

504-05-040

RCVD	- 2 AUG 2021	MVC
Action Officer	JJ	Dept. 6
EO		OD <input checked="" type="checkbox"/>

Westbury

Meander Valley Council

My wife & myself will not be attending the meeting regarding building a gaol in our municipality. The people against the gaol absolutely ruined the meeting that was held at Westbury previously, so much so, that anybody who supported the project would be shouted down.

We believe the Government made a mistake of not sticking to their original site, which was only moved to placate those people against the project.

We believe the project would be good for Westbury in many ways. The opponets of the project have, at best, put forard objections, that are "airy fairy" such as people leaving Westbury, because of the proposed gaol.

We believe, if it has to be built, then Westbury is ~~as~~ good a place as any,

Yours Faithfully

Tom & kath Lockhart

T. J. Lockhart
K. J. Lockhart

From: Ron Nagorcka
Sent: Tuesday, 3 August 2021 4:32 PM
To: Meander Valley Council Email
Subject: Submission re prison

General Manager, Meander Valley Council
PO Box 102
Westbury 7303

3 August 2021

Dear Mr Jordan

As a resident of Birralee I am a regular user of Birralee Road. As the only connection between the Franklin and Bass highways from Devonport to the Tamar Area this road is already narrow and dangerous especially given the large number of trucks. The last thing it needs is a large scale development of any nature to be built on it anywhere. The traffic is already more than enough.

I am also horrified by the idea (so blithely suggested) of the destruction of the important and irreplaceable natural treasure we have in the Brushy Rivulet Reserve. As a life member of the Central North Field Naturalists I have visited many times. It is without doubt an amazingly abundant bio-diversity hotspot. We should be proud we have a reserve of this quality in our municipality.

The proposed site is not (currently) flat.

To put a prison here is just silly and un(or mis)informed. I shake my head in horrified wonder. Why in heavens name does anyone want to do this!

Sincerely
Ron Nagorcka

Birralee

Sent from my iPad

From: Susan Hartam
Sent: Thursday, 22 July 2021 12:50 PM
To: Meander Valley Council Email
Subject: No Prison Please

22/07/2021

Susan Hartam

Westbury 7303

Attention General Manager

Dear Mr Jordan,

I am proud of our beautiful "Historic Village Westbury"

The news showing the catastrophic state Risdon prison is in, is surely a hint at the future disaster that would happen here.

Many experts in this field have said Westbury is not the right place for a northern prison. eg Greg Barns, Peter Hoult, Michael Bailey surely they should be listened to.

Peter Gutwein would not discuss this subject prior to the election, but when pressed said it was a done deal and would go through the planning process.

That planning decision will be dependent on decisions made by nine Meander Valley councillors, these councillors are obliged to consult and be accountable to its community under the Local Government Act. (are they truly aware of this)

Premier Gutwein has spoken appreciatively about our environment-based tourism and giving back land to the aboriginals.

Our reserve is about to be stolen!

This Westbury Reserve is extremely important to protect and house so many of our native plants and animals and these cannot be replaced.

PLEASE PROTECT OUR PRECIOUS

"Westbury Reserve"

Yours Sincerely

Susan Hartam

Westbury. 7303.

2. 8. 21

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RECD	- 4 AUG 2021	MVC
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OD	✓	

Mr Jordan,
Manager WNC.
Lyll St.
Westbury. 7303

Dear Sir,
RE: Public Meeting to Consider Proposal
for Prison in Westbury.

I feel strongly that no Prison be built in the Westbury area. The land being considered is the habitat for birds, animals, plants, trees, insects - many are already endangered species.

A large Prison with sirens, lights etc would be disastrous to say the least.

People who have never learnt to live with respect for themselves or others need to undergo training and further education in a variety of subjects. Their housing should be far away from towns and villages - out in the country area.

They could learn courses in Agriculture, Horticulture, Mechanics, Carpentry etc. with trained staff who are disciplined and compassionate.

When they have accomplished a certain level of skill in order to be released with dignity and respect - a certificate or Diploma be given to them.

They need financial support for housing and assistance to gain employment in a suitable area.

Locking people away in draconian living conditions only exacerbates their anger, pain and frustration.

In order to lead productive, useful, satisfying lives - to be decent human beings able to love and be loved - many have never experienced either, in their entire lives.

• Please send me an acknowledgement of my submission - Many thanks,
Mrs Diana Stokes..

August 3, 2021

John Jordan, General Manager
Meander Valley Council
26 Lyall Street
Westbury TAS 7303

File No. 504-05-040		
MOVE	- 4 AUG 2021	MVC
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FILED	OD	✓

Hi

Written submissions have been called for in advance of a meeting called by residents to discuss the issues and concerns surrounding the proposal by State Government to construct a prison in the Westbury district.

What seems to be missing is a clear statement from Council on its position and the basis for this position.

As a former Councillor (Subiaco Council, WA) I well understand the separate roles of elected members and executive staff, appointed for their technical and executive competency. I am also well aware that Council votes are rarely unanimous as elected members represent both their individual electorates and their own sense of community development, including of course Social License.

So, though I appreciate that you are not in a position to speak on behalf of the body of Councillors, in leading this forthcoming Meeting, I am confident that you are well placed to tell us what the Executive advice to Council will be in setting out the Pros and Cons to guide the decisions of Councillors when voting on the forthcoming Prison proposal.

So please, tell us *what you and your planning staff will outline as the key issues for Councillors to consider.*

Thank you for seeking community input to the Meeting and for giving consideration to this question.

Warm Regards



Gil Stokes

PS Please acknowledge receipt of this submission

Dr Gil Stokes

Westbury, TAS 7303

Ph:

To: The General Manager. Meander Valley Council

- What is the REAL reason that this Council is so determined to sacrifice Westbury to become a Prison Town??
- The Process has been flawed from the very beginning when the announcement was made on the 7.00pm television news almost two years ago.
- The Marnies Hill Nature Reserve was not selected from Expressions of Interest and is not even legal or valid. Nor is it Flat as Elise Archer stated was a requirement when asked why the Rochesterlea site was not selected at the last Public Meeting. Marnies Hill is far from Flat!
- Who is going to run a Prison? Will it be a Privately run Prison because the Gutwein, Archer team are clearly not capable?
- Where is the water going to come from?
- Where is the sewerage going to go to?
- No in depth studies have been conducted on the long term social, economic + tourist impacts on our community. A Marketing Survey is NOT a Study.
- A monument to Justice cannot be built on a foundation of Corruption, lies and Secrecy.

Scott-Smith

Please forward notice of acknowledgement to: -

Mrs S. Scott-Smith

Westbury, TAS, 7303.

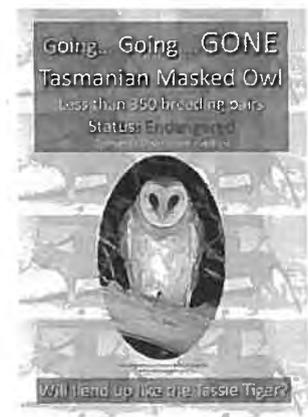
Ref. 504-05-040			
RCVE	-4 AUG 2021	MVC	
Water Officer	ML	Dept	G
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Sean Manners

Westbury, Tas, 7303

On behalf of the Flora and Fauna that lives
on Brushy Rivulet Forest Reserve



To whom it may concern.

As the flora and fauna that make their homes on the Brushy Rivulet Forest Reserve are unable to speak at this public meeting I will try and do so on their behalf.

There are many species of mammals, birds, marsupials, invertebrates, frogs, plants and fungi that make the reserve their home. Some, such as the Masked Owl, Wedge tailed Eagle, Tasmanian Devil, and Green and Gold Frog are listed as endangered or vulnerable under the Threatened Species Act.

More are endemic to Tasmania. That means that they do NOT exist any where else in the world. Some are not threatened at the moment but could be if this Northern Region Prison proposal goes ahead.

Masked Owls need hollows in trees that are many, many years old. We are already seeing destruction of these habitats due to illegal woodhooking. How much more will be ravaged if the prison goes ahead?

Light pollution plays havoc with many species. Twenty four hours a day with security lights will cause decimation of many.

Flora and fauna do not just find somewhere else to live. The ecosystem is a delicate balance. NRP will totally upset that balance.

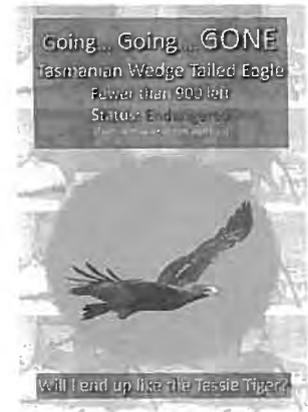
Loss of habitat due to humans wanton destruction around the world is massive. Why would we as Tasmanians want to add to that?

Brushy Rivulet Forest Reserve is exactly what the title says. It is not the fault of the inhabitants that State Government were too uncaring to not declare it a formal reserve and forever protect us!

Other issues:

The list is long.

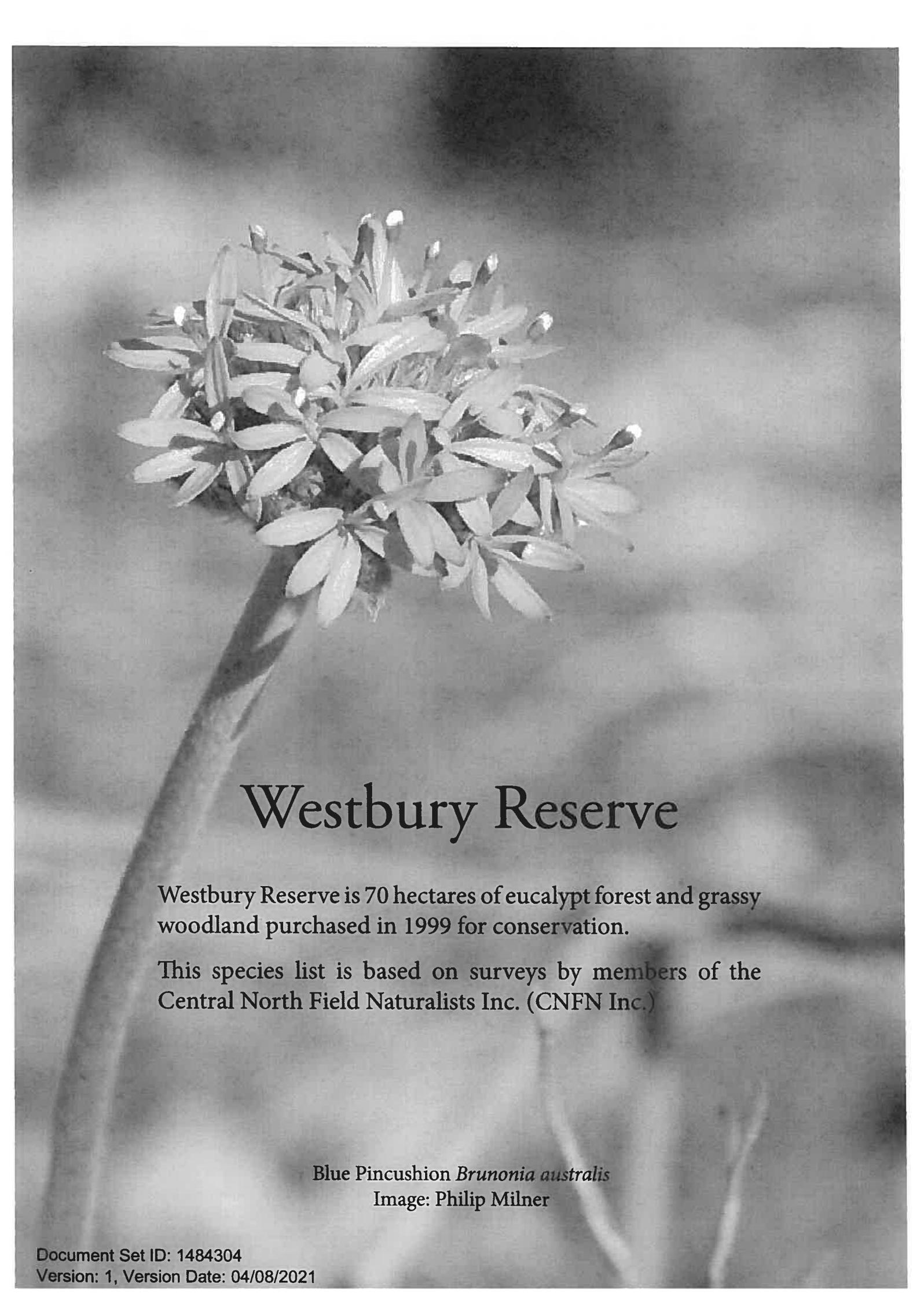
- Meander Valley Council should not hide behind the mantra "it is a State Government project". The Council, if it was sensible and logical, would have held at least one public meeting as early as possible to ascertain community feeling. Not rely on the torrent of letters, calls and emails. What about the quieter residents? It should not have taken a community group to get the numbers to FORCE a public meeting. I think the MVC is totally out of touch with the community it is supposed to serve.,



