprehensive Income:					
Fair Value adjustment to Investment in Water Corp.	18	3,452,529	-	-	3,452,529
Net asset revaluation increment/(decrement)	35	1,857,113	-	1,857,113	-
<b>Balance at end of the financial year</b>		<b>310,300,160</b>	<b>218,665,310</b>	<b>97,298,801</b>	<b>(5,663,951)</b>

2020		Total	Accumulated	Asset	Fair Value
		2020	Surplus	Revaluation	Reserve
		\$	\$	\$	\$
<b>Balance at beginning of the financial year</b>		306,828,986	212,679,204	90,245,103	3,904,679
Adjustment due to AASB 1058 adoption		(944,368)	(944,368)	-	-
<b>Restated opening balance</b>		<b>305,884,618</b>	<b>211,734,836</b>	<b>90,245,103</b>	<b>3,904,679</b>
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	-
<b>Balance at end of the financial year</b>		<b>301,535,590</b>	<b>215,210,382</b>	<b>95,441,688</b>	<b>(9,116,480)</b>

## Statement of Cash Flows

For the Year Ended 30 June 2021

	Note	Actual 2021 \$ Inflows (Outflows)	Actual 2020 \$ Inflows (Outflows)
<b>Cash Flows from Operating Activities</b>			
<b>Receipts</b>			
Rates and Charges		13,000,420	12,841,497
Interest Received		541,308	853,450
Reimbursements and Contributions		333,067	388,464
User Fees and Charges		1,403,712	1,526,873
Operational Grants		4,459,931	4,883,869
Distributions from Water Corporation		278,000	278,000
Refunds from Australian Tax Office		1,191,072	1,400,735
		21,207,510	22,172,888
<b>Payments</b>			
Employee Costs		(7,452,368)	(6,864,823)
Materials and Contracts		(9,552,293)	(9,413,594)
Interest Expense		(211,320)	(211,320)
Other Expenses		(108,097)	(113,606)
		(17,324,078)	(16,603,343)
<b>Net cash provided by Operating Activities</b>	39	3,883,432	5,569,545
<b>Cash Flows from Investing Activities</b>			
<b>Proceeds from</b>			
Sale of Property, Plant and Equipment		461,771	762,010
Loaned Funds Repaid		104,020	-
Capital Grants		3,621,280	1,339,989
Capital Contributions		11,623	13,119
Investments		87,259	2,784,598
		4,285,953	4,899,716
<b>Payments for</b>			
Property, Plant and Equipment		(8,492,914)	(10,742,199)
		(8,492,914)	(10,742,199)
<b>Net cash used in Investing Activities</b>		(4,206,961)	(5,842,483)
Net Increase/(Decrease) in cash held		(323,529)	(272,938)
Cash at the beginning of the year		3,114,679	3,387,617
<b>Cash and Cash Equivalents at end of the financial year</b>	11	2,791,150	3,114,679

## **CORPORATE SERVICES 2**

(Reference No. 189/2021)

### **COUNCIL FINANCIAL REPORT TO 30 SEPTEMBER 2021**

**AUTHOR:** Justin Marshall  
Team Leader Finance

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#### **1) Recommendation**

***It is recommended that Council receive the attached financial report for the period ended 30 September 2021.***

#### **2) Officers Report**

The attached financial report is provided for the period 1 July 2021 to 30 September 2021. An analysis of exceptions and developing trends in the financial performance has not been provided for the first quarter of the financial year. The first three months are not considered a long enough period to recognise trends that will provide meaningful information for the full year.

#### **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**

Not Applicable

**9) Alternative Recommendations**

Not Applicable

**10) Voting Requirements**

Simple Majority

**DECISION:**



# Meander Valley Council

Working Together

## **FINANCIAL REPORT TO 30 SEPTEMBER 2021**

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## 1. Introduction

Council's Financial Report provides an overview of our financial performance for the current financial year. The report compares revenue and expenditure areas actual results against the set budget estimates. The report provides an overview of Council's financial position as at 30 September 2021.

An analysis of exceptions and developing trends in the financial performance has not been provided for the first quarter of the financial year. The first three months are not considered a long enough period to recognise trends that will provide meaningful information for the full year.

The following information is contained in the Financial Report:

- Consolidated Operating Statement – This report provides a summary of operational revenue and expenditure for the period to date compared to the annual budget estimates.
- Capital Expenditure Reports – These reports provide a list of all approved capital projects with their allocated budget, expenditure carried forward from the previous financial year and current year to date expenditure.
- Rates Revenue Report – This report provides a summary of rates raised for the financial year, interest charged on overdue rates and total rates outstanding as at 30 September 2021.
- Cash & Investment Reconciliation – This report shows Council's total cash balance as at 30 September 2021, including funds held in At Call accounts and Term Deposits. Also included is an adjusted cash balance, taking into account estimated future revenue, expenditure and liabilities.





## 2. Consolidated Operating Statement – 30 September 2021

	Actual 2022	Budget 2022	% of Budget
<b>Total Council Operations</b>			
<b>Operating Revenue</b>			
Rate Revenue	14,578,927	14,641,800	99.57%
Fees & User Charges	366,827	1,279,500	28.67%
Contributions & Donations	39,093	671,200	5.82%
Interest	130,598	420,700	31.04%
Grants & Subsidies	836,938	9,732,100	8.60%
Sale of Assets	-	-	
Other Revenue	159,888	853,700	18.73%
<b>Total Operating Revenue</b>	<b>\$ 16,112,272</b>	<b>\$ 27,599,000</b>	<b>58.38%</b>
<b>Operating Expenditure</b>			
<b>Departments</b>			
Governance	633,224	2,522,600	25.10%
Corporate Services	573,062	1,995,400	28.72%
Infrastructure Services	759,636	4,451,100	17.07%
Works	1,125,915	3,911,700	28.78%
Development & Regulatory Services	443,108	2,254,600	19.65%
<b>Maintenance &amp; Working Expenses</b>	<b>\$ 3,534,944</b>	<b>\$ 15,135,400</b>	<b>23.36%</b>
Interest	52,830	248,800	21.23%
Depreciation	1,350,100	5,400,400	25.00%
Payments to Government Authorities	-	1,294,700	0.00%
Administration Allocated	-	-	
Other Payments	20,907	250,800	8.34%
<b>Total Operating Expenditure</b>	<b>\$ 4,958,782</b>	<b>\$ 22,330,100</b>	<b>22.21%</b>
<b>Operating Surplus/(Deficit)</b>	<b>\$ 11,153,490</b>	<b>\$ 5,268,900</b>	



### 3. Capital Project Report

#### 2022 Financial Year

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	<i>Prior Year Expenditure</i>	<i>Current Year Expenditure</i>	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>Administration</b>						
<b>100 - Administration</b>						
5101 Workstations and Peripherals	\$0	\$436	\$436	\$30,000	-\$29,564	1.45%
5102 Network Infrastructure	\$0	\$16,780	\$16,780	\$40,000	-\$23,220	41.95%
5109 Networked Copiers and Printers	\$0	\$0	\$0	\$42,000	-\$42,000	0.00%
5111 Software and Upgrades	\$0	\$25,001	\$25,001	\$45,000	-\$19,999	55.56%
5118 Council Chambers - Fire Detection System	\$374	\$1,738	\$2,111	\$70,000	-\$67,889	3.02%
5133 Core Enterprise Software Replacement	\$0	\$0	\$0	\$450,000	-\$450,000	0.00%
100 - Administration Sub Total	\$374	\$43,955	\$44,328	\$677,000	-\$632,672	6.55%
<b>100 - Administration Sub Total</b>	<b>\$374</b>	<b>\$43,955</b>	<b>\$44,328</b>	<b>\$677,000</b>	<b>-\$632,672</b>	<b>6.55%</b>

#### Roads Streets and Bridges

##### 201 - Roads and Streets

5653 Long Ridge Rd - Montana	\$0	\$0	\$0	\$35,000	-\$35,000	0.00%
5810 Elizabeth St - Bracknell 20/21	\$154	\$4,933	\$5,086	\$9,200	-\$4,114	55.29%
5812 Henrietta St - Bracknell	\$0	\$0	\$0	\$40,000	-\$40,000	0.00%
5828 Barrack St West - Deloraine	\$0	\$0	\$0	\$6,000	-\$6,000	0.00%
5829 Morrison St - Deloraine 17/18	\$0	\$0	\$0	\$45,600	-\$45,600	0.00%
5845 Alvestone Dr - Deloraine	\$0	\$3,469	\$3,469	\$95,000	-\$91,531	3.65%
5859 Parsonage St - Deloraine	\$0	\$3,469	\$3,469	\$70,000	-\$66,531	4.96%
5877 Rutherglen Rd - Hadspen 20/21	\$0	\$0	\$0	\$15,000	-\$15,000	0.00%
5887 Scott St - Hadspen	\$0	\$6,713	\$6,713	\$135,000	-\$128,287	4.97%
5894 Country Club Av - Prospect Vale	\$0	\$7,640	\$7,640	\$40,000	-\$32,360	19.10%
5899 Mace St - Prospect Vale 20/21	\$0	\$0	\$0	\$80,000	-\$80,000	0.00%
5978 Franklin St - Westbury	\$0	\$870	\$870	\$75,000	-\$74,130	1.16%
6102 Blackstone Rd - Blackstone Heights	\$0	\$135	\$135	\$10,000	-\$9,865	1.35%



## 2022 Financial Year

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	<b>Prior Year Expenditure</b>	<b>Current Year Expenditure</b>	<b>Total Expenditure</b>	<b>Total Budget</b>	<b>Variance Amount</b>	<b>Percentage of Total Budget</b>
6110 Bridgenorth Rd - Bridgenorth	\$0	\$690	\$690	\$170,000	-\$169,310	0.41%
6112 Bishopsbourne Rd - Carrick	\$134	\$2,175	\$2,309	\$0	\$2,309	0.00%
6138 Lansdowne Pl - Deloraine 20/21	\$0	\$0	\$0	\$20,000	-\$20,000	0.00%
6176 LRCI Grant Meander Main Rd - Meander 20/21	\$10,416	\$27,371	\$37,787	\$78,100	-\$40,313	48.38%
6245 R2R 2022 Westwood Rd - Westwood	\$0	\$33,652	\$33,652	\$885,000	-\$851,348	3.80%
6259 Railton Rd - Kimberley	\$0	\$0	\$0	\$78,000	-\$78,000	0.00%
6272 East Barrack St - Deloraine 20/21	\$7,876	\$72,458	\$80,334	\$238,000	-\$157,666	33.75%
6276 Westbury Rd - Prospect: Transport Study Projects	\$0	\$0	\$0	\$388,500	-\$388,500	0.00%
6284 New Footpath Developments - Westbury 15/16	\$0	\$0	\$0	\$30,700	-\$30,700	0.00%
6285 New Footpath Developments - Blackstone 17/18	\$857	\$0	\$857	\$7,000	-\$6,143	12.24%
6288 Westbury Rd - PVP Entrance Roundabout 15/16	\$48,770	\$5,746	\$54,516	\$16,000	\$38,516	340.73%
6354 New Footpath Developments - Carrick	\$0	\$0	\$0	\$90,000	-\$90,000	0.00%
6355 River Reserve Rd - Bracknell	\$0	\$0	\$0	\$20,000	-\$20,000	0.00%
6356 Traffic Calming - Prospect Vale	\$0	\$0	\$0	\$10,000	-\$10,000	0.00%
6358 Westbury Rd, Prospect Vale - Crossing Improvements Vale !	\$0	\$0	\$0	\$15,000	-\$15,000	0.00%
6359 Main St, Hadspen - Wombat Crossing 20/21	\$127	\$519	\$646	\$30,000	-\$29,354	2.15%
6694 Footpath Renewals - Bracknell, Deloraine, Carrick	\$0	\$0	\$0	\$135,000	-\$135,000	0.00%
<b>201 - Roads and Streets Sub Total</b>	<b>\$68,332</b>	<b>\$169,841</b>	<b>\$238,173</b>	<b>\$2,867,100</b>	<b>-\$2,628,927</b>	<b>8.31%</b>
<b>210 - Bridges</b>						
5211 R2R 2022 Drain Cheshunt Road	\$0	\$751	\$751	\$200,000	-\$199,250	0.38%
5225 Meander River Main Road Meander	\$0	\$33,262	\$33,262	\$33,300	-\$38	99.89%
5255 R2R 2022 Meander River Selbourne Rd	\$5,105	\$5,841	\$10,946	\$525,750	-\$514,804	2.08%
5361 Mole Creek Den Road	\$0	\$0	\$0	\$30,000	-\$30,000	0.00%
5370 Bradys Creek Tributlet Davies Road	\$0	\$413	\$413	\$215,000	-\$214,587	0.19%
5409 Un-Named Drain Harveys Road	\$0	\$0	\$0	\$10,000	-\$10,000	0.00%
5448 R2R 2022 Irrigation Channel Cheshunt Road	\$0	\$751	\$751	\$200,000	-\$199,250	0.38%
<b>210 - Bridges Sub Total</b>	<b>\$5,105</b>	<b>\$41,017</b>	<b>\$46,122</b>	<b>\$1,214,050</b>	<b>-\$1,167,928</b>	<b>3.80%</b>
<b>200 - Roads Streets and Bridges Sub Total</b>	<b>\$73,437</b>	<b>\$210,858</b>	<b>\$284,295</b>	<b>\$4,081,150</b>	<b>-\$3,796,855</b>	<b>6.97%</b>



## 2022 Financial Year

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	<i>Prior Year Expenditure</i>	<i>Current Year Expenditure</i>	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>Health and Community Welfare</b>						
<b>315 - Cemeteries</b>						
6302 Deloraine Lawn Cemetery Concrete Slabs	\$0	\$0	\$0	\$5,000	-\$5,000	0.00%
6310 Deloraine Lawn Cemetery Land Purchase 20/21	\$600	\$0	\$600	\$210,000	-\$209,400	0.29%
6311 Deloraine Lawn Cemetery Landscaping, Access Road & Fenc	\$0	\$0	\$0	\$20,000	-\$20,000	0.00%
315 - Cemeteries Sub Total	\$600	\$0	\$600	\$235,000	-\$234,400	0.26%
<b>316 - Community Amenities</b>						
6529 Carrick Rec Ground - Public Toilets	\$0	\$0	\$0	\$100,000	-\$100,000	0.00%
6530 Egmont Reserve - Public Toilets	\$0	\$1,588	\$1,588	\$6,000	-\$4,412	26.47%
316 - Community Amenities Sub Total	\$0	\$1,588	\$1,588	\$106,000	-\$104,412	1.50%
<b>321 - Tourism &amp; Area Promotion</b>						
7833 Bass Highway Signage - Westbury	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
321 - Tourism & Area Promotion Sub Total	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
<b>335 - Household Waste</b>						
6602 Westbury Land fill Site - Cell Expansion	\$341,519	\$28,280	\$369,800	\$430,800	-\$61,000	85.84%
6605 Mobile Garbage Bins	\$0	\$0	\$0	\$195,000	-\$195,000	0.00%
6611 Mobile Organics Bins	\$0	\$0	\$0	\$300,000	-\$300,000	0.00%
6616 Landfill Sites Capacity Expansion 20/21	\$1,381	\$0	\$1,381	\$40,000	-\$38,619	3.45%
6617 Cluan Landfill Site Access Road	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
6618 Landfill Sites Land Purchase	\$0	\$0	\$0	\$250,000	-\$250,000	0.00%
6619 Deloraine Landfill Site Improvements	\$1,881	\$2,552	\$4,433	\$450,000	-\$445,567	0.99%
335 - Household Waste Sub Total	\$344,781	\$30,832	\$375,613	\$1,715,800	-\$1,340,187	21.89%



## 2022 Financial Year

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	<i>Prior Year Expenditure</i>	<i>Current Year Expenditure</i>	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>351 - Storm Water Drainage</b>						
6400 Various Locations - Stormwater Improvement Program	\$0	\$0	\$0	\$65,100	-\$65,100	0.00%
6404 East St, Carrick Stormwater	\$0	\$0	\$0	\$10,000	-\$10,000	0.00%
6431 Dexter St, Westbury - Stormwater	\$0	\$0	\$0	\$10,000	-\$10,000	0.00%
6450 West Parade Deloraine Stormwater	\$0	\$0	\$0	\$10,000	-\$10,000	0.00%
6470 William St Westbury - Stormwater 19/20	\$6,818	\$4,168	\$10,985	\$120,000	-\$109,015	9.15%
6483 Taylor St, Westbury Stormwater	\$0	\$1,547	\$1,547	\$100,000	-\$98,453	1.55%
6496 Open Drain Program, Blackstone Heights 15/16	\$0	\$0	\$0	\$34,000	-\$34,000	0.00%
6498 Open Drain Program, Westbury	\$0	\$0	\$0	\$117,500	-\$117,500	0.00%
6861 Main Rd, Meander - Stormwater	\$0	\$18,600	\$18,600	\$43,600	-\$25,000	42.66%
6866 Jones St, Westbury - Stormwater	\$0	\$26	\$26	\$100,000	-\$99,974	0.03%
6867 Bartley St, Hadspen - Stormwater	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
<b>351 - Storm Water Drainage Sub Total</b>	<b>\$6,818</b>	<b>\$24,341</b>	<b>\$31,159</b>	<b>\$660,200</b>	<b>-\$629,041</b>	<b>4.72%</b>
<b>300 - Health and Community Welfare Sub Total</b>	<b>\$352,199</b>	<b>\$56,761</b>	<b>\$408,960</b>	<b>\$2,767,000</b>	<b>-\$2,358,040</b>	<b>14.78%</b>

## Recreation and Culture

### 505 - Public Halls

7411 Chudleigh Hall - Carpark Improvements	\$0	\$0	\$0	\$14,000	-\$14,000	0.00%
7428 Bracknell Hall - Bracing Building Structure 16/17	\$106,821	\$12,519	\$119,340	\$1,457,000	-\$1,337,660	8.19%
7448 Mole Creek Hall - Roof Replacement 20/21	\$1,766	\$28,855	\$30,621	\$50,000	-\$19,379	61.24%
7454 Weegen Hall - Floor Replacement	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
7455 Caveside Hall - Floor Replacement	\$0	\$0	\$0	\$50,000	-\$50,000	0.00%
<b>505 - Public Halls Sub Total</b>	<b>\$108,587</b>	<b>\$41,375</b>	<b>\$149,961</b>	<b>\$1,621,000</b>	<b>-\$1,471,039</b>	<b>9.25%</b>