- Emissions. How much co2 is going to be emitted with the building of this monstrosity? How much stored carbon is going to be lost with the destruction of the habitat on the Reserve?
- Services. 5kms to run water, sewage, communications and power. How is it going to cross the river? How much money is it going to cost to run those services?
- Can the Westbury sewage treatment works cope with an extra 250+ toilets? all coming down one pipe!
- Has MVC done modelling to see how the building of the prison will fit into their strategic plan?
- Does the MVC receive rates from NRP if it goes ahead. If so how much in the dollar?

I am very aware that some of these concerns can not be addressed by Council. Consistently since the announcement of the prison MVC has hidden behind the skirts of State Government, flicked the problem on to others and has made it abundantly clear that it is not interested one iota in the concerns of the community, one way or the other. Perhaps it needs to reflect that MVC is employed by the residents and ratepayers of the area.

Sean Manners



Westbury Reserve

Westbury Reserve is 70 hectares of eucalypt forest and grassy woodland purchased in 1999 for conservation.

This species list is based on surveys by members of the Central North Field Naturalists Inc. (CNFN Inc.)

Blue Pincushion *Brunonia australis*
Image: Philip Milner

CANOPY TREES

E Black Peppermint	<i>Eucalyptus amygdalina</i>
White Gum	<i>Eucalyptus viminalis</i>
Black or Swamp Gum	<i>Eucalyptus ovata</i>

UNDERSTOREY TREES/ TALL SHRUBS

Silver Wattle	<i>Acacia dealbata</i>
Blackwood	<i>Acacia melanoxylon</i>
Prickly Moses	<i>Acacia verticillata</i>
Black Sheoak	<i>Allocasuarina littoralis</i>
Silver Banksia	<i>Banksia marginata</i>
Pinkwood	<i>Beyeria viscosa</i>
Prickly Box	<i>Bursaria spinosa</i>
Native Cherry	<i>Exocarpus cupressiformis</i>
Cheesewood	<i>Pittosporum bicolor</i>
Dogwood	<i>Pomaderris apetala</i>

MEDIUM SHRUBS

Dollybush	<i>Cassinia aculeata</i>
Native Currant	<i>Coprosma quadrifida</i>
Tree Violet	<i>Melycitus dentatus</i>
Trident Bush	<i>Micrantheum hexandrum</i>
Forest Daisybush	<i>Olearia lirata</i>
Dusty Daisybush	<i>Olearia phlogopappa</i>
Native Pepper	<i>Tasmannia lanceolata</i>

SMALL SHRUBS

Ant's Delight	<i>Acrotriche serrulata</i>
Creeping Bossia	<i>Bossiaea prostrata</i>
Common Heath	<i>Epacris impressa</i>
Thyme Guineaflower	<i>Hibbertia serpyllifolia?</i>
Common Hovea	<i>Hovea heterophylla</i>
Guitarplant	<i>Lomatia tinctoria</i>
Dwarf Riceflower	<i>Pimelea humilis</i>

CLIMBERS

Green Appleberry	<i>Billardiera mutabilis</i>
Southern Clematis	<i>Clematis aristata</i>
Blue Love Creeper	<i>Comesperma volubile</i>
Twining Fringelily	<i>Thysanotus patersonii</i>

HERBS & HERB-LIKE PLANTS

Sheepsburr	<i>Acaena echinata</i>
Buzzy	<i>Acaena novae-zelandiae</i>
A Woodruff	<i>Asperula</i> sp.
Native Cranberry	<i>Astroloma humifusa</i>
Blue Pincushion	<i>Brunonia australis</i> (r)
Houndstongue	<i>Cynoglossum australe</i>
Kidneyweed	<i>Dichondra repens</i>
Pale sundew	<i>Drosera peltata</i>
Tangled Bedstraw	<i>Galium australe</i>
Trailing Nativeprimrose	<i>Goodenia lanata</i>
Mountain Cranesbill	<i>Geranium potentilloides</i>
Hairy Pennywort	<i>Hydrocotyle hirta</i>
Bluebottle Daisy	<i>Lagenophora stipitata</i>
Grassland Woodsorrel	<i>Oxalis perennans</i>
A Plantain	<i>Plantago</i> sp.
Small Poranthera	<i>Poranthera microphylla</i>
Woodland Buttecup	<i>Ranunculus lappaceus</i>
Hairy Speedwell	<i>Veronica calycina</i>
Ivy-leafed Violet	<i>Viola hederacea</i>
Bluebell	<i>Wahlenbergia</i> sp.

GRASSES & GRAMINOIDS

Chocolate Lily	<i>Arthropodium strictum</i>
A Wallaby Grass	<i>Austrodanthonia</i> sp.
Tasman Flaxlily	<i>Dianella tasmanica</i>
White Flag Iris	<i>Diplarrena morea</i>
Weeping Grass	<i>Ehrharta stipoides</i>
A Rush	<i>Juncus</i> sp.
Tall Swordsedge	<i>Lepidosperma elatius</i>
A Swordsedge fine leaf	<i>Lepidosperma</i> sp.
Matrush	<i>Lomandra longifolia</i>
Silver Tussockgrass	<i>Poa labillardierii</i>
E Soft Tussockgrass	<i>Poa mollis</i> ? (r)
Velvet Tussock grass	<i>Poa rodwayi</i>
Kangaroo Grass	<i>Themeda triandra</i>

ORCHIDS

Mayfly Orchid	<i>Acianthus caudatus</i>
Mosquito Orchid	<i>Acianthus pusillus</i>
A Finger Orchid	<i>Caladenia</i> sp.
E Bird Orchid	<i>Chiloglottis triceratops</i>
Slaty Helmet Orchid	<i>Corybas incurvus</i>
Gnat Orchid	<i>Cyrtostylis reniformis</i>
An Onion Orchid	<i>Microtis</i> sp.
A Leek Orchid	<i>Prasophyllum</i> sp.
Nodding Greenhood	<i>Pterostylis nutans</i>
Maroonhood	<i>Pterostylis pedunculata</i>
A Sun Orchid	<i>Thelymitra</i> sp.

FERNS

Maidenhair	<i>Adiantum aethiopicum</i>
Bracken	<i>Pteridium esculentum</i>

ENVIRONMENTAL WEEDS

Spanish Heath	<i>Erica lusitanica</i> (i)
Blackberry	<i>Rubus fruticosus</i> (i)
Gorse	<i>Ulex europaeus</i> (i)

FUNGI INCLUDING LICHENS

<i>Trametes versicolor</i>
<i>Cladia</i> sp.
<i>Cladina confusa</i>
<i>Menegazzia</i> sp.
<i>Usnea</i> sp.

SLIME MOULDS

<i>Trichia botrytis</i>



BIRDS

Australian Shelduck
Brown Goshawk
ES Grey Goshawk (e)
ES Wedge-tailed Eagle (e, EN)
ES Masked Owl (e, VU)
Common Bronzewing
Brush Bronzewing
Yellow-tailed Black-Cockatoo
Sulphur-crested Cockatoo
E Green Rosella
Blue-winged Parrot
Shining Bronze-cuckoo
Pallid Cuckoo
Fan-tailed Cuckoo
Laughing Kookaburra (i)
Superb Fairy-wren
Striated Pardalote
Spotted Pardalote
E Tasmanian Scrubwren
Brown Thornbill
Yellow-rumped Thornbill
E Yellow Wattlebird
E Strong-billed Honeyeater
E Black-headed Honeyeater
Eastern Spinebill
E Dusky Robin
Scarlet Robin
Golden Whistler
Grey Shrike-thrush
Satin Flycatcher
Grey Fantail
Black-faced Cuckoo-shrike
Dusky Woodswallow
Grey Currawong
Forest Raven
Silvereye
Common Blackbird (i)
Common Starling (i)

MARSUPIALS

Bennett's Wallaby
Pademelon
Brush-tail Possum
Ringtail Possum

MAMMALS

European Hare (i)
Fallow deer (i)

INVERTEBRATES

Moth *Capusa cuculoides*
Grasshopper
Collembola (tiny white)
Canary worm *Fletchermania sugdeni*
snail *Oxychilus cellarius* (i)

FROGS

Growling grass frog *Litoria raniformis* (VU)

r = rare; e = endangered TSPA 1995

EN = endangered

VU = vulnerable EPBC Act 1999

E before the name = endemic (found only in Tasmania)

ES = endemic subspecies

i = introduced

? = to be confirmed



Compiled by Sarah Lloyd OAM
206 Denmans Road, Birralee.
September 2020

From: "Sean Manners"
Sent: Tue, 10 Aug 2021 12:00:19 +1000
To: "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Subject: Att: general Manager: Submission to public meeting NRP

Submission:

This public meeting about the Northern Regional Prison has been forced upon MVC because, from the outside, it seemed that Council thought it was totally removed from the community which it is supposed to serve. How does council ensure that something like this does not happen again?

- Positive things MVC could do in the future
 - Learn to listen to the concerns of residents in a non judgemental way. Consultation with community which was/is lacking from State Government could have been carried out by Council and then communicated to State.
 - Understand that even though decisions are being taken by State Government that are nothing to do with MVC, residents are looking to the nearest level of Government for answers (that is MVC). Flicking them off does not help.
 - Find ways to enable residents to have their say in a pro-active manner instead of being forced into a corner
 - Move past the inherent culture of "passing the buck" on almost anything, both by Councillors and Council staff
 - Stop being so self defensive in communications. Perhaps look at things through a lens that is outside of Council and council culture.
 - Have much more interaction with the community, both by Council and Councillors

I understand very well that MVC is probably only as informed as the general population of Meander Valley. The MVC meme is "working together" Why not make that true instead of fostering the widening gap in the community between those who are "pro prison" and those who are against the prison. Between those two there would be a lot of people in between.