## 2022 Financial Year

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	<i>Prior Year Expenditure</i>	<i>Current Year Expenditure</i>	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>525 - Recreation Grounds &amp; Sports Facilities</b>						
7611 Deloraine Rec Ground Precinct Design	\$0	\$418	\$418	\$100,000	-\$99,582	0.42%
7613 Hadspen Recreation Ground Tennis Court	\$0	\$3,693	\$3,693	\$10,000	-\$6,307	36.93%
7614 Hagley Rec Ground - Building Works	\$200	\$557	\$758	\$60,000	-\$59,242	1.26%
7616 Deloraine Rec Ground - Ground Upgrades & Lighting	\$57,477	\$4,397	\$61,875	\$625,000	-\$563,125	9.90%
7634 Whitemore Rec Ground - Tennis Courts Drainage	\$0	\$0	\$0	\$15,000	-\$15,000	0.00%
7665 Hadspen Memorial Centre Extension 20/21	\$334	\$5,800	\$6,134	\$180,000	-\$173,866	3.41%
7671 PVP Development Plan - Future Projects	\$0	\$0	\$0	\$62,500	-\$62,500	0.00%
7678 PVP Ring Road & Main Access	\$0	\$0	\$0	\$20,000	-\$20,000	0.00%
7695 Deloraine Community Complex - Squash Courts 20/21	\$84,373	\$11,195	\$95,568	\$2,000,000	-\$1,904,432	4.78%
7696 Deloraine Pump Track 19/20	\$30,125	\$3,399	\$33,524	\$328,500	-\$294,976	10.21%
525 - Recreation Grounds & Sports Facilities Sub Total	\$172,510	\$29,460	\$201,969	\$3,401,000	-\$3,199,031	5.94%
<b>545 - Sundry Cultural Activities</b>						
7910 MVPAC Little Theatre Heating 20/21	\$2,562	\$391	\$2,953	\$106,000	-\$103,047	2.79%
545 - Sundry Cultural Activities Sub Total	\$2,562	\$391	\$2,953	\$106,000	-\$103,047	2.79%
<b>565 - Parks and Reserves</b>						
8002 Deloraine Steel Arch Footbridge	\$0	\$337	\$337	\$345,000	-\$344,663	0.10%
8023 Las Vegas Drive Reserve - Playground Renewal	\$0	\$360	\$360	\$210,000	-\$209,640	0.17%
8053 Blackstone Park - Sale of Public Land 16/17	\$10,852	\$0	\$10,852	\$0	\$10,852	0.00%
8071 Willow Lane Reserve - Playground Renewal	\$0	\$696	\$696	\$30,000	-\$29,304	2.32%
8085 Bimbimbi Ave, Prospect - Renew Fitness Equipment	\$0	\$633	\$633	\$20,000	-\$19,367	3.16%
8099 Poets Place Reserve, Hadspen - Divest Land 18/19	\$190	\$0	\$190	\$5,000	-\$4,810	3.79%
8101 Chris St Reserve, Prospect - Divest Land 18/19	\$59	\$0	\$59	\$5,000	-\$4,941	1.18%
8104 Various Locations Dog Area Improvements 20/21	\$60,236	\$3,560	\$63,796	\$100,000	-\$36,204	63.80%
8105 Pioneer Drive, Mole Creek - Playground Equipment 20/21	\$4,182	\$51,729	\$55,911	\$55,000	\$911	101.66%
565 - Parks and Reserves Sub Total	\$75,519	\$57,315	\$132,834	\$770,000	-\$637,166	17.25%
<b>500 - Recreation and Culture Sub Total</b>	<b>\$359,177</b>	<b>\$128,540</b>	<b>\$487,717</b>	<b>\$5,898,000</b>	<b>-\$5,410,283</b>	<b>8.27%</b>



## 2022 Financial Year

01-Oct-2021 03:00:13

	<i>Prior Year Expenditure</i>	<i>Current Year Expenditure</i>	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>Unallocated and Unclassified</b>						
<b>625 - Management and Indirect O/Heads</b>						
8803 Minor Plant Purchases	\$0	\$2,162	\$2,162	\$30,000	-\$27,838	7.21%
8819 New Works Depot Design & Construction 20/21	\$6,012	\$1,300	\$7,312	\$1,543,000	-\$1,535,688	0.47%
8821 PVP Works Depot - Shed, Wash Down Bay & Roller Door 20	\$23,813	\$19,812	\$43,625	\$50,000	-\$6,375	87.25%
625 - Management and Indirect O/Heads Sub Total	\$29,825	\$23,274	\$53,098	\$1,623,000	-\$1,569,902	3.27%
<b>655 - Plant Working</b>						
8701 Major Plant Replacements	\$0	\$0	\$0	\$33,000	-\$33,000	0.00%
8736 CSR Ute Replacement (No. 236)	\$0	\$0	\$0	\$26,000	-\$26,000	0.00%
8738 Dual Cab Ute (No.212)	\$0	\$0	\$0	\$26,000	-\$26,000	0.00%
8739 Tractor (No.805)	\$0	\$0	\$0	\$225,000	-\$225,000	0.00%
8741 Mower (No. 625)	\$0	\$0	\$0	\$35,000	-\$35,000	0.00%
8742 Mower (No. 635)	\$0	\$0	\$0	\$35,000	-\$35,000	0.00%
8767 New Forklift	\$0	\$0	\$0	\$25,000	-\$25,000	0.00%
8768 New Chipper	\$0	\$0	\$0	\$60,000	-\$60,000	0.00%
8769 New Verti-Drain	\$0	\$14,500	\$14,500	\$35,000	-\$20,500	41.43%
655 - Plant Working Sub Total	\$0	\$14,500	\$14,500	\$500,000	-\$485,500	2.90%
<b>675 - Other Unallocated Transactions</b>						
8707 Fleet Vehicle Purchases	\$0	\$1,527	\$1,527	\$262,500	-\$260,973	0.58%
675 - Other Unallocated Transactions Sub Total	\$0	\$1,527	\$1,527	\$262,500	-\$260,973	0.58%
<b>600 - Unallocated and Unclassified Sub Total</b>	<b>\$29,825</b>	<b>\$39,301</b>	<b>\$69,125</b>	<b>\$2,385,500</b>	<b>-\$2,316,375</b>	<b>2.90%</b>
<b>Total Capital Project Expenditure</b>	<b>\$815,012</b>	<b>\$479,414</b>	<b>\$1,294,425</b>	<b>\$15,808,650</b>	<b>-\$14,514,225</b>	<b>8.19%</b>



## 4. Capital Resealing Report

### 2022 Financial Year

30-Sep-2021 20:01:57

	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>	
<b>Roads Streets and Bridges</b>					
<b>201 - Roads and Streets</b>					
5879	Coronea Ct - Hadspen	\$884	\$0	\$884	0.00%
5884	Bowdens Rd - Hadspen	\$751	\$0	\$751	0.00%
5901	Las Vegas Dr - Prospect Vale	\$470	\$0	\$470	0.00%
5917	Glen Eagles Way - Prospect Vale	\$530	\$0	\$530	0.00%
5928	St Andrews Circle - Prospect Vale	\$695	\$0	\$695	0.00%
5941	Pinehurst Ct - Prospect Vale	\$530	\$0	\$530	0.00%
5946	Buckingham Pl - Prospect Vale	\$661	\$0	\$661	0.00%
5948	Oakmont Way - Prospect Vale	\$530	\$0	\$530	0.00%
5954	Sherwood Cl - Prospect Vale	\$1,581	\$0	\$1,581	0.00%
5978	Franklin St - Westbury	\$57	\$0	\$57	0.00%
6110	Bridgenorth Rd - Bridgenorth	\$28	\$0	\$28	0.00%
6177	Cheshunt Rd - Meander	\$17,432	\$0	\$17,432	0.00%
6185	Union Bridge Rd - Mole Creek	\$14	\$0	\$14	0.00%
6198	Osmaston Rd - Osmaston	\$3,292	\$0	\$3,292	0.00%
6259	Railton Rd - Kimberley	\$28	\$0	\$28	0.00%
6299	Reseals General Budget Allocation	\$0	\$1,548,900	-\$1,548,900	0.00%
201 - Roads and Streets Sub Total		\$27,482	\$1,548,900	-\$1,521,418	1.77%
<b>Capital Resealing Projects Total</b>		<b>\$27,482</b>	<b>\$1,548,900</b>	<b>-\$1,521,418</b>	<b>1.77%</b>





## 5. Capital Gravelling Report

### 2022 Financial Year

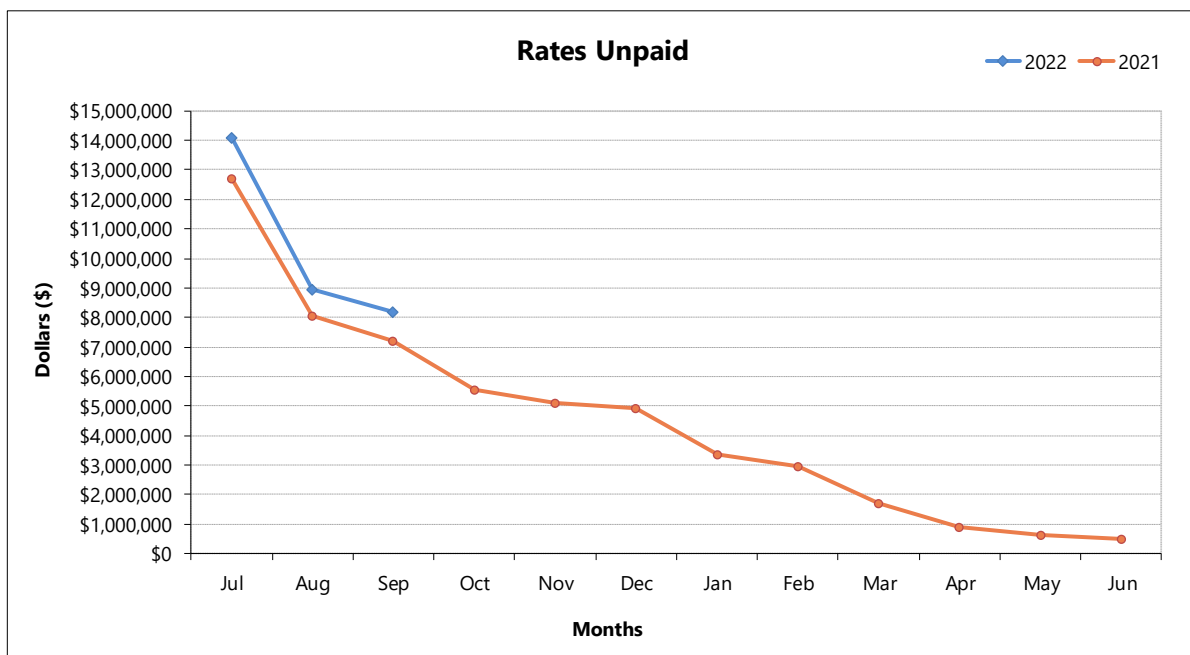
30-Sep-2021 20:01:47

	<i>Total Expenditure</i>	<i>Total Budget</i>	<i>Variance Amount</i>	<i>Percentage of Total Budget</i>
<b>Roads Streets and Bridges</b>				
<b>201 - Roads and Streets</b>				
5539 West Goderich St - Deloraine	\$4,940	\$0	\$4,940	0.00%
5602 Old Gads Hill Rd - Liena	\$32,904	\$0	\$32,904	0.00%
5799 Gravel Resheeting General Budget Alloc	\$0	\$327,400	-\$327,400	0.00%
6099 Whitchurch Lane - Weetah	\$1,439	\$0	\$1,439	0.00%
201 - Roads and Streets Sub Total	\$39,283	\$327,400	-\$288,117	12.00%
<b>Capital Gravelling Expenditure Total</b>	<b>\$39,283</b>	<b>\$327,400</b>	<b>-\$288,117</b>	<b>12.00%</b>



## 6. Rates Revenue Reconciliation – 30 September 2021

	2022	2021
<b>Rate Balance Carried Forward from previous Year</b>	\$ 485,982	\$ 380,117
<b>2021/22 Rates Raised</b>	\$ 14,589,478	\$ 12,996,473
<b>Interest</b>	\$ 10,592	\$ 6,884
<b>Rates Adjustments</b>	\$ 10,460	\$ 8,853
<b>Payments Received</b>	-\$ 6,894,004	-\$ 6,176,104
<b>Rates Control Account Balance</b>	<b>\$ 8,202,508</b>	<b>\$ 7,216,223</b>
<b>% of Rates Unpaid</b>	<b>54.37%</b>	<b>53.92%</b>





## 7. Cash & Investment Reconciliation – 30 September 2021

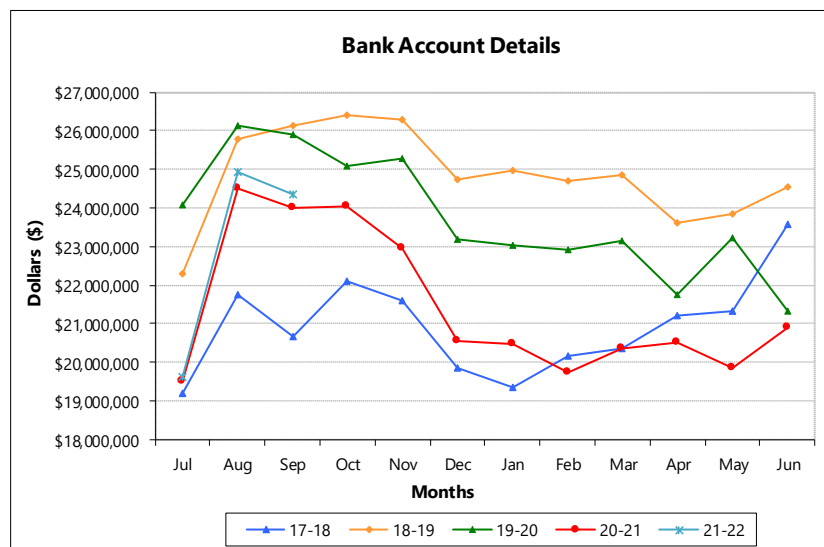
	2021-22	2020-21
<b>Balance Carried Forward from previous Year</b>	\$ 20,910,652	\$ 21,341,304
<b>Add Deposits</b>	\$ 8,730,947	\$ 8,267,671
<b>Less Payments</b>	-\$ 5,275,737	-\$ 5,618,637
<b>Balance as per Bank Account</b>	<b>\$ 24,365,861</b>	<b>\$ 23,990,337</b>

Made up of:	Amount	Interest Rate
Cash at Bank	282,101	0.00%
Westpac Bank Cash Management Account	2,107	0.05%
Commonwealth Bank at Call Account	2,679,566	0.20%
Term Deposits:		
Commonwealth Bank	5,000,000	0.40-0.46%
National Australia Bank	2,000,000	0.50%
Macquarie Bank	1,000,000	0.70%
MyState Financial	5,393,557	0.60-0.80%
Bendigo Bank	1,000,000	0.65%
Bank of Queensland	1,000,000	0.45%
ME Bank	1,000,000	0.45%
Bank of Sydney	3,000,000	0.50-0.55%
Judo Bank	2,008,532	0.65-0.75%

**\$ 24,365,861**

Less expenditure commitments:	
2022 Operating expenditure outstanding	-13,321,019
2022 Capital expenditure outstanding	-16,323,760
Add assets:	
2022 Operating income outstanding	11,486,728
2022 Estimated rate debtors outstanding	8,202,508
Part 5 agreement amounts receivable	897,629
2021 Audited Loans receivable	3,762,000
Less liabilities:	
2021 Audited Tip rehabilitation	-5,754,824
2021 Audited Employee leave provisions	-1,573,295
2021 Audited Loans payable	-3,600,000

**Adjusted Cash Balance \$ 8,141,828**



## **CORPORATE SERVICES 3**

(Reference No. 190/2021)

### **COUNCIL AUDIT PANEL: RECEIPT OF MEETING MINUTES**

**AUTHOR:** Jonathan Harmey  
Director Corporate Services

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#### **1) Recommendation**

***It is recommended that Council receive the minutes of the Audit Panel meeting held on 21 September 2021.***

#### **2) Officers Report**

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meeting held on 21 September 2021. The meeting was the first for Councillor John Temple following his appointment to the Audit Panel in August 2021 and Councillor Frydrych attended the meeting as an observer.

The minutes of the meeting held on 21 September have been reviewed and endorsed by the Council Audit Panel Chairperson and are provided for Council's information as required under its Audit Panel Charter.

#### **3) Council Strategy and Policy**

The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the October 2018 Council Meeting.

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

- Future direction (5) - Innovative leadership and community governance

#### **4) Legislation**

Sections 85, 85A and 85B of the *Local Government Act 1993* and the *Local Government (Audit Panels) Orders*.

## **5) Risk Management**

Not Applicable

## **6) Government and Agency Consultation**

Not Applicable

## **7) Community Consultation**

Not Applicable

## **8) Financial Consideration**

Not Applicable

## **9) Alternative Recommendations**

Council can approve the recommendation with amendment.

## **10) Voting Requirements**

Simple Majority

**DECISION:**

**Meeting Time & Date:**  
10:00am 21 September 2021

**Venue: Meander Valley Council – Council Chambers**

**Present:**

Chairman Andrew Gray

Councillor John Temple

**In Attendance:**

John Jordan, General Manager

Jacqui Parker, Governance Coordinator

Jon Harmey, Director Corporate Services

Justin Marshall, Team Leader Finance

Dino De Paoli, Director Infrastructure Services

Susan Ellston, Finance Officer

Krista Palfreyman, Director Development & Regulatory Services

Councillor Michal Frydrych

**Apologies:**

Matthew Millwood, Director Works

**ORDER OF BUSINESS**

**ITEM**

**1. Declaration of Pecuniary Interests/conflict of interest**

Nil.

**2. Adoption of Previous Minutes**

It was resolved that the minutes of the meetings held on 22 June 2021 be received and confirmed.

**3. Outstanding from previous meeting - Action Sheet**

**3.1 – Policy No. 49** – Media Communications - Endorsed at the September 2021 Council Meeting.

**3.2 – Policy No. 87** – Hadspen Urban Growth Area – Endorsed at the September 2021 Council Meeting.

**3.3 – Policy No. 76** – Industrial Land Development - Endorsed at the September 2021 Council Meeting.

**3.4 – Policy No. 23** – Responsibilities of Council Representatives – Further review required.

**4. Review Annual Meeting Schedule and Work Plan**

Reviewed at the last Audit Panel meeting.

**Governance and Strategy**

**5. Review Annual Plan**

The Annual Plan will be completed for review at the next Audit Panel meeting.

**6. Review Long-Term Strategic Asset Management Plan**

Strategic Asset Management Plan (SAMP) last reviewed in Feb 2020 and next legislated review scheduled for Feb 2024. Officers undertake an internal annual review of the SAMP and this is scheduled to occur prior to the end of Dec 2021. It is noted Council's Asset Management Plans for roads, bridges, etc. will also be reviewed prior to the end of Dec 2021 to inform the SAMP document.

Information Received and Noted.

7.	<b>Review Asset Management Strategy</b>
Council's Asset Management Strategy is incorporated into the Strategic Asset Management Plan (SAMP).	
Information Received and Noted.	
8.	<b>Review Asset Management Policy</b>
Council's Asset Management Policy No.60 is scheduled for review in Feb 2024.	
Information Received and Noted.	
9.	<b>Review policies and procedures</b>
The following Policies were reviewed –	
<b>Policy No 56 – Sport &amp; Recreation Venues Pricing</b> – Accepted with minor changes noted as part of the review.	
<b>Policy No 67 – Personal Information Protection</b> – Further review required, carried forward to next meeting.	
<b>Policy No 83 – Fraud Control Appeals</b> - Accepted with minor changes noted as part of the review.	
<b>Policy No 84 – Gifts and Benefits</b> - Further review required, carried forward to next meeting.	
<b>Policy No 88 – Related Party Disclosures</b> - Accepted with minor changes noted as part of the review.	
The completed Policies were Received and Noted.	
10.	<b>Review Asset Management Policy Review policies and procedures</b>
It was agreed last year that this item was to be included with item 6. Review Strategic Asset Management Plan.	
Received and Noted.	
11.	<b>Assessment of governance and operating processes integration with financial management practices of the Council</b>
Council continues to integrate a number of its strategic documents. The financial requirements of the Asset Management Plans are fully funded in Council's Long Term Financial Plan. Future directions established in Council's Community Strategic Plan are referenced in the Annual Plan and referenced in reports provided to Council; this ensures that we are considering these on a regular basis. Annual testing of Council's Business Continuity Plan and IT Disaster Recovery Plan are examples of Council assessing its risk profile.	
Information Received and Noted.	
<b>Financial and Management Reporting</b>	
12.	<b>Review most current results and report any relevant findings to Council</b>
July 2021 Financial Report was presented. Large budget variance on capital project 6288 that has been ongoing for a number of years due to legal issues with the landowners.	
Received and Noted.	
13.	<b>Review any business unit or special financial reports</b>
Nil to Report.	

<p><b>14. Review annual financial report, audit report and management representation letter (for advice to GM) and make recommendation to Council including meeting with Tasmania Audit representative.</b></p> <p>Financial Audit currently in progress by the Tasmanian Audit Office, remotely this year. There are some small amendments in the wording however there are no changes in the numbers to the attached 2021 Financial Statements.</p> <p>Received and Noted.</p>
<p><b>Internal Audit</b></p>
<p><b>15. Consider any available audit reports</b></p> <p>Nil to Report.</p>
<p><b>16. Review management’s implementation of audit recommendations</b></p> <p>A concept draft for a Risk Management Framework and Internal Audit Plan was presented. This draft is to be discussed with management teams and then be progressed to a final draft for review by the Audit Panel.</p> <p>The General Manager has identified an internal audit for the December quarter, to be delivered by an external firm, focussed on the adequacy of security on Council’s records management system.</p> <p>Received and Noted.</p>
<p><b>External Audit</b></p>
<p><b>17. Consider any available audit reports</b></p> <p>Engagement Letter for 2020-21 Financial Statements Audit and confirmation of 2020-21 Financial Statements submission letters were presented.</p> <p>Received and Noted.</p>
<p><b>18. Consider any performance audit reports that will be undertaken by the Tasmanian Audit Office and address implications for the Council</b></p> <p>Nil to Report.</p>
<p><b>Risk Management and Compliance</b></p>
<p><b>19. Monitor ethical standards and any related transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council</b></p> <p>Nil to Report.</p>
<p><b>20. Review processes to manage insurable risks and existing insurance cover</b></p> <p>Process completed for insurance renewals with Marsh, JLT Public Sector, MAV and LGAT. New policies are in place with underwriters for 2021-2022.</p> <p>Received and Noted.</p>
<p><b>21. Monitor any major claims or lawsuits by or against the Council and complaints against the Council</b></p> <p>Nil to Report.</p>



**22. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour**

Nil to Report.

**Other Business**

The services of Frank Nott (Former Councillor) were acknowledged. Cr John Temple was welcomed to the Audit Panel and Cr Michal Frydrych was welcomed to observe the meeting.

The appointment of an additional Independent Audit Panel Member was passed at the September Council Meeting and will advertised for suitably qualified candidates.

**Meeting close**

This meeting closed at 10:50am.

**Next Meeting**

The next meeting to be held on Tuesday 14 December 2021 at 10:00 am.

# CORPORATE SERVICES 4

(Reference No. 191/2021)

## REVIEW AND CONTINUATION OF POLICY NO. 83 – FRAUD & CORRUPTION CONTROL

**AUTHOR:** Jonathan Harmey  
Director Corporate Services

### 1) Recommendation

***It is recommended that Council confirms the continuation of Policy No. 83 - Fraud & Corruption Control, with amendments, as follows:***

## POLICY MANUAL

**Policy Number:** 83

**Fraud & Corruption Control**

**Purpose:**

To establish guidelines, procedures and responsibilities regarding appropriate actions that must be followed to prevent, deter and detect incidents of fraud and corruption.

**Department:**

Governance

**Author:**

Martin Gill, John Jordan, General Manager

**Council Meeting Date:**

14 November 2017 12 October 2021

**Minute Number:**

246/2017 191/2021

**Next Review Date:**

**November 2021 October 2025 (as set, or every four years or as required)**

## POLICY

### 1. Definitions

**Fraud:** Inducing a course of action by deceit or other dishonest conduct, involving acts or omissions or the making of false statements, orally or in writing, with the object of obtaining money or other benefits from, or evading a liability to, the Council.

**Corruption:** Dishonest action in which a person acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal benefit

for themselves, or provide an advantage/disadvantage for another person or entity.

Whistle-blower: A person who has or professes to have knowledge of fraudulent or corrupt conduct and who chooses to report it to the appropriate authority.

## **2. Objective**

- Promote a sound ethical culture within Council
- Ensure that Councillors and staff are aware of the responsibilities in relation to ethical conduct
- Protect Council's funds and other public assets and reputation
- Ensure senior management's commitment to identifying risk exposures to fraud

## **3. Scope**

This Policy applies to:

- All Councillors, Committee members, employees, contractors and consultants of Meander Valley Council as they are responsible for the identification and management of all risks associated with the performance of Council functions and the delivery of Council services;
- Situations where fraudulent or suspicious behaviour is suspected and/or has been identified.

## **4. Policy**

- Ensure internal controls are developed to deter, detect and prevent fraud or corruption;
- Providing a sound ethical environment in which fraud is difficult and honest behaviour is encouraged;
- Complying with legislation and relevant policies, procedures and controls;
- Proactively managing any allegation or incidences of fraud in accordance with approved procedure including reporting of allegations to law enforcement agencies;
- Providing sufficient resources to facilitate the implementation of this policy within Council;
- Protecting disclosures, including anonymous reporting, in accordance with the *Public Interest Disclosure Act 2002*, the Fraud Control Plan and the procedures contained within it;
- Protecting whistleblowers in accordance with section 19 of the Fraud Control Plan;
- Ensuring awareness of the Fraud Control Policy and associated procedures through the provision of appropriate training and awareness raising strategies to employees.

## **5. Legislation and Associated Council Policies**

*Local Government Act 1993*

*Criminal Code Act 1924*  
*Integrity Commission Act 2009*  
*Police Offences Act 1935*  
*Privacy Act 1988 (Commonwealth)*  
*Public Interest Disclosures Act 2002*  
*Right to Information Act 2009*  
Meander Valley Council Code of Conduct  
Meander Valley Council Code of Tenders **ing** & Contract  
Meander Valley Council Fraud Control Plan

## **6. Responsibility**

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

## 1. INTRODUCTION

Fraud is a criminal offence. Those who commit fraud;

- Break the law
- Become subject to disciplinary action, including the likelihood of immediate termination of employment
- Bring Council into disrepute by reducing our reputation as sound managers of our and the communities resources
- Create trauma within their own families and friendships
- In extreme cases place at risk Council's continued operation

The fraud control plan demonstrates that Council is committed to achieving effective fraud control and details the practical steps that will be undertaken to achieve this.

## 2. DEFINITION OF FRAUD

Fraud: Inducing a course of action by deceit or other dishonest conduct, involving acts or omissions or the making of false statements, orally or in writing, with the object of obtaining money or other benefits from, or evading a liability to, the Council.

Corruption: Dishonest action in which a person acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal benefit for themselves, or provide an advantage/disadvantage for another person or entity.

Whistle-blower: A person who has or professes to have knowledge of fraudulent or corrupt conduct and who chooses to report it to the appropriate authority.

## 3. POLICY ON FRAUD

### **Fraud Control Policy**

Meander Valley Council has a Fraud Control Policy. The purpose of the policy is to establish guidelines, procedures and responsibilities regarding appropriate actions that must be followed to prevent, deter and detect incidents of fraud and corruption. Its objective is to protect public funds and other public assets, protect the integrity,

security and reputation of the Meander Valley Council and its employees and to assist in maintaining a high level of services to the community.

#### **Who the Policy Applies To**

The policy applies to, the Mayor, Councillors, General Manager, Directors, Managers, Workers, Volunteers, Employees and Representatives of Meander Valley Council. They are responsible for the identification and management of all risks associated with the performance of Council functions and the delivery of Council Services.

#### **What the Policy Applies To**

The policy applies at all times to prevent fraud and in situations where fraudulent, suspicious or corrupt behaviour is suspected and/or has been identified. This plan is developed in conjunction with and by applying the principles outlined in the policy.

### **4. OBJECTIVES OF THE FRAUD CONTROL PLAN**

This plan aims to provide the following principles and guidelines for;

- The prevention, detection and investigation of fraud
- The prosecution of offenders, including those involving routine or minor instances of fraud where appropriate
- The application of appropriate, civil, administrative or disciplinary procedures
- The recovery of proceeds of fraudulent activity
- The training of all employees involved in fraud control activities
- The external scrutiny of our fraud control activities

Fraud control responsibility roles will be clearly defined.

### **5. ROLE OF THE FRAUD CONTROL OFFICER**

This position is currently held by the General Manager. This person has the primary responsibility for overseeing the implementation and review of the Fraud Control policy and plan.

Department Directors are responsible for making sure that these are well understood and actively implemented by employees of Council.

### **6. OTHER PEOPLE WITH RESPONSIBILITIES FOR FRAUD CONTROL**

Fraud control is the responsibility of everyone. Council's expectations for all persons are contained within the Fraud Control policy and includes the identification and management of all risks associated with the performance of Council functions and the delivery of Council services.

### **7. ASSESSMENT OF FRAUD CONTROL RISK**

The General Manager (Fraud Control Officer) who reports to Council has ultimate responsibility to assess the risk of fraud occurring and implement the appropriate

preventative measures. This is achieved with the direct support of the Director Corporate Services, auditors and all employees.

The General Manager will encourage the use of a variety of techniques to assess various risk factors for fraud. These will include the following risk types.

### **Accounting Risks**

The need to assess attitudes to the application of accounting standards and to ensure that correct procedures are followed in the case of third parties involved in the assessment of Council's performance e.g. auditors, Local Government Division, Commonwealth and State Government departments.

**Misappropriation of assets** – including theft, temporary borrowing, control over handling of cash and recording its use.

**Delegations of authority** – failure by staff to adhere to delegation limits of authority relating to approvals of expenditure or contracts and agreements they can sign off.

### **Lack of supporting documentation**

**Fraudulent financial reporting** – including intentional distortion of financial statements, capitalising revenue items, fictitious asset register items, arguments with auditors, calculated avoidance of auditor involvement or restrictions in access to or availability of staff.

**Ineffective appointments of** – accounting, IT or internal audit staff.

### **Personal Risks**

The need to assess risks in an environment where there is an autocratic management style, unusual behaviour, expensive lifestyles, untaken holidays, poor quality staff, low morale or high staff turnover.

**Lack of mandatory leave policy or enforcement** – for employees performing key control functions.

### **Cultural risks**

The need to be aware of the risks in culture that requires results at any cost or has poor commitment to internal controls and demands unquestioning obedience from staff.

**Pressures affecting employees** – handling assets that are susceptible to misappropriation

- **Long term trusted employees** – know the systems and processes in detail which may allow them to more easily circumvent controls and conceal fraud.
- **Life crisis of employee** – e.g. divorce, death in a family, excessive gambling habit or other matters that create a need for substantial sums of money.
- **Lifestyle changes** – e.g. employees who are living beyond their means.

- **Rule breaker mentality** – i.e. employees who ignore rules or regulatory requirements.
- **Unappreciated workaholic** – includes employees who believe they are not adequately compensated for the long hard hours they work.

**Exploitation of incentives** – bonus incentives in contracts with customers, performance incentives in employee contracts

**Trade contractors, subcontractors or consultants** – who are engaged but have inappropriately close relationships with employees

**Management characteristics** – the degree of influence management exerts.

### **Structural risks**

The need to understand that fraud is made easier when there are complex corporate structures and when remote locations are poorly supervised.

### **Business risks**

The need to be alert to the risks that arise when business strategies are poor, there is a poor corporate reputation or when there are liquidity or cash flow problems.

**Misuse of assets** – such as the unauthorised personal use of organisational assets including motor vehicles, computers and stationery

**High turnover** – of management, legal, accounting or governance advisors

**Hiring of friends and or relatives**

**Inventory characteristics** – small in size and high in value or volume

**Fixed assets and plant** – stored off site and or portable in nature

**Remote buildings** – security and access issues including multiple keys, lack of video surveillance in dangerous areas.

## **8. REVIEW OF FRAUD CONTROL RISKS**

Fraud risks are included in the Meander Valley Council Risk Register which is reviewed quarterly on an ongoing basis or where a significant risk is identified or there is an instance of significant fraud or potential significant fraud reported. The findings will be reported to Council and to employees and made available for compliance with relevant authorised external audit processes.

The fraud risk assessment should include a review of:

- Information technology and information security
- Electronic commerce, electronic service delivery and internet transactions
- Outsourced functions
- Grants and other payments, benefits or programs



- Tendering processes, purchasing and contract management
- Services provided to the community
- Revenue collection
- Use of credit cards
- Travel and other employee allowances
- Salaries
- Property and other physical assets, including physical security

## 9. FRAUD CONTROL STRATEGIES

### **Organisational Behaviour Fraud Control Strategies**

Characteristics that will reduce the risk of fraud in terms of desirable organisational behaviour include:

- The organisational structure in place provides for the effective communication of directives across the whole organisation to ensure that appropriate values and ethics are maintained
- Known control weaknesses are addressed immediately once they are known
- Management overtly displays and upholds respect for the law and regulatory authorities
- Management employs effective and adequately qualified staff and utilises such external expertise as it is required in the circumstances that have arisen
- No deliberate contravention of the *Local Government Act 1993* and other relevant legislation

### **Audit (either internal or external) Fraud Control Strategies**

As part of regular audit processes the following will be undertaken by either internal or external audit:

- Procedural data analysis
- Unplanned visits to sites other than Councils Lyall Street offices
- Altered audit approaches where deemed necessary e.g. oral contact with suppliers
- Personal interviews where necessary
- Data mining to test the integrity of computer based records
- Comparison of estimates/budgets with actual results
- Review of payments to related parties
- Review of unusual transactions
- Checks on employment contracts
- Examination of large and or unusual expenses

### **Financial Reporting Fraud Control Strategies**

The following activities are conducted on a regular basis to assist in ensuring accurate financial reporting;

- Bank reconciliations are prepared and independently reviewed

- Fixed asset registers are reconciled to the general ledger and depreciation is charged where appropriate
- Physical inventories are performed against asset registers for significant items
- At year end accruals are left open until the latest possible moment to ensure transactions are recorded in the appropriate period
- Provisions are generally only made to cover specific costs to be incurred
- General journals are sequentially numbered, supported by narration and proper authorisation
- All supporting documentation is appropriately filed
- Asset sales are recognised in the period in which the sale takes place
- Payroll transactions are effected on a fortnightly basis with resulting PAYG payments made in accordance with ATO guidelines
- The payroll officer securely maintains information and records relating to payroll matters

### **Management Fraud Control Strategies**

The following are strategies applied by management to minimise the risk of fraud:

- Adequate segregation of duties
- Use of exception reports
- An authorisation process with respect to the maintenance, adding to or deletion from master files such as supplier, data address changes, bank account changes
- Rotation of employees who deposit cash receipts
- Review and reinforcement of computer security measures, including requiring user identification passwords for access to computer systems
- Routinely changing passwords for computer access on a 3 month basis
- Internal review of transactions generated at external premises e.g. Visitor Information Centre
- Regular issue of statements for amounts owing e.g. quarterly for rates balances and monthly for sundry debtors balances
- Review and update of policies
- Regular systems and process reviews by appropriate employees
- Appropriate channels of communication to enable employees to report non compliance or system errors
- Regular audit of financial reporting and risk management
- Pre-employment screening to consider
  - Verification of identity
  - Previous criminal history
  - Reference check with at least the two most recent employers
  - A consideration of any gaps in employment history and reasons for those gaps
  - Verification of formal qualifications claimed
  - A more thorough screening process for employees applying for particularly sensitive positions

## 10. REVIEW OF FRAUD CONTROL STRATEGIES

The fraud control strategies that make up the Fraud Control Policy and Plan will be reviewed at least every 4 years or where a significant risk is identified or there is an instance of significant fraud or potential significant fraud reported. The findings will be reported to the Council Audit Panel and made available for compliance with relevant authorised external audit processes.

## 11. FRAUD DETECTION

In the event that our fraud preventative systems fail, we will aim to detect fraud as soon as possible by:

- Conducting internal reviews and audits
- Developing specific detection strategies for action by appropriate sections of management
- Management reviews instigated by the management team

Fraud detection systems will include:

- Strategic analysis of the management accounts to identify trends that may be indicative of fraudulent conduct
- Ongoing assessment of internal risk factors, particularly as these relate to our culture, the susceptibility of certain assets to misappropriation and to employee internal and external pressures
- Post incident reviews

## 12. FRAUD REPORTING

### Reporting Process and How to Report

Reports of behaviour involving possible fraud should be communicated to:

- General Manager or
- Director or
- Manager or
- ~~Fraud Control Officer or~~
- Team Leader or
- Supervisor or
- ~~Coordinator or~~
- Responsible officer who has the necessary authority to act in the circumstances

Where an employee or other person to whom this policy applies as defined believes that their disclosure will not be acted on in good faith by any officer of Council the disclosure can be made to the Director of Local Government or the Ombudsman.

### **Contact numbers**

- Ombudsman 1800 001 170
- Director of Local Government 1300 135 513

Reporting can be by using formal or informal alternative means if necessary. Reporting may take the form of a phone call, email, via letter to the external mail box, via letter to internal mail boxes, fax, and verbal reports to relevant persons or by other means depending on the circumstances that may suit the situation.

### **13. ANONYMOUS REPORTING**

Fraud reporting can be anonymous should the person reporting a fraudulent or suspicious activity desire it to be so. Anonymous reporting is protected under the *Public Interest Disclosures Act 2002*, in Council's policy and within this plan and the procedures contained in it.

### **14. WHAT TO REPORT**

A whistleblower should report conduct by any person or persons connected with Council which, in the opinion of the whistleblower acting in good faith is:

- Dishonest or
- Fraudulent or
- Corrupt or
- Illegal (including theft, violence or threatened violence, harassment, drug use and criminal damage against property) or
- In breach of Commonwealth or state legislation, Council policy or by laws or
- Unethical or
- Other serious or improper conduct or
- An unsafe work practice or
- Any other conduct which may cause financial or non-financial loss to Meander Valley Council or be otherwise detrimental to the interests of Council

### **15. CONTENTS OF REPORT**

Details required for internal reporting include the following:

- Names of the people involved (internal and external, depending on the circumstances)
- Description of suspected fraud
  - What happened
  - Where did it happen
  - When did it happen
  - How did it happen
- Details of any evidence that may exist
- Details of other people who may have information

- Details of the person making the allegation (optional)
- How the person making the allegation became aware of the conduct or incident.

## **16. WHEN TO REPORT**

Employees are encouraged to report suspected fraud or suspicious activity immediately.

## **17. EXTERNAL REPORTING**

The General Manager or appointed delegate may address the following issues which may be encountered during external reporting depending on the circumstances.

- Protection of employees reporting suspected fraud
- External anonymous reporting e.g. Australian Taxation Office.
- Reports to police.
- Reports to any government departments e.g. Tasmanian Audit Office.
- Administrative remedies for the recovery of proceeds of fraudulent conduct.
- Other legal reporting obligations such as Australian Federal Police, state police, ATO, ASIC etc.

## **18. FRAUD INVESTIGATION**

### **Participants in Fraud Investigation**

In the event that fraud is detected, reported or suspected an investigation will be conducted by appropriately skilled and experienced people who are independent of the section in which the alleged fraud has occurred.

The independent party may include any or all of the following parties:

- An external law enforcement agency
- A Department Director
- An external consultant operating under the direction of an independent senior person within Council

### **Other Requirements of an Investigation**

Other requirements of an investigation include:

- The investigation should comply with all relevant legislation
- Adequate records of the investigation must be made and retained and take account of legal, best practice and privacy management guidelines
- Information arising from or relevant to the investigation will be kept confidential while under investigation however information may become public in the event of a prosecution

### **Steps involved in an Investigation Process**

An investigation may involve the following investigative steps:

- Interviewing of relevant witnesses, both internal and external, including obtaining statements where necessary
- Reviewing and collating documentary evidence
- Forensic examination of computer systems
- Examination of telephone records
- Enquiries with banks and other financial intuitions
- Enquiries with other third parties
- Data search and seizure
- Expert witness and specialist testimony
- Tracing funds, assets and or goods
- Preparing briefs for evidence
- Liaison with the police or other law enforcement or regulatory agency
- Interviewing persons suspected of involvement in fraud and corruption
- Report preparation

### **Outcomes and Changes to Internal Controls**

In each case where fraud is detected the General Manager should reassess the adequacy of the internal controls and amend and improve controls where necessary.

Where improvements to internal controls are required, these should be implemented as soon as possible and any amendments to internal controls should be effectively communicated to employees appropriate to their level of responsibility and position description.

## **19. PROTECTION FOR WHISTLEBLOWERS**

### **Definition**

A person who has or professes to have knowledge of fraudulent or corrupt conduct and who chooses to report it to the appropriate authority.