Sean Manners

From: Amanda Manners <
Sent: Tuesday, 27 July 2021 12:13 PM
To: Meander Valley Council Email
Subject: Att. General Manager Proposed prison for Westbury Submission

Dear Mr Jordan,

I am writing to you to bring attention to the following concerns in regards to the proposed prison in Westbury.

Firstly the complete lack of consultation with the residents of Westbury. It has taken numerous attempts to get a public meeting with council. WHY?

The proposed site is actually a designated native reserve and home to threatened flora and fauna. WHY?

Transport to and from the proposed site for the workers and staff. This is a rural road with limited passing places, limited visibility and tight corners. Not a road designed for the increase in traffic movements. This road is also used by heavy vehicles such as log trucks. It has also been the site of many accidents, some involving loss of human life, not to mention numerous wildlife.

Please reconsider the proposed prison site in Westbury

Yours sincerely
Amanda Manners.



Chudleigh
Tasmania 7304

Monday, August 2, 2021
Meander Valley Council
Attention General Manager
PO Box 102, Westbury TAS 7303
By Email: mail@mvc.tas.gov.au



**The Northern Regional Prison Proposed for Marney's Hill Reserve at
Brushy Rivulet on Birralelee Road, Westbury**

**A submission by John Hawkins to be tabled at the Meander Valley Council Public Meeting
11 August 2021**

- **The job of the Meander Valley Council is to represent the interests of those who pay their wages through their rates.**
- **The job of the Meander Valley Councilors is to protect those that elect them from unsuitable developments.**
- **Currently the Council appears to be acting over proposed prison as the complicit agent for a misguided Liberal Tasmanian State Government.**
- **According to the Examiner on 1 August 2021: 1600 homeless people are sleeping rough this winter in Tasmania every night.**
- **The payment of a million dollars per prisoner to house 270 high security criminals rather than using the money to solve the long-term problem of 1600 homeless Tasmanians suggests that this government is unfit to govern.**

The First Northern Regional Prison Site Proposal for Tasmania.

On 11th August 2009, the Meander Valley Council and Glen Avon Farms Pty Ltd, the owners of the first proposed prison site, signed a deed of agreement, that created a new industrial area at Westbury on the Birralelee Road.

Under the Deed, the Meander Valley Council would fund and perform preliminary infrastructure works to the industrial precinct over land then owned by three different entities, one of which was Glen Avon Farms. These works were defined as “spine works”

The spine works were the necessary precursor to the development of the industrial precinct into smaller industrial sublots, this was the Council’s vision for the area as set out in its Outline Development Plan in the then Meander Valley Planning Scheme 1995.

The Deed, as it relates to Glen Avon Farms and the Council, ensures that the infrastructure works were “*provided to the land and paid for*” by The Meander Valley Council who undertook the spine works during 2010/2011.

The end vision was that smaller industrial sublots facilitated by the spine works would be sold by Glen Avon Farms and other participating landowners to small industrial businesses over the following decade. The intent was that ‘sublots’ would be steadily taken up by industry and a thriving industrial precinct would gradually be created.

Glen Avon Farms and the other participating landowners are required to repay the Meander Valley Council for the cost of the infrastructure works performed by the Council on their respective parcels of land.

It is understood that Glen Avon’s financial contribution to the infrastructure works performed by the Meander Valley Council was calculated to be approximately \$600,000. This debt sits as a ‘charge’ on Glen Avon’s land in much the same way as a mortgage.

It should be considered that the Council is effectively a mortgagee over the land owned by Glen Avon Farms. They have a vested interest in the land and cannot claim to be at arm’s length from the proposed prison. The purchase of the land by the State would neatly solve a possible pending financial problem for the Council and this I suggest was the reason for the siting of the proposed prison at Westbury.

Over the past decade Glen Avon Farms has attempted to sell sublots on its land. Only one has sold. The debt under the Deed becomes immediately due and payable on 31 January 2022. Interest is payable on any outstanding amount and is calculated at 10% per annum, on a compounding basis. The clock is ticking!

The Council’s vision for the small subplot industrial precinct at Birralelee Road has failed to materialise regarding the land owned by Glen Avon Farms. This debt is now a potential financial millstone around the neck of Glen Avon Farms.

The development is also becoming a millstone for the Meander Valley Council and a possible noose around the neck of the Hon. Mark Shelton MHA who signed the deed with Glen Avon Farms on behalf of the Meander Valley Council in August 2009 while he was Mayor.

After the announcement on 1 October 2019 of the first Northern Prison proposal by Minister Archer, as Attorney-General and Minister for Corrections, an immediate public meeting was called and held in Westbury to address local concerns over this project. Some three hundred very cranky people attended. Mark Shelton MHA, a promoter and defender of the first Northern Prison proposal at Westbury, spoke on behalf of the Liberal Party.

Shelton failed to allude to, or even disclose his connections with the Deed he had signed as Meander Valley Mayor ten years earlier. I strongly suggest that this Deed links Shelton with Glen Avon Farms and the debt of \$600,000 and accordingly consider the man to have colluded with the dominant but invisible Liberal voting block within Council.

Was this murky business arrangement being secretly unscrambled to dump a prison on the peaceful, historic, rural township of Westbury?

When the State Government was “looking” for a site for its Northern Regional Prison in 2017, the former Mayor Shelton was clearly aware of land in the Westbury industrial precinct owned by Glen Avon Farms.

Former Mayor Shelton also knows of the almost complete lack of precinct sales, the size of the debt and that time was running out. By using a targeted “Expression of Interest” the Government and Shelton are in a position to sort out this approaching problem between the Council and Glen Avon Farms by ensuring that a Northern Regional Prison located illogically in Westbury would unscramble this debt and hit the bullseye fair and square for Glen Avon Farms.

At \$35,000 per hectare for a prison site in Westbury this creates a high stakes target, promoted by the local Liberal member such a proposal involves a large sum of money. Now Speaker the former Mayor Mark Shelton by his actions in not proclaiming a past association with this site at the Westbury prison meeting may be seen as having a lot to hide.

Shelton’s past involvement may yet prove to be the reason that the village of Westbury and its environs is still the slated as the proposed site, under a second Liberal Government proposal for a Northern Regional Prison.

Mr Shelton and his Dorothy Dixier

Reference is made to the Dorothy Dixier asked by Mr Shelton in the Tasmanian Parliament over a year before the location of the prison at Westbury was announced:

Hansard 20 Sept. 2018.

Corrections - Prison Capacity and Proposed Facility

Mr SHELTON question to MINISTER for CORRECTIONS, Ms ARCHER

[10.51 a.m.]

Could the minister please update the House on the Hodgman Liberal Government's progress on delivering our plan to increase prison capacities and keep Tasmanians safe?

ANSWER

Madam Speaker, I thank the member for Lyons, Mr Shelton, for his question and his keen interest in this matter, particularly being a northern member in this House.

I am pleased to inform the House that expressions of interest have now opened for landowners in northern Tasmania interested in submitting their site for consideration as a location for a new prison. This Government has today sent invitations for participation in the process, targeted to northern Tasmanian councils, utility companies, the property sector and economic development groups alike. The Department of Justice will also continue canvassing potential crown land options and work with relevant state and federal government agencies to identify any suitable sites that are surplus to core government requirements. The department will also conduct a range of community engagement activities, including information sessions, with the expressions of interest remaining open for nine weeks and closing on 22 November this year.

This is a significant step towards delivering on our plan to increase prison capacity and keep Tasmanians safe. This Government is investing in the modern prison infrastructure our state needs to ensure serious and dangerous criminals are securely behind bars and we are committed to building a new prison in northern Tasmania at an estimated cost of \$270 million to house approximately 270 prisoners. The prison will be built in two stages, with construction expected to commence in the 2019-20 financial year on the first stage, providing for up to 140 beds following an extensive planning and design phase. Not only will this project deliver on our commitment to boost prison capacity but it is expected to create thousands of jobs which will further stimulate the growing northern economy.

This year's state budget included not only \$45 million of a \$150 million project for stage one of the new northern prison, but also a massive \$70 million investment in a new southern remand facility on the Risdon Prison Complex site. These two new major projects are expected to create more than 4000 direct and indirect jobs during construction and depending on the access and shape of the northern site, the land size required will be approximately 20 hectares.

My Question: What is the extent of Mr Shelton's keen interest in this matter a year before the proposed prison site was announced?

Conclusion over determination of the First Prison site

The Tasmanian Integrity Commission must be asked to fully investigate the actions of the State Government, the Meander Valley Council, and the former Mayor, now the Speaker Mr Shelton regarding any undeclared involvement prior to the announcement of Westbury as the proposed site for a The Northern Regional Prison. In particular, the actions of former Mayor Shelton and his connections with Glen Avon Farms and the outstanding debt to Meander Valley Council.

This connection was not mentioned by Mr Shelton when he addressed the first Westbury public meeting held to discuss this matter of a proposed Westbury Prison.

Further the inquiry should investigate all aspects over the targeting of the Expression of Interest Process which involved a small agricultural community being saddled with a prison without consultation.

I request that a submission including these terms should be put to the Integrity Commission on behalf of the petitioners facilitated by the General Manager of the Meander Valley Council at the meeting on 11 August 2021.

The Second Prison Site Proposal

The Liberal State Government, for reasons best known to themselves but possibly related to corruption over due process chose a new Northern Regional Prison site, this time in a Public Reserve at Westbury, held in trust for the people by both the State and Federal Governments for protection as a

part of Australia's National Reserve System. Australia has a National Reserve System that seeks to meet its International Biological Diversity obligations towards nature.

This caused The Tasmanian Land Conservancy to issue the following statement:

"The Tasmanian Land Conservancy (TLC) is a not-for-profit, apolitical, registered environmental organisation that owns and manages land of high conservation significance (tasland.org.au). Established in 2001, the TLC is now one of the largest private landholders in Tasmania with conservation reserves extending over 30,000 ha. TLC reserves are protected by a conservation covenant on title under the Nature Conservation Act 2002. The TLC works both on our own reserve network and with private landholders to achieve conservation. The Revolving Fund program, delivered by the TLC, enables the organisation to identify and acquire land with conservation significance, secure a conservation protection on the title through a covenant, and sell the land to a conservation-minded buyer.

In 1999/2000, land (PID 7031141) on Birralee Road, Westbury was purchased by the State Government through Federal Government funded Private Forest Reserve Program for the purpose of conservation.

In February 2011, in discussions with the State Government (Department of Primary Industries, Parks, Water and the Environment) offered the property to the Tasmanian Land Conservancy to sell (with a covenant on title) through the TLC's Revolving Fund program with the proceeds to remain in the fund to support future conservation purchases.

In May 2015, the TLC completed the proposal for a conservation covenant under the Nature Conservation Act 2002 (Brushy Rivulet - Westbury CONSERVATION COVENANT PROPOSAL) as part of the process. The proposal outlined the various natural values of the property and identified the suitable habitat for a range of rare and threatened species. Since then, the TLC has been awaiting finalisation of the process through the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) which administers conservation covenants under the Nature Conservation Act 2002.