### **Protection**

Persons choosing to make a disclosure in relation to this policy will be afforded the full protections of the *Public Interest Disclosures Act 2002* as defined by that legislation. It is intended under Meander Valley Council policy that the principles by which the *Public Interest Disclosures Act 2002* is written should apply to a disclosure made rather than the technical content of that legislation.

Protection for whistleblowers is designed to:

- Encourage and facilitate disclosure of improper or corrupt behaviour
- Provide anonymity for persons that make these disclosures
- Provide protection for staff who may fear or suffer reprisals in relation to such disclosures
- Ensure that the matters disclosed are properly investigated and dealt with

### **Undertaking By Council to Whistleblowers**

At Meander Valley Council we give an undertaking to all whistleblowers that we will not take action against a whistleblower for reporting, and clearly state that all reports will be kept confidential and secure.

A whistleblower who reports, or seeks to report, will be given a guarantee of anonymity if this is desired by the whistleblower. This provision is subject to circumstances in which the law requires the disclosure of the identity of the whistleblower in legal proceedings.

Any person who reports conduct as defined by this procedure must not be personally disadvantaged for having made the report by:

- Dismissal or
- Demotion or
- Any form of harassment or
- Discrimination or
- Current or future bias

## **20. PUBLIC INTEREST DISCLOSURES ACT 2002**

Some of the more relevant sections of the *Public Interest Disclosures Act 2002* are noted below for particular reference.

### **Power to Disclose Improper Conduct**

- Section 6 – Disclosures about improper conduct or detrimental action - provides an authority to public officers to disclose what they believe maybe improper conduct.

### **Definition of Improper Conduct**

- Defines in section 3 (Interpretation) "Improper Conduct" as a number of actions but importantly the following
  - (a) Conduct that constitutes an illegal or unlawful activity or
  - (b) Corrupt conduct or
  - (c) Misconduct, including breaches of applicable codes of conduct or
  - (d) Conduct that constitutes detrimental action against a person who makes a public interest disclosure under this Act

That is serious or significant as determined in accordance with guidelines issued by the Ombudsman.

### **Who is a Public Officer and what is a Public Body?**

- Section 4 - Public bodies and officers
  - (1) Subject to subsection 3 (Interpretation) the following bodies and authorities are public bodies for the purposes of this Act:
    - (d) a council

- (2) Subject to subsection 3 (Interpretation) the following persons are public officers for the purposes of this Act:
- (b) a councillor
  - (e) an employee of a council

### **Immunity from Liability Provided to Persons Making Protected Disclosure**

- Section 16 Immunity from Liability - Persons making a protected disclosure are immune from any liability
- Section 19 Protection from Reprisal – persons making a protected disclosure are protected from all forms of reprisal actions
- Section 25 certain persons continue to be protected - Employees and contractors remain protected after leaving Council

### **Council required to establish Procedures**

Part 7 of the *Public Interest Disclosures Act 2002*

- Defines the requirement to establish procedures (refer to procedures on Council's website) and to investigate disclosures
- Ultimately investigations may be referred to the Ombudsman

### **False Disclosures – Penalties Apply**

- Section 87 Offence to make false disclosure Section 1 - a person must not knowingly provide false information under this Act intending that it be acted on as a disclosed matter to
  - the Ombudsman
  - a public body
- Penalties apply to false disclosures.

## **21. TRAINING**

### **New Employees**

All persons commencing employment with Meander Valley Council—will receive training about the Fraud Control Policy and Plan and protections for whistleblowers at induction and throughout their period of employment.

### **Refresher Training**

All employees will receive training in Fraud Awareness on an ongoing basis with training sessions to be organised every 2 years.

### **Additional Information**

Additional information regarding protections for whistleblowers can be gained from:

- Council website (refer procedures for *Public Interest Disclosures Act 2002*).
- Ombudsman website <http://www.ombudsman.tas.gov.au/> or by contacting 1800 001 170.
- Tasmanian Legislation website <http://www.thelaw.tas.gov.au/>
- Contacting the Department of Premier and Cabinet – Local Government Division
- Online enquiries



To contact a specific division or office directly please use the [list below](#) to find the relevant email address. For general enquiries please contact us by using the [feedback form](#). To report a problem or enquire about this website and its functionality please email [internet.coordinator@dpac.tas.gov.au](mailto:internet.coordinator@dpac.tas.gov.au).

- By phone, call 1300 135 513
- By post, write to:  
Department of Premier and Cabinet, GPO Box 123, HOBART, TASMANIA 7001
- Contacting our staff:  
Staff contact details can be found on the [Tasmanian Government Directory](#).

## 2) Officers Report

The Fraud & Corruption Control Policy provides clear direction about the structures and procedures that are in place to prevent fraudulent behaviour. The purpose of the current policy is to prevent, deter and detect incidents of fraud and corruption.

The Fraud & Corruption Control Plan provides the framework for implementing the policy and established expectations.

There are a small number of changes to the wording of the policy and the plan. It is recommended that the Council continues the Policy and Plan including these changes.

The Policy review was considered at the Council workshop on 28 September 2021 and the Audit Panel meeting on 21 September 2021.

## 3) Council Strategy and Policy

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

- Future direction (5) - Innovative leadership and community governance

## 4) Legislation

*Local Government Act 1993*

## 5) Risk Management

The Policy manages the risks associated with the work environment that can lead to fraudulent and corrupt behaviour.

## 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:**

# CORPORATE SERVICES 5

(Reference No. 192/2021)

## REVIEW AND CONTINUATION OF POLICY NO. 88 – RELATED PARTY DISCLOSURES

**AUTHOR:** Jonathan Harmey  
Director Corporate Services

### 1) Recommendation

***It is recommended that Council confirms the continuation of Policy No. 88 – Related Party Disclosures, with amendments, as follows:***

## POLICY MANUAL

**Policy Number: 88**

**Related Party Disclosures**

**Purpose:**

To outline the expectations of elected members and employees of Council in relation to Australian Accounting Standard AASB 124 *Related Party Disclosures*.

**Department:**

Corporate Services

**Author:**

Jonathan Harmey, Director

**Council Meeting Date:**

~~11 July 2017~~ 12 October 2021

**Minute Number:**

~~160/2017~~ 192/2021

**Next Review Date:**

~~July 2021~~ **October 2025 (as set, or every four years or as required)**

## POLICY

### 1. Definitions

**Arm's length terms**

Terms between parties that are reasonable in the circumstances of the transaction that would result from:

- Neither party bearing the other any special duty or obligation, and
- The parties being unrelated and uninfluenced by the other, and
- Each party having acted in its own interests

**Close Family Member**

Family members of Key Management Personnel (KMP) who may

be expected to influence, or be influenced by, that person in their dealings with the entity. This includes, but is not limited to, that person's spouse or domestic partner; and the children and dependents of that person or that person's spouse or domestic partner.

Control of an entity	You control an entity if you have: a) power over the entity; b) exposure, or rights, to variable returns from involvement with the entity; and c) the ability to use your power over the entity to affect the amount of your returns.
Declaration by KMP	An annual declaration of close family members and entities that the KMP or their close family members control or jointly control, as per Appendix 1, updated during the year as necessary.
Entities controlled by KMPs	Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.
Entities related to Council	Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council.
Joint control of an entity	To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Key Management Personnel (KMP)	Persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. In the council context this includes the Mayor, Councillors, the General Manager and Directors.
KMP Compensation	All employee benefits. Employee benefits are all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered to the entity. It also includes such consideration paid on behalf of a parent of the entity in respect of the entity. Compensation includes: a) short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave, paid sick leave and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for current employees; b) other long-term employee benefits, including long-service leave or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period and deferred

- compensation; and
- c) termination benefits.

Materiality	Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.
	Omissions or misstatements of information are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the information, or a combination of both, could be the determining factor.
Ordinary Citizen Transactions (OCTs)	Transactions that an ordinary citizen would undertake with Council are usually not material to related party disclosure requirements. OCTs do not apply if the terms and conditions are different to those offered to the general public.
Related Party of Council	People and entities, such as companies, trusts and associations, can be related parties of Council. Most commonly these will be entities related to Council, KMP of Council (including elected members), close family members of KMP and entities that are controlled or jointly controlled by KMP or their close family members.
Related Party Transaction	A transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.

## **2. Objective**

The objective of the Standard is to ensure that Council's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

## **3. Scope**

This policy outlines what is expected of elected members and staff of Council in relation to Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124). Specifically, the policy outlines the disclosure requirements under AASB 124 of Key Management Personnel (KMP), which includes elected members. It also outlines the procedures Council will follow to collect, store, manage and report on related party relationships, transactions and commitments. Under the *Local Government Act 1993* and the *Audit Act 2008* all local governments in Tasmania must produce annual financial statements that comply with Australian Accounting Standards.

## **4. Policy**

- 4.1 Those persons identified as KMP will complete an annual declaration which outlines the entities, if any, that are controlled or jointly controlled by that KMP or their close family members and which are likely to have transactions with Council (Appendix 1).
- 4.2 For the purpose of this Policy, Close Family Members includes, but is not limited to:
- that person's children and spouse or domestic partner;
  - children of that person's spouse or domestic partner; and
  - dependents of that person or of that person's spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

- 4.3 It is the responsibility of the Director Corporate Services to seek a declaration upon a change of KMP.
- 4.4 All KMPs will be asked to provide their declarations by 1 July each year covering the forthcoming financial year. In addition, an updated declaration for the previous financial year will also be provided.
- 4.5 It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.
- 4.6 Council will not capture Ordinary Citizen Transactions (OCTs) with related parties; examples of OCT's are using a public swimming pool after paying the normal fee, paying property rates and dog registrations. If OCTs were to occur on terms and conditions that are different to those offered to the general public, the volume of transactions or other qualitative factors of the transactions may cause the OCTs to be assessed as being material in nature.
- 4.7 Council will not disclose non-material transactions. The Director Corporate Services and General Manager will jointly assess the materiality of the related party transactions that have been captured prior to disclosure. In determining materiality, the size and nature of the transaction individually and collectively will be considered.

### 4.8 Register of Related Party Transactions

#### 4.8.1 Maintain a Register

The Director Corporate Services is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

#### 4.8.2 Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

- the description of the related party transaction;
- the name of the related party;
- the nature of the related party's relationship with Council;
- whether the notified related party transaction is existing or potential;
- a description of the transactional documents.

The Director Corporate Services is responsible for ensuring that the information is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124.

- 4.9 Council will use the declarations of KMP to establish a list of related parties for the purposes of identifying transactions and reporting under AASB 124.
- 4.10 Updates will be provided to KMP and Council staff periodically on changes arising from amendments to Australian Accounting Standards, applicable legislation or policy and procedural requirements.
- 4.11 In making disclosures in the annual financial statements Council will include:
- Total KMP compensation
  - Employee expenses for close family members of KMP
  - Transactions with close family members of KMP including the purchase of materials and services, assets and liabilities such as leases and loans.
  - Any other separate disclosure for each category of related party transactions
  - Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them
  - Where related party transactions have occurred, the nature of the related party relationship ~~and~~, information about the transactions, outstanding balances and commitments, including terms and conditions, and whether the transaction were carried out on non-arm's length terms.

4.12 For the purpose of this Policy:

**Examples of OCTs:**

Using a council's public swimming pool after paying the normal fee  
Attending council functions that are open to the public  
Paying rates and charges in accordance with normal terms and conditions  
Paying dog registrations in accordance with normal terms and conditions

**Examples of transactions that are not OCTs:**

Purchases or sales of land  
Leases  
Loans and settlement of liabilities  
Employee expenses of Close Family Members

## **5. Legislation**

Australian Accounting Standard AASB 124 Related Party Disclosures

*Local Government Act 1993, Section 28(e) (functions of Councillors)*

*Audit Act 2008*

*Privacy Act 1988*

*Personal Information Protection Act 2004*

## **6. Responsibility**

Responsibility for the operation of this policy rests with the Director Corporate Services.



**Appendix 1 – Declaration of Related Party Transactions and Consent Form**

**Private and Confidential**

**Related Party Declaration by Key Management Personnel**

For the period \_\_\_\_\_ to \_\_\_\_\_

Name of Key Management Person: \_\_\_\_\_

Position of Key Management Person: \_\_\_\_\_  
\_\_\_\_\_

Signature of KMP: \_\_\_\_\_

There have been no related party transactions during the period.

I am reporting the following related party transactions that occurred during the period, as follows:

Close Family Member Name	Relationship with KMP	Entities over which the close family member has sole or joint control	Nature of likely transactions with Council or Council entities

Name of Entity over which the KMP has control	Relationship with KMP	Nature of likely transactions with Council or Council entities

I \_\_\_\_\_, declare that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members having had, or likely to have, transactions with Council. I make this declaration after reading Council's policy which details the meaning of the words "close family members" and "entities controlled, or jointly controlled, by myself or my close family members".

I permit the General Manager to access the register of interests of me and persons related to me and to use the information for the purposes specified in Council's Related Party Disclosures Policy.

Declared at \_\_\_\_\_ on the \_\_\_\_\_  
\_\_\_\_\_.

Signature of KMP: \_\_\_\_\_

Name of KMP: \_\_\_\_\_  
\_\_\_\_\_

In accordance with Council's *Privacy Policy*, your information, and the information of others, is protected by law, including the *Privacy Act 1988* and the *Personal Information Protection Act 2004*.

## Appendix 2 - Related Party Information Collection Notice

### Collection Notice

#### Related party transactions disclosure by Key Management Personnel

From 1 July 2016, Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures*.

#### Purpose of collection, use and disclosure of related party information

The reason for disclosure of related party transactions is to ensure that Council's financial statements contain the information necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Council's related parties include the Mayor, Councillors, General Manager, Directors, their close family members and any entities that they control or jointly control. Any transactions between Council and these parties, whether monetary or not, may need to be identified and disclosed.

A related party transaction is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

A related party transaction must be disclosed in Council's financial statements if the transaction is material. Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.

Prior to disclosure, the Director Corporate Services and General Manager will jointly assess the materiality of related party transactions that have been captured, and, if deemed material, will disclose in its financial statements the nature of the related party relationship and information about the transaction. Disclosure in the financial statements may be in aggregate form and/or may be made separately, depending on the nature and materiality of the transaction.

#### Related Party Transactions Declaration by Key Management Personnel

Key management personnel (KMP) are the persons who have authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly and include the Mayor, Councillors, General Manager and Directors. In order to comply with AASB 124, Council has adopted a policy that requires all KMP to declare any existing or potential related party transactions between Council and any of their related parties during a financial year.

Each KMP must provide an annual *Related Party Declaration* in the approved form, by 1 July each year, and update the Declaration should they become aware of any change, error or omission. KMPs must exercise their best judgement in identifying related parties when declaring, or not declaring, entities over which they, or a close member of their family, have control or joint control.

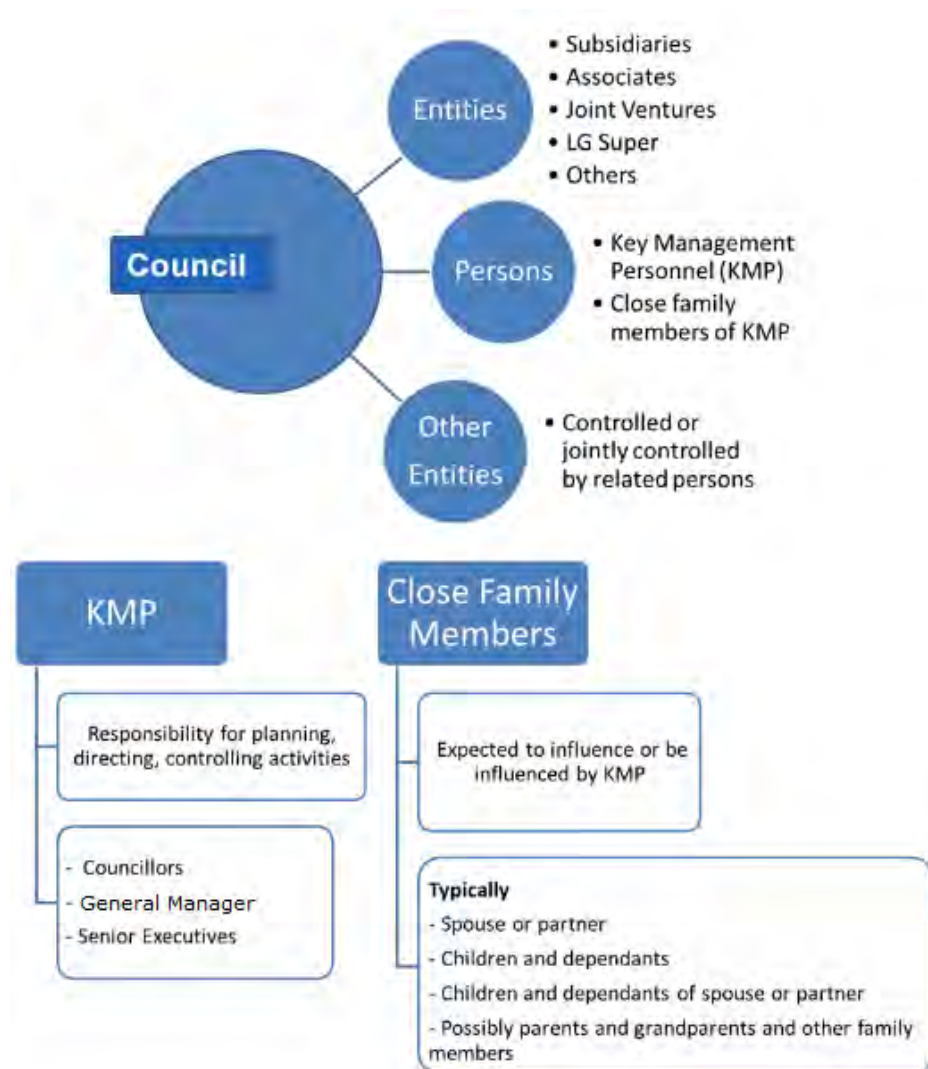
## How will the information captured in the Declaration be used?

Council will use the declarations of KMPs to establish a list of related parties of Council for the purposes of identifying transactions and reporting under AASB 124. If a KMP or close family member is named individually in disclosure reports, the KMP will be given a copy of the intended disclosure for review and information purposes.

## Who are related parties?

People and entities, such as companies, trusts and associations, can be related parties of Council.

The following diagram gives an overview of common related parties that a council will have.



For related party transaction disclosures under AASB 124, the related party relationship must be disclosed for both the KMP and their close family members, even if the same related party entity is held jointly or in common by them. This is separate and in addition to Council's register of interests which is required under the *Local Government Act 1993*.

Under AASB 124, those persons who are prescribed as definitely being close family members of a KMP include:

- that person's children and spouse or domestic partner;
- children of that person's spouse or domestic partner; and
- dependents of that person or that person's spouse or domestic partner.

Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

### **What is an entity that I, or my close family members, control or jointly control?**

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

You control an entity if you have:

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

You jointly control an entity if there is a contractually agreed sharing of control of the entity. Joint control exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some instances, it may not be easy to determine whether or not you, or your close family members, control or jointly control an entity. If you are unsure and require further clarification, you should contact the Director Corporate Services for a confidential discussion.

## **2) Officers Report**

Council first adopted the Related Party Disclosures Policy in 2017 following the introduction of Australian Accounting Standard AASB 124 Related Party Disclosures in 2016. The Policy outlines the requirements of key management personnel and provides the procedure to ensure compliance with the Policy.

The Policy is managing Council's compliance requirements and is recommended for continuation with little change.

The Policy review was considered at the Council workshop on 28 September 2021 and the Audit Panel meeting on 21 September 2021.

## **3) Council Strategy and Policy**

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

- Future direction (5) - Innovative leadership and community governance

## **4) Legislation**

*Local Government Act 1993 and Audit Act 2008.*

## **5) Risk Management**

The Policy manages the risks of non-compliance in the Financial Statements with the relevant accounting and auditing standards.