On 18 June 2020, the TLC was verbally informed by DPIPWE that the transfer of the property to the TLC would no longer transpire, as the property was selected as the site of the northern prison. The TLC was not informed of this decision until after the Tasmanian Government media release was made public, notifying the community of the government's decision.

This was a government decision to build a prison on a Nature Reserve.

The TLC is yet to receive any formal correspondence from DPIPWE or the Department of Justice in relation to the matter. The TLC has requested copies of relevant documents including the executed deed of transfer which the TLC has not received. Through the RTI release (019) the TLC now has a copy of the executed deed of transfer. We have sought legal advice in relation to the deed, which indicates the Minister has no obligation under the deed to transfer the land to the TLC.

As outlined in the Brushy Rivulet - Westbury CONSERVATION COVENANT PROPOSAL the (70 Ha) property has numerous natural values, including suitable habitat for a range of rare and threatened species. The TLC is supportive of the property's conservation (as originally intended) through the Revolving Fund mechanism.

The TLC believes the property (PID 7031141) on Birralea Road, Westbury should be conserved as originally intended through the Private Forest Reserve Program, contributing to the National Reserve System.”

The Tasmanian Land Conservancy is a partner with the State Government Department, DPIPWE, so its criticism of this proposed development is even more potent when it is so reliant on State and Federal funding. Biting the hand that feeds you springs to mind!

My Question: I request that the Minister administering the Nature Conservation Act should be asked to answer the questions raised in this letter/statement in writing, further this poses the question: What possessed the Minister for Corrections to buy into such a controversial site?

A Lack of Probity

To illustrate the lack of probity over process I ask The Minister, and Attorney General, Ms. Archer to answer the following questions either in person if present or in writing if not regarding her press release announcing the new Birralea Road site of the 19 June 2021.

This press release is interspersed with my observations and questions. The Ministerial press release is in quotes italicized and indented and poses and provides for a number of important questions.

Elise Archer, Attorney-General and Minister for Corrections Press release

“The Tasmanian Liberal Government is committed to delivering on its election commitment to build a \$270 million Northern Regional Prison to address the challenges facing the State’s correctional system.”

Minister Archer’s lack of command over her portfolio can be seen in the lacerating Report of the Auditor General on the Tasmanian Prison Service, No.3 of 2019-202. Some extracts from this report are reproduced below:

Meeting inmate demand can be challenging because it is influenced by policy and sentencing decisions beyond the control of prison services. The safe and efficient operation of prison services can also be impeded by operational limitations, such as shortages in the number of required Correctional Officers (COs) and difficulties in recruiting them. Our conclusion is Tasmanian Prison Service (TPS) has not been running an efficient service

TPS does not have a strong approach to modelling of future inmate numbers and associated staffing to ensure it has sufficient resources to run its prisons safely and securely.

This has led to TPS struggling to cope with changes in Tasmanian Government (Government) policy and sentencing...

In short, TPS did not have enough COs to effectively and efficiently run the prison service...

Workforce planning has not been fully developed, while improvements in the rostering of COs are needed to ensure the right staffing levels are achieved across the prison service. TPS has acted to fill the resourcing gaps by predominantly using staff overtime. While this mitigation

¹ <https://elisearcher.com.au/new-site-for-the-northern-regional-prison/>

² <https://www.audit.tas.gov.au/wp-content/uploads/Full-Report-Tasmania-Prison-Service-use-of-resources.pdf>

has been essential to ensure the service can operate, it has had adverse consequences. Firstly, on the cost of running the service, as overtime rates are expensive. Secondly, this has put a strain on existing staff resulting in sickness absences, both short and long term... This resulted in the increased frequency and duration of prison lockdowns, requiring inmates to remain in their cells for longer periods of time. Without these enforced measures inmates and prison staff safety and security would be at risk. There are also challenges in attracting the right number and calibre of staff to the service...”

My Question: Please will the Minister address the subject of the Legislation introduced by her government, and noted by the Auditor General that has created the need for a new prison?

“This vital project will support more than 1000 jobs and deliver an economic boost of \$500 million to the region according to the recently completed and independently conducted Social and Economic Impacts Study.”

My Question: Please will the Minister comment on why the Victoria the Minister for Corrections Natalie Hutchins announced in October 2020 that: the building of the Geelong prison would also provide more than 1,000 jobs, during construction with \$279 million in economic benefit to the Geelong region by expanding the new maximum-security prison from 700 beds to 1248 beds. Minister Archer’s figures for Westbury are 270 beds. This shows that Minister Archer’s prison has half the number of beds and nearly twice the economic benefit. I ask the Minister for Corrections: Which Minister is lying?

“The Government has listened carefully to the Westbury community and local businesses during an extensive community consultation process for the preferred Northern Regional Prison site.”

My Questions: Would Minister Archer comment on the following:

1. Does the Minister agree that both of the proposed Northern Prison sites were announced without warning, and by decree?
2. Does the Minister agree that there was absolutely no community consultation over the initial proposed placement of the prison at Westbury which established this village as the preferred site, other than with the Meander Valley Council?
3. Has the Minister aided and abetted the Meander Valley Council in their efforts to block all forms of community consultation?
4. Has the Minister involved the Meander Valley Council in making the holding of this meeting as difficult as possible, it requiring two petitions to finally back them into the corner?
5. Does the Minister agree that the Meander Valley Council is right to remove all its Council advertising from the Meander Valley Gazette because of The Gazette’s refusal follow the Meander Valley Council directives?
6. Does the Minister agree with the writs issued against the journalist Sharon Webb by Meander Valley Council in an effort to stifle her right as a journalist to freedom of speech?
7. Did the Minister concur with the bogus restriction on the numbers allowed to attend the public meeting on 11 August as decreed by Meander Valley Council?

“It is clear there are some that support the benefits the new prison brings to the region while others are not in support of the site.

A clear theme reiterated by community members however, was that building the prison at a site further away from the township of Westbury would be preferable.”

"Many indicated that they would prefer a different location, further away from the Westbury town centre. In addition, some businesses in the Valley Central Industrial Precinct had some concerns with the location."

"A suggestion from numerous meetings with businesses and community members revealed that many would prefer a site further away from the town centre."

"After careful consideration and taking on board the feedback, a new site has now been identified for the Northern Regional Prison."

"This new site is a Crown land site at Brushy Rivulet on Birralee Road 5.2 kilometres from the Westbury town centre."

My Question: Why was the history and reserve status of this land and its inclusion in the National Reserve System omitted from the Ministers press release? Does the Minister agree: It is not just Crown land: In 1999/2000, land (PID 7031141) on Birralee Road, Westbury was purchased by the State Government through Federal Government funded Private Forest Reserve Program for the purpose of nature conservation? This irrefutably suggests that the press release is deceitful in its intention, deceiving both the Tasmanian people and the parliament.

"To be clear, the Government will not be pursuing the previous preferred site."

My Question: Does this confirm that the first proposed site for a Northern Regional Prison was compromised and may have been found to be corrupt?

"Preliminary analysis of this Crown land site has been undertaken while further, more detailed work on-site will now progress."

"I thank the residents of the Westbury and broader Meander Valley community for their valuable feedback and participation in the extensive consultation process."

"We will now undertake further due diligence of this new site over the coming weeks, as well as talking to local landholders and engaging the local community."

"At a time when the State needs jobs more than ever before, we are committed to delivering the Northern Regional Prison in an effective and timely manner." **Elise Archer, Attorney-General and Minister for Corrections**

Conclusion

The Corrections Minister has failed to comprehend the problem created by a Liberal Party decision to place The Northern Regional High Security Prison at Westbury. Self-serving Liberal Party acolytes, such as Shelton, Cameron, Bower, Kelly and Johnson, working within the Meander Valley Council have actively promoted a cause that may advance their political position.

This has caused the poorly informed and advised Minister for Corrections, Ms. Elise Archer considerable embarrassment and distress.

This Minister in turn has proved incapable of administering her portfolio's as detailed in the recent damning report by the Auditor -General on the Tasmanian Prison Service. Her lack of command has been confirmed by the movement of The Northern Regional Prison from one possibly corruptly chosen site to a public Nature Reserve at Marney's Hill.

I ask that the meeting is given sufficient time to debate a motion requesting that the Integrity Commission be asked to fully investigate the actions of the State Government, the Meander Valley Council, and the former Mayor, now Speaker Mr Shelton regarding their undeclared involvement over the first Glen Avon Farm site for the proposed Westbury Northern Regional Prison and all aspects of the initial Expression of Interest Process which was clearly tainted.

I propose that meeting votes that the second site chosen again without community consultation by the State Government on Marney's Hill Reserve, Westbury should be quashed, and that the Meeting resolves to call upon the Meander Valley Council to support and facilitate this action without fear or favour.

John Hawkins

Andrew Charles Ricketts

REEDY MARSH 7304

Phone:

Email:

4th August 2021

The Mayor, Councillors and the General Manager.

Care of: John Jordan

General Manager

Meander Valley Council

Lyll Street

Westbury 7303

By email to: John.Jordan@mvc.tas.gov.au

CC: mail@mvc.tas.gov.au

**Submission Incorporating Proposals and Motions for Public Meeting 11th
August 2021 Regarding the Northern Regional Prison Proposal**

Dear Mr Jordan,

I write seeking to initiate the following motions to and address the public meeting on the 11th of August 2021, regarding the Northern Regional Prison proposal, the stated subject of the meeting.

I am a stakeholder in this process, especially because of the Tasmanian Government's current plan to destroy, for the stated purpose of establishing a Northern Regional Prison, a significant percentage of an informal conservation Reserve, within a natural area on the south side of Brushy Rivulet, known as Marneys Hill Reserve, on Birralee Road in Westbury, within the Meander Valley Municipality, which was paid for by The Commonwealth in 1999 so it could be added to and become a part of the National Reserve System and the Tasmanian Reserve Estate. Note: This CAR Reserve is a part of the National Reserve System.

I make this submission both as a Meander Valley ratepayer and the initiator and owner of two private conservation reserves, which also are a part of the National Reserve System and Tasmanian Reserve Estate.

The fact that the Tasmanian Government, at Westbury in the Northern Midlands Bioregion, is proposing to destroy a part of the National Reserve System, is totally unacceptable and offensive to me as a fellow reserve owner. I now have no confidence that the Tasmanian Government will honour its commitment to protect places, which have been reserved through the payment of Commonwealth funds (taxpayers' money). This is a disgraceful breach of trust.

I have written about and in opposition to this flawed proposal on several occasions and have provided that information to your GM's office at Meander Valley Council. That earlier information, is resent with this letter, is also a part of my submission. The enclosures are listed at the end of the letter.

Process and Meeting Procedural Issues

This meeting is for members of the public to air their genuine concerns and to establish whether motions and proposals have public support as well as to seek answers to questions, which may be of public interest concern.

I am concerned by the limitation on attendance for the public meeting. I perceive the inclusion of that fact may be a deliberate attempt to reduce meeting attendance. That would be unacceptable, given Tasmania has not had a COVID case for over 12 months.

If people are dissuaded from attending or are excluded, Council should find some other means for them to raise their concerns and for Council to consider and respond to them.

I urge Council to create a meeting agenda, which deals up front with community proposals and motions. Those are the mechanism by which the meeting will seek to influence Council. I therefore seek of Council that motions come close to the start of the meeting agenda and that those motions placed in writing in advance of the meeting are dealt with first, please.