## **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:**

# INFRASTRUCTURE 1

(Reference No. 193/2021)

## REVIEW OF POLICY NO. 56 SPORT AND RECREATION VENUES PRICING

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

### 1) Recommendation

***It is recommended that Council confirms the continuation of Policy No. 56 – Sport and Recreation Venues Pricing with amendments as follows:***

## POLICY MANUAL

**Policy Number: 56**

**Sport & Recreation Venues Pricing**

**Purpose:**

To provide a consistent philosophy to pricing the use of sport and recreation grounds and facilities

**Department:**

Community & Development Infrastructure Services

**Author:**

Lynette While, Director Patrick Bessell, Community Facilities Officer

**Council Meeting Date:**

~~9 October 2018~~ 12 October 2021

**Minute Number:**

~~190/2018~~ 193/2021

**Next Review Date:**

~~July 2021~~ **October 2025 (as set, or every four years or as required)**

## POLICY

### 1. Definitions

- 1.1. **Sport & Recreation Venues:** includes sport and recreation facilities and grounds which are used for activities such as: Australian football, badminton, basketball, cricket, dance, darts, drama, films, martial sport, netball, soccer, squash, table tennis, tennis, touch football.
- 1.2. **Recreation Grounds:** includes parklands, sports fields, reserves, council land provided by Council for the purpose of recreation.
- 1.3. **Lease:** a contract under which an agreed fee is paid by a tenant (or lessee) granted exclusive use of ground and/or facility for an agreed period.

- 1.4. **Licence:** an agreement for permission to enter and use grounds and/or facilities for an agreed purpose for a stated period in exchange for an agreed fee. The licensee does not have exclusive use of the reserve or facility. Council is able to allocate other user groups or allow the general public to use the reserves and/or facilities at other times.
- 1.5. **Regular Hire:** a group, individual or organisation that hires a recreation ground or facility on an ongoing basis for a specified minimum number of bookings.
- 1.6. **Casual Hire:** a group, individual or organisation that hires a recreation ground or facility for casual one-off or specific occasions.
- 1.7. **Community Organisation:** a not for profit group (e.g. Club / Association) established for the benefit of the community.
- 1.8. **Commercial Entity:** an organisation or individual conducting activities for the purposes of deriving a financial return to the proprietors or shareholders.
- 1.9. **Special Committee of Council:** comprises a Chairperson, Secretary and Treasurer and community / council members who are responsible, in conjunction with Council, for the upkeep and maintenance of the facility / ground for which it has been appointed.
- 1.10. **Junior Participants:** sport and recreation participants aged up to 18 years.
- 1.11. **Female Participants:** sport and recreation by female participants aged 18 years and older.
- 1.12. **Inclusion Participants:** sport and recreation by participants with a disability aged 18 years and older and senior aged participants (65 years +).

## **2. Purpose & Objectives**

This policy intends that users of recreation grounds and facilities have transparent information regarding how much they are required to pay and what they are paying for. Council is committed to the following objectives:

- 2.1 To establish principles for the determination of fees and charges based on support levels for leased, licensed, regular and casual hire of council owned or managed recreation grounds and recreation facilities.
- 2.2 To ensure the accountability to the community through an equitable and transparent pricing structure.
- 2.3 To provide an efficient and joint management tool in the allocation, maintenance and operation of Council's recreation grounds and recreation facilities.
- 2.4 To promote the level of responsibility of user groups so that recreation grounds and recreation facilities receive optimum use and ratepayers do not bear the whole cost.
- 2.5 To provide the incentive for more diverse and joint use of fewer grounds and facilities so that Council's resources are effectively used.
- 2.6 To categorise recreation grounds and recreation facilities for casual/non-regular users and define them in terms of the benefits received by users and the rest of



the community (refer to "Sports Grounds/Facilities for Casual Users Classifications" within the Recreation Pricing Policy **Implementation** Guidelines).

This policy also provides the basis and principles from which the more detailed Meander Valley Council "**Sport & Recreation Venues Pricing Policy **Implementation** Guidelines**" have been developed. The specific detail about how fees for users will be determined and implemented is contained within the Guidelines.

### **3. Scope**

This **P**olicy applies to all users, hirers and occupiers of Council's sport and recreation grounds and facilities.

The policy does not include Council's aquatic facilities.

### **4. Policy**

#### *Principles*

Council will be guided by the following principles when determining hire charges and rents:

- 4.1 Charges are for a specific use on a specific date.
- 4.2 User groups should contribute towards the cost of grounds / facilities provided by Council so that ratepayers do not bear the full cost.
- 4.3 Hire charges for grounds use by regular seasonal users will be based on a per team charge that is initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.4 Hire charges for grounds use for casual users will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- 4.5 Hire charges / rents for facilities will be based on a fixed percentage rate of return (22%) for all facilities and taking account of the average of the previous 5 years operating, maintenance and depreciation costs. The charges will thus reflect the quality of the facilities, services provided, the nature and pattern of use and the ability of user groups to pay and the terms of any lease agreements with Council. The charge/rent is initially set for a period of four years to coincide with policy review and is then annually adjusted for CPI or as determined by Council and approved annually by Council.
- 4.6 User groups are encouraged and rewarded for sharing facilities, encouraging new more diverse user groups and new uses, introducing new recreation and sports and involvement in the management, operation, maintenance and clean up responsibilities.

- 4.7 Responsibilities must be clearly developed in conjunction with user groups and communicated at appropriate times (*e.g. at AGM to new office bearers*).
- 4.8 If sport and recreation facilities are already provided to the public by the private sector at a reasonable and competitive price with professional, semi-professional or commercial interests in place, then Council's hire charges at relevant locations shall compete on a commercial market basis and recover the highest level of operation and maintenance costs in a similar manner to that calculated by the competing service.
- 4.9 Leased facilities will be administered according to the terms and conditions set out in the leases while supporting the community based not for profit organisations as per the pricing policy.

### **Facility Categories**

All outdoor sport and recreation grounds will be categorised according to their level of amenity for the purposes of managing usage by hirers. The charge will reflect the category of the facility/ground. The associated facilities at the outdoor recreation grounds are subject to any lease arrangements in place.

### **Concessions**

Based on the value Council places on support to junior participation, non-traditional users and innovative scheduling the following concessions will be provided on the hire charges for ground usage only:

- 4.10 Junior only sports and recreations supported by parental/volunteer administration – 50%.
- 4.11 Female and Inclusion the provision of non-traditional or new recreational opportunities – 50%.
- 4.12 Off peak use (to be defined by facility manager or management committee, but normally between 9am and 3pm weekdays) which encourages increased use of facilities by enabling better programming of activities – 25%.
- 4.13 The participation concessions can be cumulative up to a maximum of 75%.

Based on the value Council places on self-reliance the following concession will be provided by Council officers on the hire/rent charges for facility usage only:

- 4.14 The value of any maintenance by the user group expressed as a percentage within the total Operations & Maintenance costs – up to 25%.

## **5. Legislation**

*Local Government Act 1993* – responsibility to provide for the health and welfare of the community.

## **6. Responsibility**

Responsibility for the operation of this policy rests with the ~~Director, Community and Development~~ Director Infrastructure Services.

## RECREATION PRICING POLICY IMPLEMENTATION GUIDELINES

**Policy Number: 56** ————— **Recreation Grounds/Facilities Pricing**

**Purpose:** To provide a consistent philosophy and guide to setting the fees for hire and use of recreation grounds and facilities by the community.

**Next Review Date:** *December 2021*

### RECREATION PRICING POLICY IMPLEMENTATION GUIDELINES (Including FEES & CHARGES)

#### **1. Introduction**

Meander Valley Council owns or manages an extensive network of sports grounds and buildings, open spaces, stadiums, halls, meeting rooms and other facilities. Council views the sustainable use of these grounds and facilities as integral to the Meander Valley community having equitable access to a wide range of leisure, cultural and educational opportunities and to enhance the health and wellbeing within the community. Council encourages the use of these grounds and facilities by supporting the many groups that use them.

Policy No. 56 Recreation Grounds/Facilities Pricing was first developed in 2003-04 and is reviewed every four years. The 2017 – 2021 Pricing Policy and associated Implementation Guidelines, including fees and charges, will be transparently available to all users and will be known in advance of the season or casual booking.

Hire charges for facility and grounds use will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.

#### **2. Pricing Implementation Guidelines**

##### **Determination of Prices for Facilities**

##### **Seasonal / Regular Users**

Hire charges and rentals for facilities will be established in the following manner:

- The percentage level of return required on operating and maintenance (O&M) expenses, incl. depreciation, for all Council owned sport and recreation facilities is 22%.
- Determine the average annual O&M expenses based on the calculation of a maximum five year rolling average to smooth out any peaks and troughs in O&M requirements from year to year. Where facilities are hired exclusively to clubs or user

groups on a seasonal basis, such clubs or user groups will be responsible for all utility charges during that occupancy.

- The facility use charge will be determined based on an understanding of the total O&M expenses, the dollar return required and the length of a season.
- The facility charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- Determine the gross annual charge, or relevant unit or hourly charge for each user or user group and apply the self-reliance concession available for facility usage up to a maximum 25% concession to determine the actual charge for a particular user or group.
- Facility fees for the regular users of the sport and recreation facilities have been calculated for the following:
  - Bracknell Recreation Ground facilities: Bracknell Football Club.
  - Hagley Recreation Ground facilities: Diggers Cricket Club.
  - Whitemore Recreation Ground facilities: Whitemore Cricket Club; Whitemore Tennis Club.
  - Deloraine Recreation Ground facilities: Deloraine Football Club.
  - Hadspen Memorial Centre: Hadspen Chieftains Cricket Club\*.
  - Prospect Vale Park facilities: Prospect Park Sports Club.
  - Westbury Recreation Ground facilities: Meander Valley Suns Football & Netball Club; Westbury Shamrocks Cricket Club.

NOTE \* Hadspen Chieftains Cricket Club are currently charged as a seasonal user of the facility and do not take on any facility management responsibility. They have accepted a higher level of service / utility provision by Council, e.g. cleaning / power.

### **Casual/Non-regular Users & Private Users**

Hire charges and rentals for facilities will be established in the following manner:

- For Public Halls owned by Council a "Going Rate" or charge will be determined by the responsible Facility Manager after considering hire rates for any similar facilities within the community and the prospective user's capacity to pay.
- A 100% rate of return is applicable for all private sport and recreation facilities located on Council land.

## Determination of Prices for Grounds

### Seasonal / Regular Users

Fees for ground usage by seasonal and regular users will be established in the following manner:

- The level of return required on ground usage for all Council owned sport and recreation grounds is based on the number of teams and type of sport being conducted as per the following formula:

SPORT	NOTIONAL PLAYER NUMBERS PER TEAM	SENIOR/JUNIOR	RATE PER TEAM PER SEASON (inc GST)
Football (AFL)	25	Senior Men	\$1,000.00
	20	Senior Women	\$500.00
	20	Junior	\$250.00
Soccer	12	Senior Men	\$500.00
	12	Senior Women	\$250.00
	10	Junior	\$125.00
Cricket	12	Senior Men	\$500.00
	12	Senior Women	\$250.00
	12	Junior	\$125.00
Touch	8	Senior Men	\$250.00
	8	Senior Women	\$125.00
	8	Junior	\$62.50

- When calculating a ground use rate for users the following should be noted:
  - Where sports have a MIXED senior program (eg Launceston Touch) they are calculated on a 1:1 ratio of men and women.
  - Junior teams are defined as teams / programs for players Under 18 years of age as defined by their governing body.
  - The fees are for seasonal use only and cover a period up to 6 months as defined by Council.
  - Where teams use Council grounds outside their normal season, that use, if agreed by Council, will attract additional fees.
- The ground charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.
- The sport and recreation grounds/regular users included are those located at:
  - Bracknell Recreation Ground – Football Club and Cricket Club
  - Carrick Recreation Ground – Social Soccer Association

- Deloraine Recreation Ground – Football Club and Junior Football Club. Masters and Auskick programs are additional.
- Hadspen Recreation Ground – Cricket Club
- Hagley Recreation Ground – Cricket Club
- Meander Recreation Ground – nil currently
- Prospect Vale Park – Soccer Clubs x3, Football Clubs x2 and Touch Association. Academy programs, Auskick or other developmental programs are additional.
- Westbury Recreation Ground – Cricket Club and Football Club. Netball and Auskick programs are additional.
- Whitemore Recreation Ground – Cricket Club and Tennis Club

➤ Other venue users will be deemed casual users for ground use purposes, e.g. Northern Tasmanian High Schools Sports Association, Tasmanian Touch Football Association, and charged accordingly.

### **Casual/non-regular Users**

Hire charges and fees for ground usage by casual/non-regular users have been established and are set annually by Council and take account of the quality of the facility and capacity to pay. High use facilities have fees and charges which enable Council to better manage usage patterns across the range of potential users.

As well, for all Public recreation grounds/reserves/parks located on Council land no rate of return is applicable. However, there may be some regulatory application fees applicable for the use of these spaces for organised public events.

The charge will be initially set for a period of four years to coincide with policy review and which is then adjusted for CPI or as determined by Council and approved annually by Council.

The fees and charges and rationale for these are contained in Council's document: "Meander Valley Council Sports Grounds/Facilities For Casual Users."

## MEANDER VALLEY COUNCIL SPORTS GROUNDS / FACILITIES FOR CASUAL USERS

### SPORTS GROUNDS / FACILITIES CLASSIFICATIONS

Sports grounds/facilities have been classified into three categories (A, B and C) with 'A' being grounds fully managed by council and 'B' class grounds having some levels of maintenance generally being carried out by user groups. The category C facilities have limited maintenance and limited users.

Each category will correspond to a set charge for use. It is council's objective to recover a minimum of 22% of the total cost of these grounds/facilities, including clubrooms.

The criteria under which sports grounds are rated are detailed below and include:

- a) The cost involved in maintaining a sporting surface to the standard required for the sport.
- b) The presence of irrigation and/or underground drainage system.
- c) The standard of support structures (e.g. fencing, training lights, changing facilities/toilets, parking)
- d) Council involvement in any maintenance.

### ***Sports Grounds / Facilities Categories***

#### **Category A1 – A2 Council Maintained (on-going)**

**Grounds may include all (A1) or some (A2) of the following:-**

- Training lights
- Extensive underground drainage system
- Automatic irrigation system
- Synthetic or turf surface
- Highly maintained playing surface by council
- Good quality changing rooms / parking
- Good/high quality support structures (e.g. coaches boxes, scoreboard, interchange boxes)
- High Council management

#### **Category B1 – B2 Council Maintained (periodic)**

**Grounds may include all (B1) or some (B2) of the following:-**

- Training lights
- Limited drainage system
- Limited irrigation system
- Synthetic or turf surface
- Good quality playing surface
- Good support structures
- Moderate quality changing rooms / parking
- Moderate Council management



**Category C1 – C2 Council Maintained (seasonal)**

**Grounds may include all or some of the following:-**

- No training lights
- No drainage system
- No irrigation system
- Synthetic surface
- Lower quality playing surface
- Limited support structures, changing facilities, parking
- Minimal Council management

NOTE: Hadspen rental for casual users includes the Clubroom so deemed category A. All other facilities have lease/license holders who determine fees for clubrooms.

**MEANDER VALLEY COUNCIL SPORTS GROUNDS/FACILITIES FOR CASUAL USERS  
2017-18 FEES/CHARGES -GST Inclusive**

<b>SPORTS GROUNDS/FACILITIES</b>	<b>Per-Hour</b>	<b>Per-Day</b>	<b>Category</b>
Bracknell-rec-ground/change-rooms	\$20.00	\$120.00	B2
Bracknell-rec-ground-only	\$15.00	\$90.00	B2
Bracknell-clubrooms	Fee determined by leaseholder		
Carrick recreation ground	\$10.00	\$60.00	C1
Deloraine-rec-ground/change-rooms	\$20.00	\$120.00	B2
Deloraine-rec-ground-only	\$15.00	\$90.00	B2
Deloraine-clubrooms	Fee determined by leaseholder		
Hadspen-rec-ground/centre	\$30.00	\$180.00	A2
Hadspen-rec-ground-only	\$20.00	\$120.00	A2
Hagley-rec-ground/change-rooms	\$15.00	\$90.00	C1
Hagley-rec-ground-only	\$10.00	\$60.00	C1
Hagley-clubrooms	Fee determined by leaseholder		
Meander recreation ground	\$10.00	\$60.00	C2
Prospect Vale Park – per change room	\$10.00	\$40.00	A1
Prospect Vale Park – per touch field	\$12.50	\$75.00	A1
Prospect Vale Park – per soccer field	\$20.00	\$120.00	A1
Prospect Vale Park – per football field	\$25.00	\$150.00	A1
Prospect Vale Park – clubrooms	Fee determined by leaseholder		
Westbury-rec-ground/change-rooms	\$20.00	\$120.00	B1
Westbury-rec-ground-only	\$15.00	\$90.00	B1
Westbury-clubrooms	Fee determined by leaseholder		
Whitemore-rec-ground-only	\$10.00	\$60.00	C2
Whitemore-clubrooms	Fee determined by leaseholder		
Sports Ground Lighting	\$14.00 per hour	NA	
Key Bond (refundable)	\$50.00	NA	
<b>Discounts – Ground Only</b>			
Junior Discount (under 18 years)	50%	NA	
Female & Inclusion Discount	50%	NA	
Off-peak Use Discount (use between 9am and 3pm)	25%	NA	

## **2) Officers Report**

The purpose of this report is for Council to approve the continuation of the amended Policy No. 56 – Sport and Recreation Venues Pricing.

Meander Valley Council owns or manages an extensive network of sports grounds and associated buildings. Council considers these assets to be fundamental in supporting community health and wellbeing.

The Policy was originally developed on the basis that users contribute to the cost of sports grounds and building facilities provided by Council.

A thorough review of the Policy was undertaken in 2017. Following implementation over the subsequent 12 month period, an additional minor review was completed in 2018 to check the level of acceptance of the Policy by key stakeholders.

For this review, Officers recommend minor corrections and updates as shown in the marked up Policy document. The only material change to the Policy is the de-coupling of the "Implementation Guidelines", which should be a standalone document and will be reviewed in December 2021. It is noted that the publicly available schedule of fees and charges, contained within the Implementation Guidelines, has recently been updated as part of the annual fees and charges review undertaken by Council Officers leading into this financial year.

The recommended amendments to the Policy are as provided to Council in the September Workshop agenda papers and as presented to the September Audit Panel Meeting.

## **3) Council Strategy and Policy**

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

- Future direction (4) – A healthy and safe community
- Future direction (6) – Planned infrastructure services

## **4) Legislation**

*Local Government Act 1993, Section 73 (sources of funds)*

## **5) Risk Management**

Achieving a sense of shared responsibility by user groups for facilities provided by Council and implementing an affordable fee structure improves the overall management of facilities by improving participation and sustainability of user groups.

## **6) Government and Agency Consultation**

Not applicable

## **7) Community Consultation**

Not applicable

## **8) Financial Consideration**

It is noted that prior to COVID-19, revenue from the use of Council's sport and recreation venues was in the order of \$120,000 to \$140,000 per annum.

## **9) Alternative Recommendations**

Council can approve the continuation of the Policy with further amendment.

## **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **GOVERNANCE 1**

(Reference No. 194/2021)

## **APPOINTMENT TO COUNCIL AUDIT PANEL**

**AUTHOR:** Jacqui Parker  
Governance Coordinator

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### **1) Recommendation**

***It is recommended that Council appoint Councillor Michal Frydrych as a member of Council's Audit Panel.***

### **2) Officers Report**

Meander Valley Council's Audit Panel meets quarterly and is a key mechanism for assisting Council to provide a transparent, independent process that ensures accountability to the community in governance, management and allocation of resources.

The Panel is currently composed as follows:

- Independent Chair: Andrew Gray (commenced December 2020)
- Independent member: *Vacant (recruitment process underway)*
- Council member: Councillor John Temple
- Council member: *Vacant (following a recent resignation)*

Councillor Michal Frydrych has volunteered to nominate for appointment to the Panel in fulfilment of the current Council member vacancy.

Section 5 of Council's 2018 Audit Panel Charter provides for a number of different compositions (as provided by the *Local Government (Audit Panels) Order 2014*):

<b>Audit Panel Membership</b>	<b>Independent</b>	<b>Councillor</b>
Three	One or two	One or two
Four	Minimum two	One or two
Five	Minimum two	One, two or three

### **3) Council Strategy and Policy**

The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the October 2018 Council Meeting.

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

- Future direction (5) - Innovative leadership and community governance

### **4) Legislation**

Sections 85, 85A and 85B of the *Local Government Act 1993* and the *Local Government (Audit Panels) Order 2014*.

### **5) Risk Management**

Not applicable

### **6) Government and Agency Consultation**

Not applicable

### **7) Community Consultation**

Not applicable

### **8) Financial Consideration**

Not applicable

### **9) Alternative Recommendations**

Not applicable

### **10) Voting Requirements**

Simple Majority

## **DECISION:**

## GOVERNANCE 2

(Reference No. 195/2021)

### 2021-22 COMMUNITY GRANTS AND SPONSORSHIP FUND APPLICATION ASSESSMENTS - ROUND 2

**AUTHOR:** Nate Austen  
Community Programs Officer

#### 1) Recommendation

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

- 1. Notes the recommendations of the Community Grants Committee; and***
- 2. Approves community grants for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:***

<b>Community Grants</b>		
<b>Organisation</b>	<b>Project</b>	<b>Grant Recommended</b>
Birralee Hall	Equipment	\$1,860
Blackstone Heights Community News Association Inc	Establish Community Garden	\$2,237
Deloraine Agricultural and Pastoral Society	2021 Deloraine Show - Entertainment	\$3,000
Deloraine Community Band	Keyboard	\$3,000
Folk Federation of Tasmania	Celtic Folk Workshops	\$500
Northern Tasmanian Axeman's Association	61 <sup>st</sup> Tasmanian Government Thousands - Deloraine	\$2,800
Prospect Park Sports Club	Dishwasher	\$2,275
Rotary Passport Club of Tasmania Inc	Carols by Candlelight - Prospect	\$3,000
Westbury Cricket Club	Wicket Covers	\$3,000
Westbury Parents and Friends	School Fair	\$2,125
Westbury Preservation Society Inc	Video Display Screens	\$1,794
<b>Sub-total</b>		<b>\$25,591</b>

**3. Approves sponsorship donations for individuals and organisations for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Sponsorship Donation for Organisations</b>			
<b>Organisation</b>	<b>Project</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
New Horizons	Great Western Tiers Cycle Challenge	\$360	\$360
<b>Sponsorship Donation for Individuals</b>			
<b>Name</b>	<b>Event</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
H. Bennett.	Pony Club Australia Nationals (Virtual event)	\$150	\$150
<b>Sponsorship Donation for Schools and Sporting Clubs</b>			
<b>School</b>	<b>Award</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
Prospect High	Eagle Award	\$150	\$150
Westbury Primary	End of Year Presentations	\$150	\$150
Hagley Primary	Year 6 Awards	\$150	\$150
<b>Total</b>		<b>\$980</b>	<b>\$980</b>

**4. Notes that the following sponsorship donation for individuals and organisation approved by the General Manager on 2 September 2021, following recommendations by the Committee.**

<b>Sponsorship Donation for Organisations</b>		
<b>Organisation</b>	<b>Project</b>	<b>Grant Recommended</b>
Westbury Health Inc.	Valley Carer's Week	\$500
<b>Sub-total</b>		<b>\$500</b>

**5. Approves council fee reimbursement grants for 2021-22 Round, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Council Fee Reimbursement Grants</b>		
<b>Organisation</b>	<b>Project</b>	<b>Grant</b>



		<b>Recommended</b>
Carrick Park Pacing Club	Day Stalls	\$425
Deloraine House	Community Garden Plumbing	\$560
<b>Sub-total</b>		<b>\$985</b>

**6. Approves an establishment grant for 2021-22 Round 2, in accordance with Policy No. 82 Community Grants and Sponsorship Fund, as follows:**

<b>Establishment Grants</b>			
<b>Organisation</b>	<b>Project</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
Westbury Men's Shed	Incorporation	\$250	\$250
<b>Total</b>		<b>\$250</b>	<b>\$250</b>

**7. Notes that the Recovery Event Sponsorship Program is now closed.**

## 2) Officers Report

This is the second of four rounds of community grants and sponsorship assessments in 2021-22. The total Grants and Sponsorship budget allocation for the year is \$101,000.

In the Council meeting on 13 July 2021 Council endorsed eight (8) Community Grants of value \$18,278, three (3) Council Fee Reimbursement Grants worth \$1,125 and three (3) individual sponsorship requests totalling \$450. A balance of \$80,751 therefore remains for allocation across Round 2-4.

The Community Grants Committee (the Committee) of Councillor Stephanie Cameron, Councillor Tanya King, Jonathan Harmey (Director Corporate Services) and Kris Eade (Facilities Team Leader) met on Tuesday 28 September 2021 to consider the grant applications received for Round 2. They were supported by Nate Austen (Community Programs Officer) and Melissa Lewarn (Manager, Community Wellbeing and Lifestyle). Total grant and sponsorship requests for Round 2 were \$41,902.

### **Recovery Event Sponsorship program**

In 2020-21 Council had a budget allocation of \$36,500 for the Recovery Event Sponsorship program as part of the COVID-19 Care and Recovery Package. This program is now closed. As a part of this program, eleven (11) community events have

been delivered and acquitted. From evaluations provided from organisers, a total number of 3,974 patrons attended and 2,703 volunteer hours contributed to delivery. Council provided \$18,161 in direct sponsorship funding to the events that have been delivered as well as an approximate in-kind allocation of \$9,400 to the program. One event, the National Shoebox Sculpture Competition is yet to be delivered, for which \$5,000 was allocated. The intended outcomes from the program have been achieved. These included building community connection, celebrating Meander Valley lifestyle and supporting local business, performers and entertainers. In supporting this program Council has also helped develop the capacity of the community to deliver events in the future as well as identifying areas that could be further improved. A more detailed report on the program is available on request.

### **Grant Applications from Organisations**

Twelve (12) Community Grant applications were received for Round 2 with requests totalling \$30,417.

The Community Grant Guidelines state that grants are for projects that support the community to address needs, build local skills, attract participation and improve local lifestyle and for projects that support community events, community development, health and wellbeing activities and sport and recreation projects. They also state that applicants must demonstrate the benefits their projects will have to residents of the Meander Valley local government area.

Details of all grant applicants, the grant amounts requested and the grant amount recommended from the Committee are indicated in the following table:

<b>Community Grants</b>				
<b>Organisation</b>	<b>Project</b>	<b>Project Cost</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
Birralee Hall	Equipment	\$2,786	\$2,386	\$1,860
Blackstone Heights Community News Association Inc	Establish Community Garden	\$2,237	\$2,237	\$2,237
Deloraine Agricultural and Pastoral Society	2021 Deloraine Show - Entertainment	\$3,229	\$3,000	\$3,000
Deloraine Community Band	Keyboard	\$3,099	\$3,000	\$3,000
Folk Federation of Tasmania	Celtic Folk Workshops	\$2,021	\$500	\$500

<b>Organisation</b>	<b>Project</b>	<b>Project Cost</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
Mole Creek Caving Club	Cave Rescue Communication Equipment	\$6,413	\$3,000	*Resubmit
Northern Tasmanian Axeman's Association	61 <sup>st</sup> Tasmanian Government Thousands - Deloraine	\$13,400	\$3,000	\$2,800
Prospect Park Sports Club	Dishwasher	\$4,775	\$2,275	\$2,275
Rotary Passport Club of Tasmania Inc	Carols by Candlelight - Prospect	\$49,928	\$3,000	\$3,000
Westbury Cricket Club	Wicket Covers	\$7,016	\$4,016	\$3,000
Westbury Parents and Friends	School Fair	\$14,787	\$8,800	\$2,125
Westbury Preservation Society	Video Display Screens	\$1,794	\$1,794	\$1,794
<b>Total</b>		<b>\$111,485</b>	<b>\$30,417</b>	<b>\$25,591</b>

Two (2) Council fee reimbursement grant applications were received with requests totalling \$1,655.

Details of the grant applicants, the grant amounts requested and the grant amount recommended from the Committee are indicated in the following table:

<b>Council Fee Reimbursement Grants</b>			
<b>Organisation</b>	<b>Project</b>	<b>Grant Requested</b>	<b>Grant Recommended</b>
Carrick Park Pacing Club	Day Stalls	\$1,095	*\$425
Deloraine House	Community Garden Plumbing	\$560	\$560
<b>Total</b>		<b>\$1,655</b>	<b>\$985</b>

\* The following additional information was considered by the Committee:

- The Mole Creek Caving Club applied for a cave rescue equipment project to support statewide cave rescue capacity. It did not demonstrate that the whole project would be delivered (regardless of whether the full Council grant was provided) nor

demonstrate the specific benefit to Meander Valley residents. The Committee recommend the club resubmit an application when they can demonstrate these conditions.

- The Committee assessed the circumstances of individual sponsorship recipients impacted by COVID-19 event cancellations. It is recommended that individual sponsorships that have already been paid are returned from recipients who were not able participate in the events that were approved as meeting the funding criteria. For sponsorships approved and that have not been paid for events that have been cancelled, the Committee recommend that the sponsorship should be cancelled.
- A review by Council's Development and Regulatory Services and Corporate Services departments determined that Carrick Park Pacing Club are not entitled to the additional \$670 fee reimbursement they claimed. Two applications were required for the same project as the first application was incomplete.
- The Committee evaluated the Westbury Community Garden hothouse project that was deferred from Round 1 2021-22. The additional information supplied for the application was not able to satisfy the request for more detailed project plans. It is recommended that the applicant resubmit an application when they can present a project fully describing the delivery of a proposed hothouse, including its location and operating model.
- Rural Alive and Well Inc requested an extension to their mental health "Toolbox Talks" project granted in Round 3 of the 2020-21 grants program due to unforeseen circumstances impacting delivery. The committee recommend that the extension is provided to Rural Alive and Well to enable them complete their Toolbox Talks project within the 2021-22 financial year as they demonstrated strong capacity to deliver the required sessions.
- The "Sewing the Seeds for a Connected Community" street planting project approved in Round 4 2020-21 was not able to demonstrate capacity for delivery. It is recommended that elements of the proposed project be referred to Meander Valley Council Works Department for consideration when streetscape planning for Deloraine.

If all recommendations are approved by Council the total allocation provided through Round 2 of the 2021-22 Community Grants and Sponsorship program will be \$27, 806.

### **3) Council Strategy and Policy**

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

- Future Direction (3): Vibrant and engaged communities
- Future Direction (4): A healthy and safe community

The Grants assessment process was undertaken in accordance with the Community Grants and Sponsorship Fund Policy No 82.

#### **4) Legislation**

*Local Government Act 1993*

#### **5) Risk Management**

Not Applicable

#### **6) Government and Agency Consultation**

Not Applicable

#### **7) Community Consultation**

Advice and assistance is provided to applicants on request. The Community Grants and Sponsorship program is communicated through community networks and the media. Guidelines and application forms are available to prospective applicants via Council's website and on request.

#### **8) Financial Consideration**

The total Grants and Sponsorship budget allocation for the 2021-22 financial year is \$101,000.

#### **9) Alternative Recommendations**

Council can elect to approve with amendment.

#### **10) Voting Requirements**

Simple Majority

### **DECISION:**

## GOVERNANCE 3

(Reference No. 196/2021)

### INDIGENOUS RECOGNITION POLICY

**AUTHOR:** John Jordan, General Manager  
Melissa Lewarn, Manager, Community Wellbeing & Lifestyle

#### 1) Recommendation

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

- 1. Approves the Indigenous Recognition Policy as a consultation draft;***
- 2. Notes that general community consultation will be open for a period of one month from the date of the October Ordinary Meeting; and***
- 3. Notes that a copy of the consultation draft will be provided to local Indigenous Elders for final review and comment before seeking formal adoption of the policy.***

## POLICY MANUAL

<b>Policy Number:</b>	<b>Indigenous Recognition</b>
<b>Purpose:</b>	To ensure Traditional Owners or Custodians of the land are acknowledged.
<b>Department:</b>	Governance
<b>Author:</b>	John Jordan, General Manager
<b>Council Meeting Date:</b>	12 October 2021
<b>Minute Number:</b>	196/2021
<b>Next Review Date:</b>	<b>October 2025 (as set, or every four years or as required)</b>

## POLICY

### **1. Objective**

The objective of this policy is to:

- Acknowledge the Indigenous culture and history relating to the lands within the Meander Valley Local Government Area;
- Express Council's commitment towards promoting the Aboriginal community, culture and reconciliation in the Meander Valley; and
- Promote awareness of, and respect for, the Aboriginal community, as the Custodians of the land through appropriate acknowledgement at Meander Valley Council public functions and events.

### **2. Scope**

This policy applies to Council Meetings, Council Committee Meetings and official Council ceremonies, functions and events attended by the public.

### **3. Policy**

1. Council recognises the long standing cultural history of the now past Pallitore and Panninher peoples (the past peoples) and is committed to supporting a continuing recognition of their connection and history on the lands which now comprise the local government area of Meander Valley.
2. Council acknowledges the significant role all Indigenous peoples of Tasmania (collectively known as the Palawa) play in acknowledging and respecting the past peoples of the land.
3. Council respects and supports the role of local Indigenous people in acknowledging and preserving the connection of past peoples as well as their own culture and connection to the land and country that is now the Meander Valley.
4. Council will be guided by the protocols of the National Indigenous Australians Agency which are a complement to the guidance of local Indigenous people within our community.

### **4. Recognition and Acknowledgement Actions**

1. Council will recognise the past peoples and local Aboriginal people and their culture and connection to this country, through the display of the Australian Aboriginal Flag in the Council Chamber at Westbury and at official ceremonies where the Australian and Tasmanian flags are also displayed.
2. The Australian Aboriginal Flag will also be flown externally at the Council Chambers during days of significance in line with national protocols and conventions.

3. When appropriate, Council will invite a representative from the local Aboriginal community to perform a *Welcome to Country* at official ceremonies and significant community events and meetings delivered by Council.
4. Council will undertake an *Acknowledgement of Country* at Council organised public events, such as Council Meetings and Citizenship Ceremonies.

### *Welcome to Country*

A *Welcome to Country* is to be delivered by Traditional Owners or Custodians of the land on which the event takes place.

Council will invite a recognised representative of the local Aboriginal community to conduct a *Welcome to Country* at Council-organised events of significance, including Citizenship Ceremonies.

In the spirit of community service, it is anticipated a *Welcome to Country* will be provided at no cost. Council will however reimburse any demonstrated and reasonable costs incurred in attending or conducting the ceremony.

### *Acknowledgement of Country*

The Meander Valley municipality was home to Aboriginal people from the Pallitore clan (to the West) and the Panninher clan (to the East).

*Acknowledgement of Country* gives recognition to both past peoples and also the present local Indigenous peoples who inhabit the lands now known as Meander Valley.

Acknowledgment will be given through the following words:

1. *'I begin today by acknowledging the Pallitore and Panninher past peoples and the Traditional Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to all Aboriginal and Torres Strait Islander peoples here today.'*

Or

2. *'I begin today by acknowledging the Traditional Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.'*

### *Flying the Aboriginal Flag*

The Australian Aboriginal Flag will be permanently displayed in the Council Chamber at 26 Lyall Street, Westbury, in line with Australian Flag Protocols.

The Australian Aboriginal Flag will be flown externally at the Council Chamber in line with Australian Flag Protocols during significant events such as NAIDOC week.



## **5. Legislation**

*Constitutional Recognition of Aboriginal People Act 2016*  
*Flags Act 1953*

## **6. Responsibility**

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

## **2) Officers Report**

Council has an important role to play in recognising the local Aboriginal people that now live and manage the country of the Pallitore and Panninher past people as the long-standing custodians of the land in Meander Valley.

There are several Aboriginal groups in the Meander Valley municipality that now live on the country of the Pallitore and Panninher people and it is considered appropriate to recognise both past and present Indigenous people associated with the Meander Valley local government area.

The Indigenous Recognition Policy will formalise Council's commitment towards promoting the Aboriginal community, culture and reconciliation in the Meander Valley.

Implementing protocols for *Acknowledgement of Country* and where appropriate, including a *Welcome to Country* by a representative of the local Aboriginal community at Council-organised events is in line with contemporary practices and community standards. The flying of the Tasmanian Aboriginal Flag in the Council Chamber at Westbury and externally at the Council Chamber during days of significance in line with national protocols and convention (as is the current practice) is also considered appropriate.

The policy follows the approaches and wording recommended by the Australian Government's National Indigenous Australians Agency. However, there are several local groups with views on both Indigenous history in the area and also the peoples that should be acknowledged. Importantly, consultation with these groups is not always effective through normal means. To provide opportunity for input it is proposed that Council table the policy for one month before resubmitting for final approval.

## **3) Council Strategy and Policy**

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

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

#### 4) Legislation

*Constitutional Recognition of Aboriginal People Act 2016*  
*Flags Act 1953*

#### 5) Risk Management

Not applicable

#### 6) Government and Agency Consultation

Not applicable

#### 7) Community Consultation

Council consulted with representatives of the Aboriginal community from the east and west of the Meander Valley municipality. Key feedback included:

- Acknowledgement should be kept at the high level and recognise either Pallitore or Panninher past people, depending on whether the acknowledgement is taking place in the east or west of the municipality.
- A fee is often charged when a representative of the local Aboriginal community conducts a *Welcome to Country*. One Elder has suggested that if Meander Valley Council is inclined to pay for a *Welcome to Country*, then it may consider a lesser amount to what City of Launceston currently pays which is around \$500.

#### 8) Financial Consideration

Should Council consider it appropriate, Council could include the introduction of a charge for a *Welcome to Country* which will add to the cost of events. Many of these events are low budget events with limited capacity for additional overheads. A lesser amount to what City of Launceston currently pays, which is around \$500, may be appropriate if this required.

#### 9) Alternative Recommendations

Council can approve the recommendation with amendments to the policy.

#### 10) Voting Requirements

Simple Majority

### DECISION:

## **GOVERNANCE 4**

(Reference No. 197/2021)

### **ANNUAL PLAN 2021-22**

**AUTHOR:** John Jordan  
General Manager

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#### **1) Recommendation**

***It is recommended that Council adopts the attached Meander Valley Council Annual Plan for the 2021-22 financial year, prepared in accordance with section 71 of the Local Government Act 1993.***

#### **2) Officers Report**

Council's 2021-22 Annual Plan is geared towards more effectively communicating the strategic objectives of Council for the current financial year. It includes a high-level explanation of the projects, activities and programs that Council will commit to undertake during the upcoming financial year.

The Annual Plan has generally been focused on the major non-business as usual actions planned for the current year; allowing for a more succinct and focused document. The recommended Plan includes the following components as required by section 71 of the *Local Government Act 1993* (the Act):

- Consistency with the Meander Valley Community Strategic Plan (CSP);
- Contains an outline of how Council will meet the "*six future directions*" and related goals and objectives contained in its CSP;
- Summarises the budget estimates adopted at Council's July Ordinary Meeting (per section 82 of the Act); and
- Summarises the major strategies to be used in relation to the Council's public health goals and objectives.

The Annual Plan is a public document and will be circulated and available for public and regulatory viewing and oversight.

The draft Meander Valley Council Annual Plan 2021-22 was presented at Council's Workshop held on 28 September 2021.

### **3) Council Strategy and Policy**

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

- Future Direction (5) Innovative leadership and community governance

### **4) Legislation**

*Local Government Act 1993*

### **5) Risk Management**

Not Applicable

### **6) Government and Agency Consultation**

Not Applicable

### **7) Community Consultation**

The Meander Valley Council Annual Plan will be available for viewing and review at the public offices of Meander Valley Council during normal business hours. The plan will also be available on the Meander Valley Council website.

### **8) Financial Consideration**

The Meander Valley Council Annual Plan 2021-22 aligns with the 2021-22 Budget.