I also urge Council to ensure that the agenda allocates a short period of time to introductions and that any speech by officials from either Council or the State Government be kept to an absolute minimum and is relegated to the end of the meeting.

I suggest that the motions, which are already on the table prior to the meeting have a time allowance for dealing with each motion, so as to ensure time does not run out without fully dealing with the central purpose of the meeting – motions dealing with any aspect of the Northern Regional Prison proposal.

It is also my view that the 2-hour time allowed for the meeting, given the broad subject of the meeting, may be insufficient. It is my view that should it become apparent on the night that the meeting not be able to consider all the proposals within the two hours currently allocated, that the Council would accept a motion to extend the meeting sufficiently to consider the remaining proposals.

I seek from Council that all submissions and proposals and or questions submitted to Council by the 5th August be posted promptly and clearly on the Council website prior to the meeting on the 11th August and left on for the whole of the period where this current site remains the proposal for the location of the Northern Prison.

Marneys Hill Reserve a part of the National Reserve System

In 1996 the Commonwealth, as a part of the RFA's Comprehensive Regional Assessment, correctly identified this public land area of Marney's Hill Reserve as being within an area of Key Fauna Habitat for Endangered Species, one of the National Estate values required to achieve a Comprehensive Adequate and Representative Reserve system. Marneys Hill Reserve is within the Northern Midland Bioregion, the most poorly reserved region in Tasmania.

Land Clearance is a nationally listed Key Threatening Process under the Commonwealth's Environment and Heritage (EPBC) Legislation. In order to develop this Marney's Hill Reserve site for a Northern Regional Prison, Land

Clearance would indisputably be an integral aspect of a destructive, unsustainable development process. This would be a key reason for being described as unsustainable.

The Commonwealth Government has rightly continued to ask the Tasmanian Government, for well over a decade, to formally reserve and gazette the Marney's Hill Reserve as a secure in-perpetuity reserve within the Tasmanian Reserve Estate. It has failed.

I propose that this meeting hereby seeks and calls upon the Tasmanian Government such that: The 70 ha Marney's Hill Reserve be formally gazetted as either a Nature Reserve or State Reserve by the Tasmanian Government and that a Statutory Management Plan be developed for the Reserve, which does not include any land clearance. **And instructs that:** The Meander Valley Council to write to both the Commonwealth Government and the Tasmanian Government to insist the whole of the 70 ha Marney's Hill Reserve be formally Gazetted, without any further delay, within 60 days of this meeting.

I propose the meeting recognises the Northern Prison proposal on Marney's Hill Reserve would: Destroy Threatened Species Habitat for a number of State and Commonwealth Listed Species on public land and diminish rather than maintain our Natural Heritage. And it would be against the Meander Valley Strategic Plan.

I propose that the meeting will resolve that: It would be improper, unwise, unacceptable and unsustainable for the Northern Regional Prison development to be sited on and within a conservation reserve such as the Marney's Hill Reserve, which is an important part of Meander Valley's Natural Heritage.

I propose the meeting resolves that: The Meander Valley Council introduces an Amendment to its Local Provisions Schedule to rezone the public, Marney's Hill Reserve as an area under The Environment Management Zone, consistent with other reserves across the Municipality.

I call upon the meeting to demand that: The Tasmanian Government and the Minister for Corrections agree to abandon the current proposed Northern Regional Prison site on the Marney's Hill Reserve.

Criteria for the Selection of a Site for a Northern Regional Prison

It remains manifestly inadequate that Council failed to consult with its own community prior to repeatedly lodging expressions of interest, for a Northern Regional Prison to be located within its own community. This sort of disgrace should never happen again.

I wish to make something clear: I am not opposed to a Northern Regional Prison. However, on two occasions now the Tasmanian Government has selected sites without proper advance community consultation and those two sites have both been in proximity to Westbury Township.

I argue that there now is a range of insurmountable problems which would beset any proposal for a Northern Regional Prison to be located in Westbury and that the community has not given social license to any of the proposals.

When planning new prisons, such as Tasmania's proposed Northern Regional Prison facility, the proposed location of the prison must be considered in light of the following matters in order to enable the functional and sustainable operation of the prison.

I propose that: The Meander Valley Council urges the Tasmanian Government and in particular Minister for Corrections, Hon Elise Archer, to develop a set of criteria before embarking on a new and more open and genuine process to consult with the community, seeking expressions of interest for a new site for a proposed Northern Regional Prison. **And further the detail of this proposal to the meeting is: That is the criteria for a Northern Regional Prison, referred to above, would include the following:**

1. **For a new site to be close to (within 15 minutes' drive) a staffed 24 hour operational police station.** (Clearly, such a regional prison would need to co-exist with other government bodies such as the courts, police and probation and depend upon the broader criminal justice system.)
2. **For a new site to be close to (within 15 minutes' drive) of a major regional hospital, with an emergency department.** (Additionally it is clear that such a prison would be reliant upon the availability of healthcare, education, and psychological services to provide care and rehabilitation activities.) I think it obvious these are most likely to be found in a major northern Tasmanian city such as Launceston.
3. **For a new site to be situated remote and genuinely distant from bushfire prone vegetation and therefore located only on previously cleared land with a buffer which exceeds the Vulnerable Use part of the Bushfire Hazard Code.** (Any prison has to exceed the conditions and intent of the Bushfire Code within the Tasmanian Planning Scheme, if it is to be durable under an obviously escalating climate warming situation.)
4. **For a new site to be situated in proximity to existing infrastructure and services, such as: Road, Power, Potable water and Effluent disposal into an existing sewerage facility.**
5. **For a new site to be accessible to 24 hour emergency services.**
6. **For a new site to not target an existing conservation reserve, be it in formally or formally reserved, on public or private land, anywhere in Tasmania.**
7. **For a new site to not require land clearance of existing native vegetation.**
8. **For a new site to not be situated within threatened species habitat.**
9. **For a new site to be situated in a place which is welcomed by the broader community.**
10. **For a new site to be situated in a place which is accessible to the public to allow family visits to prisoners.**

The community must have a reasonable opportunity to discuss and take a position about any proposed site intending to be located in proximity to either Westbury or Deloraine, or indeed any other site before a final decision is made. Further the process of community consultation needs to be genuine and transparent. It is my

view that the community of Westbury is now sensitised to the whole concept of a prison in their locality. This community currently does not have a prison nearby and obviously does not want one.

I therefore propose: That the meeting rejects the current Tasmanian Government public consultation over both the sites chosen to be at Westbury.

Whilst this meeting may allocate some time to discuss any alternate sites which may be suitable, it is vital that a process and set of criteria be developed in consultation with the community over the selection of potential new sites.

I personally consider that there is a substantial number of people who would continue to be opposed to a Northern Regional Prison, sited either in or near Westbury, or in or near Deloraine.

Meander Valley Council Community Strategic Plan

I finally wish to refer the meeting to the Council's Community Strategic Plan:

"Community Strategic Plan 2014 to 2024"

"Values"

"To guide our choices and behaviour in all that we do we will:

- ▣ Respect, listen and care for one another*
- ▣ Be trustworthy, honest and tolerant*
- ▣ Be positive and receptive to new ideas*
- ▣ Be innovative, creative and learn*
- ▣ Take a fair, balanced and long-term approach*
- ▣ Use sound business practices*
- ▣ Work together"*

"Our six future directions

- 1. A sustainable natural and built environment*
- 2. A thriving local economy*
- 3. Vibrant and engaged communities*
- 4. A healthy and safe community*
- 5. Innovative leadership and community governance*
- 6. Planned infrastructure services"*

"Strategic Outcomes"

<i>Code</i>	<i>Strategic Outcome</i>
<i>1.3</i>	<i>The natural, cultural and built heritage of Meander Valley is protected and maintained.</i>

<i>Code</i>	<i>Strategic Outcome</i>
1.4	<i>Meander Valley is environmentally sustainable.</i>
2.2	<i>Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.</i>
5.3	<i>Evidence based decision-making engages the community and is honest, open and transparent.</i>
6.1	<i>The future of Meander Valley infrastructure assets is assured through affordable planned maintenance and renewal strategies.</i>

I seek the meeting resolve: That this proposal for a Northern Regional Prison on the current Marney's Hill Reserve site by the Tasmanian Government does not meet Meander Valley Council's Community Strategic Plan 2014 to 2024 in a number of key respects and thus could not be claimed to achieve environmentally sustainable development because it would not meet a range of The Plan's Strategic Outcomes, especially Outcomes 1.3, 1.4 and 5.3.

Finally I hereby propose the meeting recognises: That it was deceitful of the Tasmanian Government and Minister Archer to pretend the Marney's Hill Reserve was merely Crown Land in June 2020 when it was announced to use this Reserve, as a site for a prison, in the circumstance where Marneys Hill Reserve is a part of the National Reserve System and The Tasmanian Reserve Estate, has indeed been so since 1999 and where the Commonwealth has been repeatedly seeking its formal reservation by Tasmania.

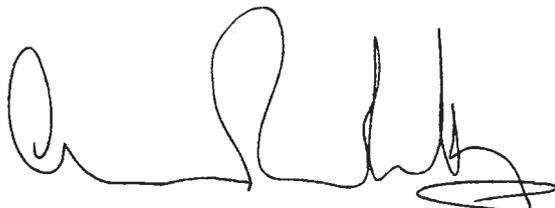
Conclusion

I also seek: That the meeting records the results of each vote in terms of numbers both for and those against this specific proposal from the Tasmanian Government and includes such numbers, including the total present at the meeting, in the minutes of the meeting.

Finally, I hope that in writing to The Council that Councillors will be encouraged to both attend the public meeting with an open mind and adopt the view that Council is there to serve and work together with the community.

I look forward to the meeting.