### **9) Alternative Recommendations**

Council may elect to amend the Meander Valley Council Annual Plan 2021-22.

### **10) Voting Requirements**

Simple Majority

## **DECISION:**



Meander Valley Council  
Working Together

# Annual Plan 2021-22





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# Mayor's Message

## Wayne Johnston

On behalf of Council I am proud to present this year's annual plan.

As we continue to adapt to adequately manage the changing circumstances of COVID-19, we do so with a growing sense of optimism.

For, despite the challenges, Meander Valley has an exceptionally positive outlook.

More people are choosing to live in here than ever before and, in turn there has been an increase in local jobs. This has supported our tourism and retail businesses at a time when local trade is crucial.

As we emerge from the constraints of COVID-19, Council has set an ambitious agenda that seeks to engage and collaborate with the community on a new Strategic Plan that will inform our future directions.

Our annual plan is service focused and seeks to set the course for a transformation of how we deliver value to our residents.

Our online service capability will be improved to create greater efficiencies, streamline processes for improved customer experiences and provide for greater accessibility to services outside traditional business open hours.

This years' annual plan does not seek to capture all of the operational activity we will do this year.

Rather, it focuses on work that is significant in terms of importance to the community and the effectiveness of our service provision and the organisational transformation required to achieve a well governed and efficient Council that is able to progress the ambitions and priorities of the community.

As we commence what will be a multi-year journey to implement change, we do so with a measured approach.

We are mindful that the rate of change needs to match our financial resources and the capacity of our staff and ensure that everyone, including the community join us on the journey.

Whilst there will always be challenges, Meander Valley is rich with opportunities across incredibly diverse and growing sectors including industry, agriculture, the arts, health and tourism.

The actions within our annual plan allow us to respond effectively to the changing face of our community and contribute to the lifestyle, health and wellbeing of all our residents and I look forward to working with you throughout the exciting times ahead.



# Introduction

## What's in the purpose of the operational plan?

The operational plan contains the programs, projects and services Council plans to deliver over the 2021-22 financial year. The operational plan outlines the practical actions we intend to undertake that are in addition to the many business as usual activities undertaken to ensure services are delivered and Council is well run. The operational plan complements the annual budget and both are developed in parallel to provide consistency between Council's work program and the resourcing allocations determined in the budget.

## How does Council decide what to include in the operational plan?

Actions contained in the operational plan are drawn from Council endorsed strategic plans, Council decisions, legislative requirements from the Local Government Act and the state and federal governments, essential reforms and emerging issues.

Each operational activity aligns with Council's six future directions, contained in the Community Strategic Plan 2014-2024 (see diagram below).

Together, the structure that determines what is contained in the operational plan provides us with an informed, relevant and integrated approach to deliver value in the services we provide to the Meander Valley community.

### Community Strategic Plan 2014 -2024

Our Six Future Directions



Council decisions, legislation, essential reforms, strategies and plans

### Annual Plan

# Snapshot: Meander Valley




**6,500**  
kerbside collection services every year



**9**  
elected members



**36**  
community playgrounds and fitness stations

**3,620**  
dogs were registered in 2021



**52** lost dogs were reunited with their owners




**4.1**  
Council operates with an average of 4.1 staff per 1,000 residents.  
This is below the 5.4 staff average for comparable Councils.  
*(based on latest available data)*



**\$829**  
Our average residential general rates are almost the lowest in Tasmania



**20,037**  
People live here  
in 2020, our population increased by 193, which was the largest annual increase in the last decade.



**1,000**  
public bins are serviced every week and Council operates  
**3**  
municipal waste facilities



**100+**  
street and amenity trees planted annually



**821** kilometres of road networks renewed and maintained



**1,200+**

customer service requests actioned every year



**13**

community halls



Who is working and doing business in Meander Valley?

Meander Valley is home to **1,672** registered businesses.

The unemployment rate in Meander Valley is **3.5%**, below the Tasmanian state average of **6%**



**40+**

sporting facilities



we are classified as a large, rural Council with

**3,331**

square kilometres of land area



**8**

municipal sports grounds



**223**

bridges maintained



**10,000+**

rateable properties



**63**

parks and reserves managed and maintained



**2**

municipal swimming pools

# Highlights of the Year Ahead

## Investing in our people and culture

The strength of Meander Valley Council is its people, who often wear many different hats to get the job done. This year our work will include renewal of the Enterprise Agreement, investment to understand and enhance a happy, collaborative and inclusive culture within the organisation and improvements towards a zero harm workplace and safety culture.

## Community and lifestyle

Our community is changing and facing new challenges including population growth, a change in the mix of people, higher expectations of services, and varying attitudes to many of the things that will ultimately define the Meander Valley way of life. Against this backdrop, we will ask the community to help renew the Community Strategic Plan to ensure we clearly understand what our focus should be.

The impact of COVID-19 has been drawn out but a transition to a more certain circumstance is emerging. We will revitalise our community and lifestyle programs. Our services and activities will be focused on ensuring our community remains vibrant, engaged and resilient by supporting groups and individuals to achieve their goals, whether this is through events and community grants or providing other opportunities.

## New ways to support economic development and business

Meander Valley is a region of increasing prosperity and economic growth. Council plays a leadership and promoting role to ensure businesses and investors wishing to contribute to the region's ongoing prosperity are well informed and supported in their efforts to establish and grow their enterprise or, to partner within the region. As we emerge from the COVID-19 Disease Emergency we will deliver initiatives aimed at recovering and growing the Meander Valley regional economy.

Council wants to make it easy for business to understand the potential of the region and make the task of establishing and operating a business in our local government area easier. A new economic development and business support strategy will be developed to guide work to achieve this outcome.

## Modernisation of Council

Council is rethinking how it works and uses technology, people, and processes in pursuit of new business models and better ways to meet customer expectations around products and services.

A key component of this work will be starting a multi-year journey to integrate digital technology into all areas of our business, fundamentally changing how we operate and deliver value to our residents and customers. This work also has a cultural element that requires our people to continually challenge the status quo, experiment, and get comfortable with letting go of some outdated approaches. We will invest time and energy to learn new ways of thinking and working so we can recognise where and how opportunities to improve can be progressed.

This year we will tender to renew many of our corporate (Enterprise Resource Planning) systems. We will also automate and simplify our governance and support for Council and other meetings.

A re-design of our products and services to boost operational efficiency and respond to evolving customer expectations will also commence. This year, we will grow our range of online services, enhance the information available to people and plan the introduction of digital forms.

## Long term solutions for waste management

Our waste infrastructure is nearing end-of-life and needs renewal. Council will finalise and implement a waste management strategy to ensure the municipality has contemporary solutions for the sustainable management of waste across the diversity of our urban, towns and rural communities. This year we will renew the kerbside collection contracts, introduce tip vouchers and invest to achieve long term landfill capacity to replace our end of life facilities at Deloraine and Cluan.

## Delivering community infrastructure

Council will deliver an \$11.4 million community infrastructure program. Highlights include upgrades to Las Vegas Drive Reserve Prospect Vale, the Deloraine Football Club and the construction of a pump track in Alveston Drive, Deloraine. These projects are in addition to the replacement of the Selbourne Road Bridge, Hagley and delivery of an extensive road resurfacing and reconstruction program to improve safety and serviceability. We will also progress construction of the community hall at Bracknell, new squash courts and football ground lighting at Deloraine.

## Implementing the new Tasmanian Planning Scheme

Planning applications are now subject to the Tasmanian Planning Scheme and applications will be assessed under the State Planning Provisions and the Meander Valley Local Provisions Schedule which commenced on 19 April 2021. Council will continue work to ensure planning staff are fully conversant with the new planning arrangements and that information and processes are updated to efficiently support planning applications.

## Customer service performance review

We are committed to enhancing the service we provide to residents and customers. Council will undertake a full review of customer service standards, performance indicators and the processes through which our services are experienced.

# 1

## A sustainable natural and built environment

### Strategic Pathways

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

Operational Activity		Department Lead
1.1, 1.2	Implement the new Tasmanian Planning Scheme - State Planning Provisions and the Meander Valley Local Provisions Schedule.	Development & Regulatory Services
1.1, 1.2, 1.3	Progress regional land use planning in conjunction with neighbouring councils.	Development & Regulatory Services
1.1, 1.2, 1.3	Support the review of the Prospect Vale - Blackstone Heights Structure Plan.	
1.1, 1.2, 1.3	Process planning applications in accordance with delegated authority and statutory timeframes.	
1.5	Ensure environmental health monitoring is compliant and incidents effectively managed.	
1.4, 1.5	Progress the Meander Valley Council Waste Management Strategy.	Infrastructure
1.4, 1.5	Manage the Westbury Town Common in line with the Management Plan.	Works
1.3, 1.4, 1.6	Participate in the Tamar Estuary and Esk Rivers Program (NRM North)	Community, Wellbeing & Lifestyle and Development & Regulatory Services
1.1, 1.2, 1.3	Collaborate through regional and state initiatives to understand and respond to the local impacts of climate change.	Development & Regulatory Services



# 2

## A thriving local economy

### Strategic Pathways

- 2.1 The strengths of Meander Valley attract investment and provide opportunities for employment.
- 2.2 Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.
- 2.3 People are attracted to live in the townships, rural and urban areas of Meander Valley.
- 2.4 A high level of recognition and demand for Great Western Tiers products and experiences.
- 2.5 Current and emerging technology is available to benefit both business and the community.

Operational Activity		Department Lead
2.1, 2.2	Work with State Development to renew and release regional prospectus.	Community, Wellbeing & Lifestyle
2.1, 2.3, 2.4, 2.5	Deliver a new economic development and business support strategy.	
2.1, 2.4, 2.5	Deliver business information forums covering key economic indicators and major issues.	
2.1, 2.2, 2.3, 2.4, 2.5	Develop an incentives program to support business relocation and growth in Meander Valley.	
2.1, 2.3, 2.4, 2.5	Lobby for increased and accelerated regional infrastructure investment to sustain growth.	Community, Wellbeing & Lifestyle and Governance
2.4	Deliver year one milestones for the short walks project.	Community, Wellbeing & Lifestyle
2.1, 2.2	Develop and cost a branding and marketing strategy to support promotion of Meander Valley as a lifestyle, tourism and investment destination.	
2.1, 2.2, 2.3, 2.4, 2.5	Progress feasibility assessment and financial model to achieve bioenergy / bio waste facility in Meander Valley.	Infrastructure

# 3

## Vibrant and engaged communities

### Strategic Pathways

- 3.1 Creativity and learning are part of daily life across the communities of Meander Valley.
- 3.2 Successful local events enhance community life.
- 3.3 Education and training opportunities are available to everyone across the local government area.
- 3.4 Meander Valley communities have the resilience and capacity to address and overcome life's challenges and emergencies.
- 3.5 Young people have the opportunity to be engaged in community life.

Operational Activity	Department Lead	
3.1, 3.2, 3.3, 3.4,3.5, 4.1	Complete consultation and drafting of the Community Strategic Plan.	Community, Wellbeing & Lifestyle
3.1, 3.2, 3.3, 3.4,3.5, 4.1	Review and update Council's Community Program.	
3.1, 3.2, 3.4 4.1	Deliver the grants and sponsorship program to enable community initiatives.	
3.4, 4.1	Deliver online and print versions of the Valley News.	Governance
3.1, 3.2, 3.4 4.1	Deliver Council events program including the Australia Day awards and quarterly citizenship ceremonies.	Community, Wellbeing & Lifestyle
3.4, 4.1	Develop a volunteer framework to promote and support volunteering in the community.	
3.1,3.2,3.4	Implement measures to acknowledge Indigenous Australians.	Governance
3.1, 3.5	Collaborate to support young people in the community.	Community, Wellbeing & Lifestyle
3.3, 3.4	Collaborate with not for profit and volunteer groups to support wellbeing and life-long learning across the community.	

# 4

## A healthy and safe community

### Strategic Pathways

- 4.1 The health and wellbeing needs of all sectors in the community are planned, met and managed.
- 4.2 Infrastructure, facilities and programs encourage increased participation in all forms of active and passive recreation.
- 4.3 Public health and safety standards are regulated, managed and maintained.
- 4.4 Prepare and maintain emergency management plans and documents and work with our communities to educate and plan for emergencies.

Operational Activity		Department Lead
4.1	Progress delivery of new community facilities including Bracknell Memorial Hall, Deloraine Squash Courts and Deloraine AFL lighting Upgrade.	Infrastructure
4.1,4.2	Deliver planned and reactive maintenance of community facilities to ensure safe, well used facilities.	
4.4	Review and test the municipal emergency management and social recovery functions of Council in line with legislation.	
4.4	Support the operation of the Meander Valley SES unit through ongoing management of the Memorandum of Understanding (MoU).	
4.1, 1.5	Manage public health risk through monitoring and sampling of recreational water.	Development & Regulatory Services
4.1, 4.3	Promote safe food practices; ensure inspection and registration of food premises in accordance with the Food Act 2003.	
4.1, 4.3	Coordinate the school based immunisation as part of the National Immunisation Program.	
4.3	Complete a review of dog management policy and practice.	
4.3	Complete annual fire abatement inspections and investigate complaints.	
4.3	Investigate incidents and complaints regarding animal control.	
4.1, 6.4	Renew operating contract for the Deloraine Swimming Pool and enable continuing community management of the Caveside Pool.	Infrastructure
6.4	Review and update booking processes and user Guides for indoor facilities.	

# 5

## Innovative leadership and community governance

### Strategic Pathways

- 5.1 Meander Valley Council programs are regularly reviewed to support the achievement of the Community Strategic Plan.
- 5.2 Long term financial planning and asset management underpins the ongoing viability of Meander Valley.
- 5.3 Evidence based decision-making engages the community and is honest, open and transparent.
- 5.4 Meander Valley councillors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities.
- 5.5 Councils in the region collaborate and share resources for the collective good of their communities.
- 5.6 Meander Valley Council is recognised as a responsibly managed organisation.

Operational Activity		Department Lead
5.1, 5.6	Negotiate and renew Council's Enterprise Agreement.	Governance
5.1, 5.6	Deliver Annual Plan, Annual Report and Annual General Meeting.	
5.1, 5.2, 5.6	Develop 2022-23 budget including a review of long term financial review and forward estimates to align with renewal of the Community Strategic Plan.	Corporate Services
5.4, 5.6	Complete a workplace culture "health check" and review measures to promote and maintain a healthy and positive workplace.	
5.1, 5.3, 5.6	Renew the Customer Service Charter and a roadmap to refine systems, reporting and processes to enhance customer outcomes.	Governance
5.1, 5.2	Develop a digital transformation and modernisation of services roadmap.	
5.3, 5.5	Develop a communication strategy and implement measures to enhance community information and engagement.	Governance and Community, Wellbeing & Lifestyle
5.4	Refresh and promote "Good Governance" program for staff and councillors.	Governance
5.1, 5.2, 5.6	Renew workplace health and safety systems and implement measures to monitor compliance and achieve a 'zero harm' culture.	Corporate Services
5.1, 5.2, 5.6	Renew the risk management framework and review risks and mitigations.	Governance
5.1, 5.2, 5.6	Progress planning and procurement to upgrade Council's Enterprise Resource Planning (ERP) Systems.	Corporate Services
5.1, 5.2, 5.6	Plan and progressively upgrade operating systems to support contemporary software and service delivery solutions.	Corporate Services
5.4, 5.5, 5.6	Introduce contemporary software solutions to better support Council Meetings, record keeping and public information.	Governance

# 6

## Planned infrastructure services

### Strategic Pathways

- 6.1 The future of Meander Valley's infrastructure assets is assured through affordable, planned maintenance and renewal strategies.
- 6.2 Regional infrastructure and transport is collaboratively planned and managed by all levels of government.
- 6.3 The Meander Valley transport network meets the present and future needs of the community and business.
- 6.4 Open space, parklands, recreation facilities, cemeteries and public buildings are well utilised and maintained.
- 6.5 Stormwater and flooding cause no adverse impacts.
- 6.6 Infrastructure services are affordable and meet the community's needs into the future.

Operational Activity	Department Lead	
6.1, 6.4	Complete proactive inspections of footpaths, parks and recreation assets and rail interfaces.	Infrastructure
5.2, 6.1, 6.3, 6.6	Update asset information and road asset re-valuation data.	
5.2, 6.1, 6.3, 6.4, 6.6	Review Strategic Asset Management and Asset Management Plans.	
6.1, 6.3, 6.4, 6.5, 6.6	Deliver capital work projects in line with the 2021-22 programs.	Infrastructure and Works
6.1, 6.3, 6.4, 6.5, 6.6	Plan the 2022-23 Capital Works and Forward Works programs.	
6.2, 6.3	Deliver the Hadspen Meander Valley Road intersection upgrades design and procurement documentation.	Infrastructure
6.1, 6.3	Deliver the bridge inspection and maintenance program.	
6.6	Renew the kerbside collection contract for waste, recyclables and organics.	
1.4, 1.5, 6.1, 6.6	Commission additional landfill cell capacity at Cluan.	
1.3, 1.4, 1.5	Obtain environmental approvals and decommission the existing landfill cell at Deloraine.	
6.6	Progress land acquisition, EPA approvals and design for a new landfill cell at Deloraine.	
6.6	Design and construct new waste transfer station at Deloraine.	

# Statutory Estimates

<b>Operating Revenue</b>	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>
Rates and Charges	\$14,641,800	\$13,046,800	\$12,966,400
Fees and User Charges	\$1,282,300	\$1,150,100	\$1,255,000
Contributions	\$95,900	\$95,500	\$51,500
Interest	\$420,700	\$645,800	\$835,600
Operating Grants	\$4,387,300	\$4,350,400	\$4,441,200
TasWater Distributions	\$667,200	\$0	\$556,000
Other Revenue	\$181,700	\$184,800	\$192,700
<b>Total Operating Revenue</b>	<b>\$21,676,900</b>	<b>\$19,473,400</b>	<b>\$20,298,400</b>

<b>Operating Expenditure</b>	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>
Operating Wages	\$7,847,600	\$7,737,900	\$6,798,100
Operating Materials and Contracts	\$7,287,800	\$7,305,100	\$6,427,500
Finance Costs	\$248,800	\$271,600	\$266,000
Depreciation	\$5,400,400	\$5,132,200	\$5,088,000
State Fire Contribution	\$1,294,700	\$1,264,900	\$1,264,900
Other Expenditure	\$250,800	\$276,500	\$286,800
<b>Total Operating Expenditure</b>	<b>(\$22,330,100)</b>	<b>(\$21,988,200)</b>	<b>(\$20,131,300)</b>
<b>Underlying Surplus/Deficit</b>	<b>(\$653,200)</b>	<b>(\$2,514,800)</b>	<b>\$167,100</b>

<b>Capital, Cash and Investments</b>	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>
Capital Revenue	\$5,454,100	\$5,781,600	\$1,900,300
Capital Expenditure	(\$11,382,400)	(\$15,225,800)	(\$11,978,100)
Opening Cash and Investment Balance	\$18,701,800	\$18,721,900	\$20,729,700
<b>Closing Cash and Investment Balance</b>	<b>\$17,983,700</b>	<b>\$11,718,800</b>	<b>\$15,767,800</b>

## Public Health Goals and Objectives

Council's Environmental Health Officers are responsible for ensuring the statutory obligations in relation to public and environmental health are met. This includes the Public Health Act 1997, Food Act 2003, Local Government Act 1993 and Environmental Management and Pollution Control Act 1994.

As part of Meander Valley Council's 2021-22 public health goals and objectives, the Environmental Health Officers will seek to:

- Ensure safe food practices at food businesses and events, and provide food handler training for community groups;
- Promptly investigate public and environmental health complaints;
- Continue to actively participate and contribute to policy and legislative development at a regional and state level to further the public and environmental health of our community;
- Coordinate a school based immunisation program in accordance with the National Immunisation Program and directives from the Department of Health;
- Undertake routine inspections of public health risk activities, water carriers and public events;
- Continue to actively participate in the Tamar Estuary and Esk Rivers program (TEER) including the Lake Trevallyn algal bloom working group; and
- Coordinate a monitoring program of public recreational water and pools to ensure water quality is suitable for swimming.