Yours sincerely,

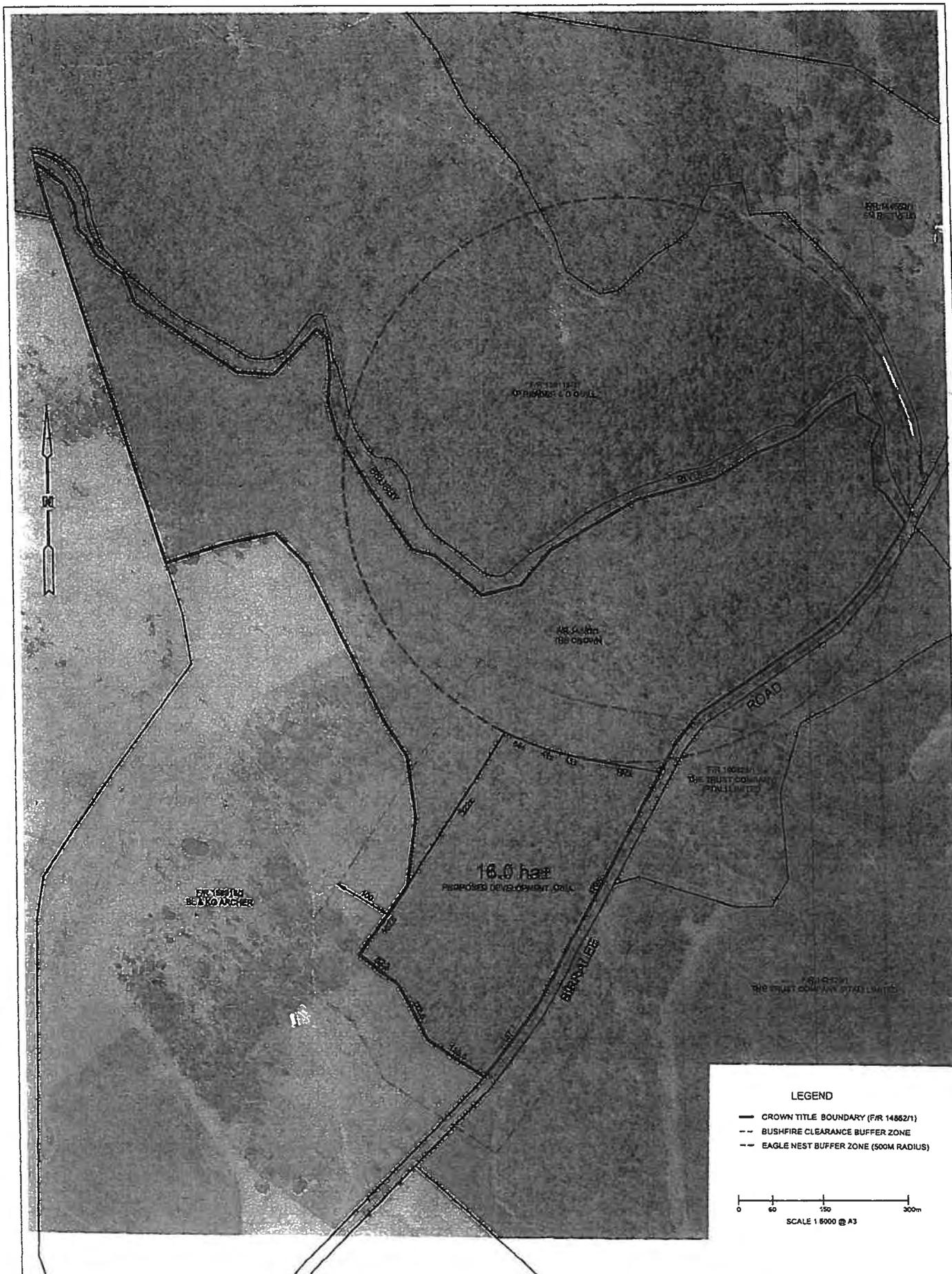


Andrew Ricketts

Enclosures

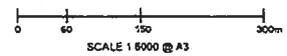
Document	File Name
	Letter to Minister Ley re Marneys Hill Reserve Eagles and Imminent Drilling FINAL11-10-2020.pdf
	Map prison location.pdf
	SCN 0116.pdf
	Letter to Minister Ley re EPBC Bill the NRS and a Northern Tas Prison FINAL 6-10-2020.pdf
	A C Ricketts Final letter to Att General and Min for Environment 3-9-2020.pdf
	Reply Andrew Rickett - Revised Site Proposal for the Northern Prison.PDF
	Map prison location.pdf
	ibra-underrep-capad-2018.pdf
	Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.pdf
	A C Ricketts letter to Premier of Tasmania 23-6-20.pdf

END



LEGEND

- CROWN TITLE BOUNDARY (F/R 14862/1)
- - - BUSHFIRE CLEARANCE BUFFER ZONE
- - - EAGLE NEST BUFFER ZONE (500M RADIUS)



<p>OFFICE OF THE SURVEYOR GENERAL LAND TASMANIA DEPARTMENT OF PRIMARY INDUSTRIES PARKS, WATER AND ENVIRONMENT 134 Macquarie Street, Hobart TAS. PO BOX 44 Hobart 7001 Ph: (03) 6165 4175 Fax: (03) 6223 8069 Email: msg@spj.gov.au Web: www.dpp.gov.au</p>	Ref.		Drawn: ALD Date: 11/06/2020		<p>IDENTIFICATION PLAN</p> <p>PROPOSED WESTBURY PRISON SITE AREA</p>	
	DATUM: H: MGA'94 Vert: AHD'83		SCALE: 1:6000 ORIGINAL SHEET SIZE: A3			
	0 11/06/2020 ALD MSG PRODUCTION		DATE OF SURVEY			SURVEYOR:
	NO	DATE	DRN	CHKD		DESCRIPTION

Andrew Charles Ricketts

REEDY MARSH 7304

TASMANIA

Phone: ·

Email:

5th October 2020

Environment Minister, Hon Sussan Ley,
Parliament House
Canberra 2600
By email: Sussan.Ley.MP@aph.gov.au

CC: Hon Senator Penny Wong: By Email: senator.wong@aph.gov.au

CC: Hon Ms Terri Megan Butler, By Email: Terri.Butler.MP@aph.gov.au

CC: Senator Katy Gallagher, By Email: senator.katy.gallagher@aph.gov.au

CC: Senator Hon Kristina Keneally, By Email: senator.keneally@aph.gov.au

CC: Senator Jacqui Lambie, By Email: senator.lambie@aph.gov.au

CC: Senator Sarah Hanson-Young, Email: senator.hanson-young@aph.gov.au

CC: Senator Larissa Waters, By Email: senator.waters@aph.gov.au

1. / **The Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020 – SEEKING OPPOSITION.**
- 2./ **REFERRAL FOR CONTROLLED ACTION UNDER EPBC LAW: The proposition of a Northern Tasmanian Prison proposed to be sited on a conservation reserve in the Northern Midlands (hotspot) Bioregion, and would require Land Clearance.**
3. / **THE RETENTION OF AN RFA INFORMAL RESERVE in the National Reserve System of Australia.**

Dear Minister Ley,

I write firstly in relation to the Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020, to strongly express my vehement opposition to this Commonwealth Bill.

This letter illustrates just some of the many problems of the proposed approach of this Bill, by providing a current case in point, regarding the current proposed Northern Tasmania Regional Prison site, selected in June 2020 by the Tasmanian

Department of Justice and the proposal to rezone the reserve (which is not correctly zoned in any case) and build this prison complex on a relatively small but nonetheless important conservation reserve, which was originally established with Commonwealth funds, in 1999, as a part of the Tasmanian Regional Forest Agreement (RFA).

The Westbury Reserve (as it is informally called locally) was established by way of purchase from a local private landowner with Commonwealth funds. For over 20 years the reserve, PID 7031141, has been considered to be a valid part of the National Reserve System of Australia for CAPAD reporting purposes.

The Westbury Reserve has significant natural values which are being either ignored, side-stepped or otherwise diminished by the State of Tasmania but nonetheless would currently require Commonwealth EPBC approval as a Controlled Action under EPBC Law.

Currently, the Commonwealth has the ability to conduct such assessments and pursue Controlled Actions for matters of National Environmental Significance. This independent Commonwealth assessment and decision-making is especially important, particularly where the proponent happens to be a State Government and highlights some of the many contentious problems of handing over such approvals and assessments to the States.

If changes to EPBC law, which have been proposed by you, as the Commonwealth Minister but under the 'Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020', this independent assessment would be destroyed and developments such as the Tasmanian Government's Northern Regional Prison, proposal and the concomitant removal of already reserved Threatened Species habitat, and the removal of the conservation reserve, intended to support Australia's international obligations, would simply conveniently be virtually inevitable.

The State Government it would seem, then almost inevitably gains approval instead of receiving independent Commonwealth oversight regarding matters of National Environmental Significance. This has no probity.

Already there is a strong perception that the State of Tasmania has a completely conflicted pro-development behaviour, which is likely to cause Australia's international obligations to protect biological diversity, to be sacrificed.

This Northern Prison proposal is an excellent example to show exactly the sort of conflicts of interest, which can so easily sacrifice the independent assessment of environmental conservation values of National Environmental Significance.

Tasmania has long had a poor performance over environmental matters. I regard this latest proposal, to place a prison facility on an NRS conservation reserve to be nothing more than unbridled thylacine killing.

I enclose some background documents over this matter, including two letters, which I have written to either the Tasmanian Premier Peter Gutwein or to the Tasmanian

Attorney General, Elise Archer and the Tasmanian Minister for Planning, Roger Jaensch. Please note, I have not received a reply to my second letter, but enclose Minister Archer's inadequate response to my first letter. These documents will provide useful background information to better understand the significance of the Westbury Reserve, some history and especially to highlight to you and your party and the other Senators, the reason for not giving governments, such as the Tasmanian Government, the sole officially authorised capacity to assess developments under EPBC law, as appears to be so inappropriately proposed by you, Minister Ley.

I am actually writing to you, as the owner and manager of two existing reserved conservation private properties, which are also a part of the NRS and which are located approximately 20 km to the north west of the Westbury Reserve. Indeed I have had an interest and interaction with DPIPW in the Westbury Reserve for almost 2 decades. I wish to make it very clear that, as an owner of two NRS Reserves myself, I am very unhappy that the State of Tasmania is attempting to undermine the National Reserve System.

The Westbury Reserve is a relatively small reserve of some 70 ha, but it provides important habitat for Quolls, Eagles, Owls, Parrots, Bandicoots, The Devil, all of which are on the Commonwealth's EPBC List of Threatened Species. These are more precisely listed in my enclosed second letter (to Archer and Jaensch).

During the Comprehensive Regional Assessment, in 1996 and 1997, the Commonwealth mapped the National Estate values across Tasmania and produced mapping of 'Indicative Areas of Key Fauna Habitat for Rare and Threatened Species', known as 'National Estate criterion B1'. This RFA map of Tasmania, shows areas which meet National Estate criterion B1. I draw your attention to the fact that the subject land, that is the Westbury Reserve, is within the area of Key Fauna Habitat for Rare and Threatened Species in Tasmania.

Removing such a reserve would be a breach of the Regional Forest Agreement.

The small size of the Westbury Reserve, which incidentally is situated within the Northern Midland's bioregion. This is the most poorly reserved bioregion in Tasmania. I would suggest that the avoidance of development (any development, let alone a whole prison complex), on this conservation reserve, should be the overriding priority for the Tasmanian Government, as well as the Commonwealth rather than to allow or devolve approval, for the conversion and destruction through land clearance of our public reserve, paid for under the Tasmanian RFA by the Commonwealth.

The whole of the proposition of this EPBC Bill, of removal of the Commonwealth's assessment under the EPBC's Referral of Controlled Actions process, has no probity.

This intended removal of an NRS Reserve is likely to be being progressed by Tasmania with the Commonwealth now. I would argue the Commonwealth should instead be refusing development proposal and insisting the Westbury Reserve be formally gazetted for the benefit of future generations.

Incidentally the Westbury Reserve was assessed in 2015, yet this assessment is seemingly also being ignored and has not been made public, leading me to claim that The Tasmanian Government has extraordinarily, already made up its mind prior to a completion of studies and a due diligence investigation.

Previous investigations however, including as recently as the DPIPWE Property Assessment Group's (PAG) assessment in 2015, decided that this land, PID 7031141, to be worthy of remaining in the National Reserve System of Australia.

"This property is still owned by the Crown who have sought approval of the covenant conditions before the property is transferred into the ownership of the DPIPWE Revolving fund (to be managed by TLC). The covenant will be established after the transfer is completed."

"PAG approved the proposal and agreed to a Priority 3 category."

This Priority 3 category means the recommendation was to retain the reserve. The Westbury Reserve still remains an informal reserve, because its final covenant or gazettal never eventuated under DPIPWE's management, even though in 2015 it was recommended to remain in the National Reserve System of Australia by a Tasmanian panel of Government Scientific Experts.

One of the important reasons for writing to you at this stage is to highlight to Commonwealth decision-makers and politicians, to alert them to the behaviour of the Tasmanian Government regarding its responsibilities over the Tasmanian component of the National Reserve System and the fact that the 'The Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020' would virtually guarantee the destruction of this nationally funded public conservation asset, which has important bio-diversity values.

The Westbury Reserve sits on a hill to the north of Westbury in Tasmania, adjoining the Brushy Rivulet, which itself is brimming with platypus. Next to the stream, on the opposite bank to the reserve is a magnificent Eagles nest, which needs a generous buffer, which would almost certainly be (and can be shown is intended to be) transgressed and compromised should the Commonwealth have the ability to remove itself from independent assessments of EPBC Controlled Actions.

This location of the The Northern Regional Prison is an unsustainable proposal, which has been entirely developed by the Tasmanian Government, and which would clearly diminish nature values of National Environmental Significance, also shows conclusively, Minister Ley, that the Liberal proposal to diminish Commonwealth involvement in matters of National Environmental Significance should be discarded forthwith immediately.

Currently the Westbury Reserve, now over 20 years old, is being targeted for development, rather than conserved and protected by the Tasmanian Government.

The Tasmanian Government has multiple uncontentious options for siting a new northern prison other than placing a prison on an RFA conservation reserve.

I would have a complete and utter, vehement opposition to any proposition that any Commonwealth funds which could be used to support a Northern Tasmanian Prison, which was going to be explicitly and inappropriately sited on a National Reserve System, Reserve (such as the Westbury Reserve), at Westbury or anywhere else in Tasmania.

I look forward to your support and your reply.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Ricketts', with a large, stylized initial 'A' and a horizontal line extending across the middle of the signature.

Andrew Ricketts

Private Reserve Owner of Bradys Creek and Echidna Creek, RFA Private Forest Reserves

Further CCs: EPBC Referrals epbc.referrals@environment.gov.au

And the National Reserve System nrs@environment.gov.au

Andrew Charles Ricketts

REEDY MARSH 7304
TASMANIA
Phone: _____
Email: _____

11th October 2020

The Hon Sussan Ley, Minister for the Environment,
Parliament House,
CANBERRA 2600
By email: Sussan.Ley.MP@aph.gov.au

NB: List of CCs at end of letter.

SEEKING AN URGENT REFERRAL FOR CONTROLLED ACTION UNDER EPBC LAW.

Regarding 'Geotechnical investigations on Northern Regional Prison Site'. And
Impacts on Endangered Tasmanian Wedge Tailed Eagles.

SEEKING ALSO, IF REQUIRED, A WRIT OF MANDAMUS

**RETENTION OF MARNEYS HILL AN INFORMAL RFA RESERVE within the National
Reserve System of Australia.**

Dear Minister Sussan Ley,

I write as a matter of considerable urgency and further to my letter of the 6th October 2020, regarding the current proposed Northern Tasmania Regional Prison, with a site unilaterally selected in June 2020 by the Tasmanian Department of Justice, including the yet to be commenced proposal to rezone the Marneys Hill Reserve land PID 7031141 - Certificate of Title Reference Volume 14862 Folio 1, intending to build a prison complex on this small 70 Ha, but nonetheless important conservation reserve, which was originally established with Commonwealth funds, in 1999, as a part of the Tasmanian Regional Forest Agreement (RFA) and which forms a part of the National Reserve System (NRS).

The reason for my writing to you so soon again and for urging extreme urgency of this latest referral is that last week, neighbours to the proposed prison received a letter from the Department of Justice (DoJ), enclosed notifying them about works which are proposed and imminent. This emailed letter states that 'Geotechnical investigations on Northern Regional Prison Site' are proposed to commence, imminently on the Monday the 12th October 2020, for a two week period. Later in the last week, one concerned resident contacted me and forwarded a copy of that DoJ letter.

The Geotechnical investigations would mean that drilling into hard rock is proposed and imminent to begin and it is this drilling and inevitable noise which would be

within the 1,000 metre line of sight provisions intended to protect the family of Eagles, which have a nest immediately adjacent to the reserve. The drilling proposed is tenuously claimed in the letter to be outside of the 500 metre zone but more importantly is within the line of sight zone and thus would pose a direct threat to the Eagles at this time. The Marneys Hill Reserve is located on the southern bank of the Brushy Rivulet and the Eagle's Nest is located in a tree growing on the Northern bank of the Brushy Rivulet.

I have accordingly become aware that the Tasmanian State Government Department of Justice, proposes to enter onto the Westbury Reserve on Monday 12th October 2020 to drill eight core investigation holes to enable rock and soil testing. (The Activities). The imminent Activities would entail a water truck and drilling rig, as well as other unspecified equipment traversing the Reserved site, within both line of sight and within the hearing of the Tasmanian Wedge-tailed Eagles' nest.

This 2 week period of drilling is proposed from the 12th October, is within the Eagles' breeding season and is being pursued even though it is well known (including by Governments) that the Wedge-tailed Eagles are extremely sensitive to disturbance at such times. The concomitant noise of the drilling rig is likely to be highly disturbing to the Eagles causing them to most probably abandon the nest.

I claim the Activities are well known and highly likely to cause harm to the breeding of the Wedge-Tailed Eagle: *Aquila audax subsp. fleayi*.

The Tasmanian subspecies of the Wedge-Tailed Eagle: *Aquila audax subsp. fleayi* (NB: I can supply a recent photograph of this healthy active nest). Please note: On 22 August 2020 at 3.53 pm, I sighted an eagle flying just above tree-top over the southeast portion of the subject reserve, where it occupies slightly higher ground. Despite being a large bird, Wedge-tailed Eagles are a forest dwelling species and this lowland dry forest area is one of their strongholds. The Eagle was directly over the area proposed for the prison, being the likely site of the drilling. This species is on both the State and Federal Threatened Species Lists. Apart from the nest on the banks of Brushy Rivulet, it is fairly clear from the structure of the adjoining reserved forest that the forest would be either good or excellent foraging habitat for the Eagle family. The presence of the Wedge-Tailed Eagle nest causes a prescribed 500-metre radius exclusion circle for development purposes. Such an exclusion circle would indicate that most of the subject Reserve cannot be developed. I am not an expert on the Tasmanian Wedge-tailed Eagle but I would be surprised they were compatible with all night illumination, which I understand the prison would provide. Importantly, but seemingly overlooked by DoJ, a significant amount of additional parts of the Reserve beyond the 500-metre circle would be within the 1,000 metre line of site, prohibition prescription around the Eagles nest, for the breeding season, which I understand to be between August and February each year.

The constraints' impost of development on this site, including this preliminary investigative drilling impacts on the nearby family of Eagles, which in terms of our international obligations simply deserve to continue to exist and indeed thrive, would mean ongoing difficulties achieving sustainable development goals when developing the site. Such a manifestly complex problem would mean a massive increase in

development costs and would lengthen development time, adding significant complexity and difficulty to the project, in my view.

Tasmanian Wedge-tailed Eagle: *Aquila audax subsp. fleayi*: Status: Threatened Species Protection Act 1995 (Tasmania): **Endangered**. Environment Protection and Biodiversity Conservation Act 1999 (Cwth): **Endangered**.

For the purposes of the EPBC Act, I declare I am an interested person. I am writing to you, as the owner and manager of two existing reserved conservation private properties, which are also a part of the NRS. These private reserves, Echidna Creek Private Forest Reserve and Bradys Creek Private Forest Reserve, which are located approximately 20 km to the north west of the Westbury Reserve, have been managed assiduously since their inception in accordance with their two management documents, a Nature Conservation Plan and an Operations Plan. Indeed I also have had an interest and interaction with DPIPW regarding the Marneys Hill Reserve (Westbury Reserve) for almost 2 decades and additionally also with Meander Valley Council over their 2013 Interim Planning Scheme, where I sought the Marneys Hill Reserve be rezoned to Environment Management Zone from the current Rural Resource Zone. I wish to make it very clear that, as an owner of two NRS Reserves, I am increasingly aggrieved that the State of Tasmania is attempting to undermine the National Reserve System and continuing with development plans. In February 2019, I made a submission to the Senate Standing Committees on Environment and Communications on the subject of 'Australia's Faunal Extinction Crisis'. From about 1990, I became involved in advocating for the conservation of nature and in particular of biodiversity. Over time I would become intensely aware of the deleterious impacts, which some developments, especially forestry and land clearance, were having on species in Tasmania. Today, my work on environmental matters is wide ranging and covers matters of local, state and national significance. I am particularly interested in Australia's international biological diversity obligations.

The Marneys Hill Reserve is now termed The Westbury Reserve (as it is informally called locally) was established by way of purchase from a local private landowner with Commonwealth funds. For over 20 years the reserve, PID 7031141, has been considered to be a valid part of the National Reserve System of Australia for CAPAD reporting purposes. The reason for the change of name proposed is simply because the name Marney's Hill relates to a nearby hill on an adjoining property, north of Brushy Rivulet and thus the name causes some confusion.

The imminent Activities have been claimed to be a necessary part of the Government's "due diligence" but in essence they merely amount to works which pre-empt the Commonwealth Government making its position on this conservation reserve clear and which also pre-empt any other sort of permit approvals. For the reasons which I set out clearly below, the Activities also amount to acts which contravene the EPBC Act.

The Tasmanian Government, in its private notice to neighbours, of the 6th October 2020, has stated that none of the Activities is intended to occur within the 500-metre eagle nest management zone (the "500m Zone"). However, there is scope for the Activities to occur just outside that zone and well within the 1,000 metre line of sight

exclusion provisions in proximity to the Eagles nest. (Please see the enclosed map of the Reserved land showing the 500m Zone and the area proposed for the Northern Regional Prison). The Tasmanian Government has offered no proof whatsoever that the imminent Activities would not disturb the Eagles and would not cause the nest to be abandoned. The EPBC commits the Commonwealth to pursue the precautionary principle, regarding the absence of proof.

It is well known that Wedge-tailed Eagles, *Aquila audax subsp. fleayi*, are easily disturbed in breeding season by loud noises, occurring from even outside the 500m Zone. I reiterate that disturbance in the form of loud noises can easily lead to the abandonment of the nest. DPIPWE itself has previously acknowledged this in the Conservation Management Plan it prepared for the reserve in 2017 (see enclosed).

At this stage I do not have any information as to whether the nest is currently being used by the eagles this breeding season. In this last week, on the 7th October 2020 contacted the neighbouring landowner, Aaron Reader of Marney's Hill property and requested access attempting to get a better view of the nest than the one I have an image thereof from earlier in the year. Please see photograph proved by separate cover. The State Government however has (rather irresponsibly and negligently) only provided one week's notice of the proposed activity, including 8 October 2020, which happens to be a public holiday here. Should the Activities be conducted within line of sight of the Eagles' nest, this adds to the strong potential for nest abandonment. Mr Reader responded and declined my request citing the potential for disturbance, the fact the nest is mapped and should be regarded as inhabited in any case. It was hard to argue against his logic, Minister.