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## **GOVERNANCE 5**

(Reference No. 198/2021)

### **REVIEW OF COUNCILLOR CODE OF CONDUCT**

**AUTHOR:** John Jordan  
General Manager

Jacqui Parker  
Governance Coordinator

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#### **1) Recommendation**

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

- 1. Receives and endorses the attached proposed Councillor Code of Conduct for Meander Valley Council, being a variation on the Minister for Local Government's Model Code of Conduct that is currently made available to Council under s28R of the Local Government Act 1993 (the Act);***
- 2. Resolves to submit the proposed Councillor Code of Conduct to the Minister for Local Government for approval of the varied Code of Conduct in accordance with s28T(3) of the Act;***
- 3. Resolves to write to the Local Government Association of Tasmania with a request that they undertake consultation across the sector on the suitability of the amended Model Code for broader adoption; and***
- 4. Resolves to write to the Minister for Local Government advocating for change to the Act (1993) and the Government's Code of Conduct Framework to better address the issue of vexatious or frivolous complaints.***

#### **2) Officers Report**

The existing Code of Conduct for Meander Valley Councillors was adopted on 12 March 2019. Its contents mirror the Model Code of Conduct ("Model Code") currently ordered by the Minister for Local Government under s28R of the *Local Government Act 1993* (the Act).

Council is entitled to make variations to its own Code of Conduct subject to Ministerial approval, as per section 28T (3) of the Act.

## **Impetus for change to the Model Councillor Code of Conduct**

Recent incidents across Australian, Tasmanian and local government have highlighted a need to do more to address issues of equity, safety and respect towards all people, but particularly women.

Across the community, we are seeing numerous instances of people being subjected to workplace behaviours that fall short of contemporary standards. Meander Valley Council, like many organisations affected by these issues, understands the need for leadership and change to fulfil our community's expectations and legislated obligations.

As it stands, there is currently very little recourse available to an employee, Councillor or community member experiencing an issue, exacerbating the general reluctance or unwillingness of complainants to come forward on serious issues.

On 13 July 2021, the Director of the Local Government Division wrote to Tasmanian councils suggesting development of a "*statement of intent*" addressing workplace equity and respect, particularly emphasising the issues of treatment and representation for women in local government workplaces.

While a statement of intent may echo a broadly held community expectation or standard, it is not sufficient in its weight to manage the duty of care Council and individuals have under both the *Workplace Health and Safety Act 2012* and the *Tasmanian Anti-Discrimination Act 1998*.

In addition, the Model Code fails to make explicit the real impact of attitudes, words and actions that trivialise, make light of or justify more serious forms of inappropriate behaviour.

The Model Code also loosely couples serious issues with ambiguous and undefined terms such as "fair", "bully", "harass", "offend" and "embarrass". This doesn't offer enough certainty to all affected parties about what behaviours will be considered acceptable or excusable. For example, a single instance of an unwelcome sexual advance may not fit within the ordinary meaning of bullying or harassment but is nonetheless an unacceptable example of sexual harassment in the workplace under the *Anti-Discrimination Act 1998*.

The Model Code also fails to address the serious legal obligations and risks under the above legislation and understates the very real wellbeing impacts of such behaviours on people and the workplace. By inadequately specifying the standards to be met, the Model Code diminishes individual accountability for behaviour by elected representatives.

This may lead to unresolved issues for Council and affected individuals to deal with, and drives poor outcomes including:

- affected persons being unwilling to come forward and report their concerns;
- unacceptable tolerance or downplaying of instances or behaviours;
- the risk of continuing exposure to unacceptable behaviour with corresponding negative impacts on the affected person's wellbeing or work performance; and
- cultural, reputational and litigation impacts for Council as a public authority and as an employer.

In addressing a line of questioning specific to Meander Valley Council at recent Parliamentary Budget Estimates hearings, the Minister for Local Government and Director of Local Government Division highlighted that Council General Managers have a duty of care to deal with matters such as sexual harassment and other forms of inappropriate behaviour.

In response, the General Manager has reviewed both the employee and Councillor Codes of Conduct.

The employee Code of Conduct will now progress through consultation with staff before implementing a new Code that more clearly sets out contemporary standards of behaviour, and a framework for responding to instances when they occur.

The Councillor Code of Conduct is presented for consideration and endorsement prior to seeking Ministerial approval.

### **Role of other agencies**

Implementing the proposed changes to the Model Code would complement training and other initiatives aimed at promoting awareness of standards which is a key strategy promoted by the *Local Government Association of Tasmania* (LGAT). It is suggested the proposed amendments to the Model Code could also be presented to LGAT to further whole of sector reform.

The Local Government Division of the Department of Premier and Cabinet is currently reviewing the existing Code of Conduct Framework. This is not expected to produce reforms that would satisfy the obligation of this Council to align itself with community expectations, set the right internal culture, and to come out strongly in support of employee and community wellbeing. Nor would the expected reforms seem to enable Council's duty of care to be fully discharged.

As an alternative to continuing to await reform, it is suggested that Meander Valley Council demonstrates state-wide leadership by signalling its open support and

advocacy for change. A variation of its own codes of conduct for both staff and Councillors is a relatively simple and timely means by which Council can lead by example while the sector continues to work on its broader reform agenda.

### **Substance of recommended variations to the Model Code**

The attached variation of the Councillor Code of Conduct builds on existing measures and reflects this Council's proactive commitment to accountability by clearly articulating Councillor responsibilities to:

- not threaten, bully or harass any person;
- not discriminate against any person, or engage in any prohibited conduct (such as sexual harassment) towards any person, as defined under the *Tasmanian Anti-Discrimination Act 1998*;
- act consistently with the duties of a worker as defined under the *Tasmanian Work Health and Safety Act 2012*; and
- not direct, pressure or denigrate an employee in relation to the making of decisions or recommendations.

### **Improved remedies for vexatious or malicious complaints.**

Separate to the above amendments, consideration has also been given to the prevalence across the sector of what may be considered vexatious or malicious complaints. The so-called weaponising of the Code of Conduct Framework remains a common concern for elected representatives and public officers.

Legislative amendments to manage these concerns are considered appropriate and it is recommended that Council highlight its concerns and views to the Minister of Local Government.

## **3) Council Strategy and Policy**

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

- Future Direction (5) Innovative leadership and community governance

The proposed variation is also consistent with relevant values enshrined within Council's *Community Strategic Plan*, being:

*"To guide our choices and behaviour, in all that we do we will: respect, listen and care for one another ... be trustworthy... be positive and receptive to new ideas... be innovative, creative ... take a fair, balanced and long term approach" [and] work together"*.

It enhances Council's capacity to demonstrate a proactive management of its duty of care to staff, councillors and others.

#### **4) Legislation**

*Local Government Act 1993*  
*Work Health & Safety Act 2012*  
*Anti-Discrimination Act 1998*

#### **5) Risk Management**

The proposed changes constitutes a risk management control to mediate the risk of illness, injury or other impacts on any individual affected by misconduct from an elected representative and the associated corporate risk to Council for related litigation.

#### **6) Government and Agency Consultation**

The concept of an amendment to the Model Code was discussed with the Office of the Director of Local Government who highlighted the amendment process and requirements for Ministerial consent.

LGAT was also consulted and feedback on the original amendment wording and approach has been reflected. LGAT also emphasised the importance of training and awareness initiatives as a support to improved behaviours and management outcomes.

More broadly, LGAT on 5 August 2021, resolved to call on the state government: *"to commission a review of the workplace health and safety of the local government sector for elected representatives"*.

Government led consultation on the operation of the existing Code of Conduct Framework closed on 9 August 2021. A submission to that review by LGAT (on behalf of the sector) noted that:

*"...the Framework is failing us. We have a system that spends unnecessary time and resources on dealing with the trivial, while on the occasions when serious misconduct occurs, the Framework fails to adequately sanction the breaches."*

#### **7) Community Consultation**

Not Applicable

#### **8) Financial Consideration**

Not Applicable

## **9) Alternative Recommendations**

Council may modify or not endorse the variation and related recommendations.

## **10) Voting Requirements**

Simple Majority

**DECISION:**



Meander Valley Council  
Working Together

MEANDER VALLEY COUNCIL

**COUNCILLOR CODE OF CONDUCT**

**XX 2021**

Version 3  
Adopted: XX 2021  
Minute No. XX/2021

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# **Model Code of Conduct**

## **PART 1 - Decision making**

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudice.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

## **PART 2 - Conflict of interests that are not pecuniary**

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
  - (a) declare the conflict of interest before discussion on the matter begins; and
  - (b) act in good faith and exercise reasonable judgement to determine a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
7. This Part does not apply in relation to a pecuniary interest.

### **PART 3 - Use of Office**

- 1.** The actions of a councillor must not bring the Council or the office of councillor into disrepute.
- 2.** A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
- 3.** In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

### **PART 4 - Use of resources**

- 1.** A councillor must use Council resources appropriately in the course of his or her public duties.
- 2.** A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
- 3.** A councillor must not allow the misuse of Council resources by any other person or body.

### **PART 5 - Use of information**

- 1.** A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.
- 2.** A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

### **PART 6 - Gifts and benefits**

- 1.** A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.
- 2.** A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.

## **PART 7 - Relationships with community, councillors and Council employees**

1. A councillor –

- (a) must treat all persons fairly;
- (b) must not cause any reasonable person offence or embarrassment;
- (c) must not threaten, bully or harass any person;
- (d) must not discriminate against any person, or engage in any prohibited conduct (such as sexual harassment) towards any person, as defined under the *Tasmanian Anti-Discrimination Act 1998*; and
- (e) must act consistently with the duties of a worker as defined under the *Tasmanian Work Health and Safety Act 2012*.

2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

3. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.

4. A councillor must not:

- (a) contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council; or
- (b) direct, pressure or denigrate an employee in relation to the making of decisions or recommendations.

## **PART 8 - Representation**

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.

2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.

3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.

4. A councillor must clearly indicate when he or she is putting forward his or her personal views.

5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute.

6. A councillor must show respect when expressing personal views publicly.

7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.

8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

## **PART 9 - Variation of Code of Conduct**

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

DRAFT

# **Supplementary Information to Accompany to the Model Code of Conduct**

## **1. Introduction**

### **Purpose of code of conduct**

This Code of Conduct sets out the standards of behaviour expected of the councillors of the Meander Valley Council, with respect to all aspects of their role.

As leaders in the community, councillors acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each councillor's primary goal of acting in the best interests of the community.

Councillors therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct.

This Code of Conduct incorporates the Model Code of Conduct made by Order of the Minister responsible for local government.

### **Application of code of conduct**

This Code of Conduct applies to a councillor whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of mayor, deputy mayor or councillor); or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the councillor fails to meet the standard of conduct specified in the Code of Conduct.

### **Standards of conduct prescribed under the Code of Conduct**

The code of conduct provides for the following eight standards of conduct:

#### **1. Decision making**

A councillor is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.

## 2. Conflict of interest

A councillor effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.

## 3. Use of office

A councillor uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the councillor and the Council as a whole.

## 4. Use of resources

A councillor uses Council resources and assets strictly for the purpose of performing his or her role.

## 5. Use of information

A councillor uses information appropriately to assist in performing his or her role in the best interests of the community.

## 6. Gifts and benefits

A councillor adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.

## 7. Relationships with community, councillors and council employees

A councillor is to be respectful in his or her conduct, communication and relationships with members of the community, fellow councillors and Council employees in a way that builds trust and confidence in the Council.

## 8. Representation

A councillor is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

## Principles of good governance

By adopting this Code of Conduct, councillors commit to the overarching principles of good governance by being:

**Accountable** – Explain, and be answerable for, the consequences of decisions made on behalf of the community.

**Transparent** – Ensure decision making processes can be clearly followed and understood by the community.

**Law-abiding** – Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government.

**Responsive** – Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

**Equitable** – Provide all groups with the opportunity to participate in the decision making process and treat all groups equally.

**Participatory and inclusive** – Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision.

**Effective and efficient** – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.

**Consensus oriented** – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

## 2. Legislation

The code of conduct framework is legislated under the *Local Government Act 1993* (the Act). The Act is available to view via the Tasmanian Legislation Website at [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au).

### Code of conduct

Tasmanian councillors are required to comply with the provisions of the Council's Code of Conduct while performing the functions and exercising the powers of his or her office with the council.

The Code of Conduct incorporates the Model Code of Conduct (made by order of the Minister responsible for local government) and may include permitted variations included as attached schedules to the Model Code of Conduct.

### Making a code of conduct complaint

A person may make a code of conduct complaint against one councillor in relation to the contravention by the councillor of the relevant council's code of conduct.

A person may make a complaint against more than one councillor if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of conduct complaints are lodged with the general manager of the relevant council and must comply with legislative requirements, as outlined below.

A complaint may not be made by more than two complainants jointly.

A code of conduct complaint is to –

- be in writing;
- state the name and address of the complainant;
- state the name of each councillor against whom the complaint is made;
- state the provisions of the relevant code of conduct that the councillor has allegedly contravened;
- contain details of the behaviour of each councillor that constitutes the alleged contravention;
- be lodged with the general manager within six months after the councillor or councillors against whom the complaint is made allegedly committed the contravention of the code of conduct; and
- be accompanied by the code of conduct complaint lodgement fee.

Once satisfied that the code of conduct complaint meets prescribed requirements, the General Manager forwards the complaint to the Code of Conduct Panel.

### **Code of conduct complaint lodgement fee**

The code of conduct complaint lodgement fee is prescribed under Schedule 3 (Fees) of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$81 in 2019/20).

## **3. Further assistance**

### **Councillor dispute resolution**

Councillors commit to developing strong and positive working relationships and working effectively together at all times.

Prior to commencing a formal code of conduct complaint, the councillors who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

A council's internal dispute resolution process should be the first step that is taken when there is a dispute between councillors.

A councillor who is party to any disagreement should request the Mayor (or Lord Mayor) or the General Manager to assist that councillor in resolving the disagreement informally.



If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, councillors who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal code of conduct complaint.

Councillors should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another councillor has not complied with the provisions or intent of the Code of Conduct.

### **Complaints under the Local Government Act 1993**

The Director of Local Government is responsible for the investigation of complaints regarding alleged breaches of the Act.

Any person can make a complaint to the Director, via the Local Government Division (contact details below), in accordance with section 339E of the Act, where it is genuinely believed that a council, councillor or general manager may have committed an offence under the Act or failed to comply with the requirements of the Act.

To make a complaint, it is recommended that you first contact the Local Government Division to discuss whether the matter is something that the Division can assist with.

### **Public Interest Disclosure**

Any instances of suspected corrupt conduct, maladministration and serious and substantial waste of public resources or substantial risk to public health or safety or to the environment should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

## **Key contacts**

### **Department of Premier and Cabinet's Local Government Division**

Executive Building, 15 Murray Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: (03) 6232 7022 Fax: (03) 6232 5685

Email: [lgd@dpac.tas.gov.au](mailto:lgd@dpac.tas.gov.au)

Web: [www.dpac.tas.gov.au/divisions/local\\_government](http://www.dpac.tas.gov.au/divisions/local_government)

### **Local Government Association of Tasmania**

326 Macquarie Street, HOBART TAS 7000

GPO Box 1521, HOBART TAS 7001

Phone: (03) 6233 5966

Email: [admin@lgat.tas.gov.au](mailto:admin@lgat.tas.gov.au)

Web: [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)

### **The Tasmanian Integrity Commission**

Surrey House, Level 2, 199 Macquarie Street, HOBART TAS 7000

GPO Box 822, HOBART TAS 7001

Phone: 1300 720 289

Email: [mper@integrity.tas.gov.au](mailto:mper@integrity.tas.gov.au)

Web: [www.integrity.tas.gov.au](http://www.integrity.tas.gov.au)

### **Ombudsman Tasmania**

NAB House, Level 6, 86 Collins Street, HOBART TAS 7000

GPO Box 123, HOBART TAS 7001

Phone: 1800 001 170

Email: [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au)

Web: [www.ombudsman.tas.gov.au](http://www.ombudsman.tas.gov.au)

## LOCAL GOVERNMENT CODE OF CONDUCT COMPLAINT FORM

### INTRODUCTION

This form is designed to help you comply with section 28V (Making a code of conduct complaint against councillor) under the *Local Government Act 1993*.

**All complaints must be in writing and be lodged within 6 months after the councillor or councillors allegedly committed the contravention of the Council's Code of Conduct.**

### INSTRUCTIONS

If completing this form by hand, please use black or blue pen and print clearly.

**Send your completed form to the General Manager of the Council.**

**A code of conduct complaint must be accompanied by the prescribed lodgement fee of 50 fee units (\$79.00 in 2018/19).**

### CONTACT DETAILS (of person making the complaint)

Name:	Telephone (mobile):
Address (Residential):	Telephone (work):
Address (Postal):	Telephone (home):
Email address:	

### SUMMMARY OF COMPLAINT

Name of each councillor who you believe has contravened the Council's Code of Conduct  <i>(may include more than one councillor if complaint relates to the same behaviour and same code of conduct contravention):</i>	
Provisions of the Council's Code of Conduct that you believe each councillor has contravened:	
Date(s) of incident(s):	
Location(s) of incident(s):	

**DETAILS OF THE BEHAVIOUR OF EACH COUNCILLOR THAT CONSTITUTES THE ALLEGED CONTRAVENTION  
(FURTHER INFORMATION MAY BE ATTACHED)**

**WITNESSES (INCLUDE ANYONE WITH KNOWLEDGE OF WHAT HAPPENED)**

**HAVE YOU PREVIOUSLY MADE A CODE OF CONDUCT COMPLAINT ABOUT THIS MATTER?**

YES  NO

If yes, when did you make the complaint?

**DESIRED OUTCOME OF COMPLAINT**

Please explain what you would like to happen as a result of lodging this complaint:

**PLEASE SIGN AND DATE**

**SIGNATURE:**

**Date:**

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

### **Motion to close the meeting**

Councillor xx moved and Councillor xx seconded ***“that pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015, the meeting is closed to the public to discuss matters that fall within the circumstances prescribed in regulation 15(2) .”***

### **Voting Requirements**

Absolute Majority

### **Actions and Statement from the Chairperson**

1. In line with Regulation 15(6), members of the public are asked by the Chairperson to leave the closed session of the meeting.
2. All attending the Closed Session are reminded of the confidential nature of discussions in Closed Session and the restrictions on disclosure under section 338A of the *Local Government Act 1993*, and also provisions relating to the misuse of information under section 339 of the *Local Government Act 1993*.

Council moved to Closed Session at x.xxpm

## **GOVERNANCE 6                      CONFIRMATION OF MINUTES**

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

## **GOVERNANCE 7                      APPLICATIONS FOR LEAVE OF ABSENCE**

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

## **GOVERNANCE 8                      RECEIPT OF LEGAL ADVICE**

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

**INFRASTRUCTURE 2 CONTRACT NO. 222-2020-21 – DESIGN AND CONSTRUCTION OF BRIDGE NO. 1736 SELBOURNE ROAD “STRATH BRIDGE”, MEANDER RIVER**

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

**INFRASTRUCTURE 3 REVIEW OF BUDGET FOR THE DELORAINE SQUASH COURTS PROJECT**

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

Council returned to Open Session at x.xxpm.

**Release of Information**

1. In accordance with Regulation 15(8) of the *Local Government (Meeting Procedures) Regulations 2015*, Council is to consider whether any discussions, decisions, reports or documents relating to that Closed Session are to be kept confidential or released to the public, taking into account privacy and confidentiality issues in the context of the regulations.
2. The Chairperson will move the following motion if release of information is considered appropriate. In the absence of any motion, all information is confidential and not for release.

Cr xxx moved and Cr xxx seconded ***“that the following information from Council in Closed Session is to be released for the public’s information.”***

The meeting closed at x.xxpm.

.....  
Wayne Johnston  
**Mayor**