The Westbury Reserve has significant other natural values which are in my view being either ignored, side-stepped or otherwise diminished by the State of Tasmania but nonetheless would also currently require Commonwealth EPBC approval as a Controlled Action under EPBC Law, including any preliminary works such as the 'Geotechnical investigations on Northern Regional Prison Site'. This imminent drilling would appear to not have any proper approvals and potentially are highly impactful on Endangered and Threatened Species.

Indeed the imminent Geotechnical investigations on Northern Regional Prison Site have no Permit whatsoever.

Further, I claim the imminently proposed 'Geotechnical investigations on Northern Regional Prison Site' are not in keeping (that is in contravention of) with the Management Plan, termed a Nature Conservation Plan of the Brushy Rivulet Marneys Hill conservation reserve, developed by the DPIPWE and the Tasmanian Land Conservancy in February 2017. A copy of this Nature Conservation Plan of the Brushy Rivulet Marneys Hill conservation reserve is enclosed.

To use this naturally forested reserved site as a Prison would presumably require the removal of the reserve from the National Reserve System, something to which I and I am sure others, would remain implacably opposed. If you have per chance made such a decision I would wish to be advised so I may challenge it promptly via Judicial Review.

Incidentally the Marneys Hill (Westbury) Reserve was assessed by Tasmania in 2015, yet this assessment is seemingly also being ignored and has not been made public, leading me to claim that The Tasmanian Government has extraordinarily, already made up its mind prior to a completion of studies and a due diligence investigation.

Previous investigations however, including as recently as the DPIPWE Property Assessment Group's (PAG) assessment in 2015, decided that this land, PID 7031141, to be worthy of remaining in the National Reserve System of Australia.

"This property is still owned by the Crown who have sought approval of the covenant conditions before the property is transferred into the ownership of the DPIPWE Revolving fund (to be managed by TLC). The covenant will be established after the transfer is completed."

"PAG approved the proposal and agreed to a Priority 3 category."

This Priority 3 category means the Tasmanian recommendation was to retain the reserve. The Marneys Hill (Westbury) Reserve still remains an informal reserve, because its final covenant or gazettal never eventuated under DPIPWE's management, even though in 2015 it was recommended to remain in the National Reserve System of Australia by a Tasmanian panel of Government Scientific Experts.

The recently proposed Prison development would require a rezone out of the Rural Resource Zone into a zone specifically dedicated for a Prison. No rezone application has been lodged with Meander Valley Council. Such a rezone would, I am sure, be appealed. Then there would likely at the same time, be a planning application including for the Vulnerable Use (in Bushfire Hazzard terms) of a Prison constructed right up against, indeed within native standing dry forest vegetation, which for planning purposes would be regarded as 'bushfire prone'. No such Planning Application for a Permit to develop the site has yet been made. Yet here we have 2 weeks of incessant drilling, or in DoJ's terms: 'Geotechnical investigations on Northern Regional Prison Site'. I would imagine that would be enough to conveniently rid the site of any Eagle family.

Removing such a Reserve would be a breach of the Regional Forest Agreement. Please confirm if you are considering or have made a decision over such matters.

The Government was well aware of the proximity of the Wedge-tailed Eagles' nest to Marneys Hill Reserve before it made its announcement in June 2020. Additionally it could conduct the Activities outside of the Eagle's breeding season but has deliberately chosen to not do so. The Tasmanian Government's proposal to imminently conduct the Activities in the peak breeding season of the Endangered Tasmanian Wedge Tailed Eagle is not only illegitimate, but also highly reckless and deliberately provocative.

My previous letter to Planning and Environment Minister, Roger Jaensch and Attorney General, Elise Archer, dated 3rd September 2020, has not yet received a reply. Very unsatisfactory. My September 2020 letter to the Tasmanian Government

more completely outlines the array of Threatened Species, which would be impacted by such a development as a Prison. I enclose this letter for your reference. The Tasmanian Ministers are also copied on this Referral Request for a Controlled Action and indeed on my request, if necessary for a Writ, to ensure work does not commence on Monday the 12th October.

The Tasmanian Government has provided no information as to the level of noise likely to be generated by the imminent Activities or the specific proposed location of the Activities, but it would be guaranteed to be almost completely within the 1,000 metre line of sight prohibited area of the Eagles' nest. The Tasmanian Government has not provided any information as to precisely where the drilling will occur, yet this knowledge is obviously held within the Tasmanian Department of Justice, who apparently cannot be trusted.

There are no made up roads or tracks within the Reserve, which would readily allow the traverse of heavy vehicles over the Reserve, without causing damage to the reserved land. There is clearly a strong potential for damage to the Reserve itself to be caused by the Activities.

This Marneys Hill (Westbury) Reserve forms part of the National Reserve System which your Government has repeatedly asked the Tasmanian Government to gazette so that it might be protected. I again wish to urge the Commonwealth to continue to advocate the Marneys Hill reserve be gazetted as a Nature Reserve.

Allowing the Activities to proceed is completely inconsistent with the approach the Commonwealth Government has adopted in relation to the Marneys Hill (Westbury) Reserve to date, and on which I have relied as a form of protection for the reserve.

In light of the above, I believe that the Activities will constitute an action that:

- (a) *will have or is likely to have a significant impact on a listed threatened species included in the endangered category (s.18(3) EPBC Act);*
- (b) *will have or is likely to have a significant impact on a listed vulnerable species included in the endangered category (s.18(4) EPBC Act).*

I am seeking, the Commonwealth, who has the ability to conduct such assessments and pursue Controlled Actions for matters of National Environmental Significance intervenes to protect an element of the National Reserve System of Australia and especially the Wedge-tailed Eagles, whose nest adjoins the NRS Conservation Reserve.

This urgent, independent Commonwealth intervention, assessment and decision-making would be especially important, particularly where the proponent happens to be a State Government.

Already there is a strong perception that the State of Tasmania has a completely conflicted pro-development behaviour, which is likely to cause Australia's international obligations to protect biological diversity, to be sacrificed.

This Northern Prison proposal for the Marneys Hill (Westbury) Reserve is an excellent example to show exactly the sort of conflicts of interest, which can so easily sacrifice the independent assessment of environmental conservation values of National Environmental Significance.

Tasmania has long had a poor performance over environmental matters. I regard this latest proposal, to place a prison facility on an NRS conservation reserve to be nothing more than unbridled harm to Matters of National Environmental Significance.

Whilst the Marneys Hill (Westbury) Reserve is a relatively small reserve of some 70 ha, it provides important habitat for two species of Quolls, Eagles, Owls, Parrots, Bandicoots, The Tasmanian Devil, and the Green and Gold Frog, all of which are on the Commonwealth's EPBC List of Threatened Species. These are more precisely listed in my enclosed second letter (to Archer and Jaensch, who have been CCed).

The small size of the Marneys Hill (Westbury) Reserve, which incidentally is situated within the Northern Midland's bioregion. This is the most poorly reserved bioregion in Tasmania. I would suggest that the avoidance of development (any development, let alone a whole prison complex), on this conservation Reserve, should be the overriding priority for the Tasmanian Government, as well as the Commonwealth, rather than to allow or devolve approval, for the conversion and destruction through Land Clearance of our public reserve, paid for under the Tasmanian RFA by the Commonwealth, and rather than Tasmania seeking to perform a pre-emptive strike against the Eagles on the 12th October with their drilling fiasco.

This intended removal of an NRS Reserve is likely to be being progressed by Tasmania with the Commonwealth now. I would argue the Commonwealth should instead be refusing development proposal and insisting the Marneys Hill (Westbury) Reserve be formally gazetted for the benefit of future generations.

One of the important reasons for writing to you at this stage is to highlight to Commonwealth decision-makers and politicians, to alert them to the behaviour of the Tasmanian Government, regarding its responsibilities over the Tasmanian component of the National Reserve System and the fact that the Prison would virtually guarantee the destruction of Marneys Hill (Westbury) Reserve, a nationally funded public conservation asset, which has important bio-diversity values.

Next to the stream, on the opposite bank to the reserve is a magnificent Wedge-tailed Eagles nest, which needs a generous buffer, which would almost certainly be (and can be conclusively shown is intended to be breached on the 12th October 2020) transgressed and compromised. The Commonwealth has the ability to injunct the Tasmanian Government so as to avoid the Eagle breeding season whilst assessments of EPBC Controlled Actions could occur at the non-sensitive time over summer.

It is my view that this location on the Marneys Hill (Westbury) Reserve of the Northern Regional Prison would always be an unsustainable proposal, which has been entirely developed by the Tasmanian Government, and which would clearly

diminish nature values which are Matters of National Environmental Significance, and which shows conclusively that Commonwealth involvement in matters of National Environmental Significance is important to remain.

Currently the Marneys Hill (Westbury) Reserve, now over 20 years old, is being targeted for development, rather than conserved and protected by the Tasmanian Government.

I strongly believe The Tasmanian Government has multiple uncontentious options for siting a new northern prison, other than placing a prison on an RFA conservation reserve adjoining an Eagles Nest of long standing.

Finally, I reiterate my complete and utter, vehement opposition to any proposition that any Commonwealth funds, which could be otherwise used to support a Northern Tasmanian Prison, which was going to be explicitly and inappropriately sited on a National Reserve System, Reserve, such as the Marneys Hill, (Westbury) Reserve, at Westbury or anywhere else in Tasmania.

Minister, I call upon you to immediately and urgently demand that the State Government desist from undertaking the Activities until after the Eagle breeding season at a minimum. I seek as a matter of urgency, your confirmation and advice over this matter.

If you do so and were the State Government to refuse to defer the Activities, I would wish to call upon you to apply for an injunction under s.475 of the EPBC Act to prevent them from doing harm.

In light of the timeframe involved, I seek your urgent advice as to whether you will immediately take the abovementioned steps by the end of Monday the 12th October.

As previously advised, I am clearly an interested person within the meaning of the EPBC Act. Should you not cause the Activities to be halted until all issues are clarified and a Controlled Action commenced, I would need to consider taking legal action myself. This would clearly be completely unacceptable and probably unachievable in light of the cost involved, especially given that I am a Disability Support Pensioner, having limited means and given that you, as Commonwealth Minister for the Environment, have specific responsibility for taking this action.

I emphasise that your obligations to take such action are heightened by the position your Government has adopted up until recently in regarding the reserve as part of the National Reserve System on which many, including myself, have relied.

I consider this to be a public interest matter. I look forward to your support and your reply.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Ricketts', with a large loop at the end.

Andrew Ricketts

Private Reserve Owner of Bradys Creek and Echidna Creek, RFA Private Forest Reserves

CC: Hon Senator Penny Wong: By Email: senator.wong@aph.gov.au

CC: Hon Ms Terri Megan Butler, By Email: Terri.Butler.MP@aph.gov.au

CC: Senator Katy Gallagher, By Email: senator.katy.gallagher@aph.gov.au

CC: Senator Hon Kristina Keneally, By Email: senator.keneally@aph.gov.au

CC: Senator Jacqui Lambie, By Email: senator.lambie@aph.gov.au

CC: Senator Sarah Hanson-Young, By Email: senator.hanson-young@aph.gov.au

CC: Senator Larissa Waters, By Email: senator.waters@aph.gov.au

CC: EPBC Compliance: compliance@environment.gov.au

CC: EPBC Referrals: epbc.referrals@environment.gov.au

CC: National Reserve System: nrs@environment.gov.au

CC: The Honourable Elise Nicole Archer, LLB Attorney-General: By email to: elise.archer@parliament.tas.gov.au

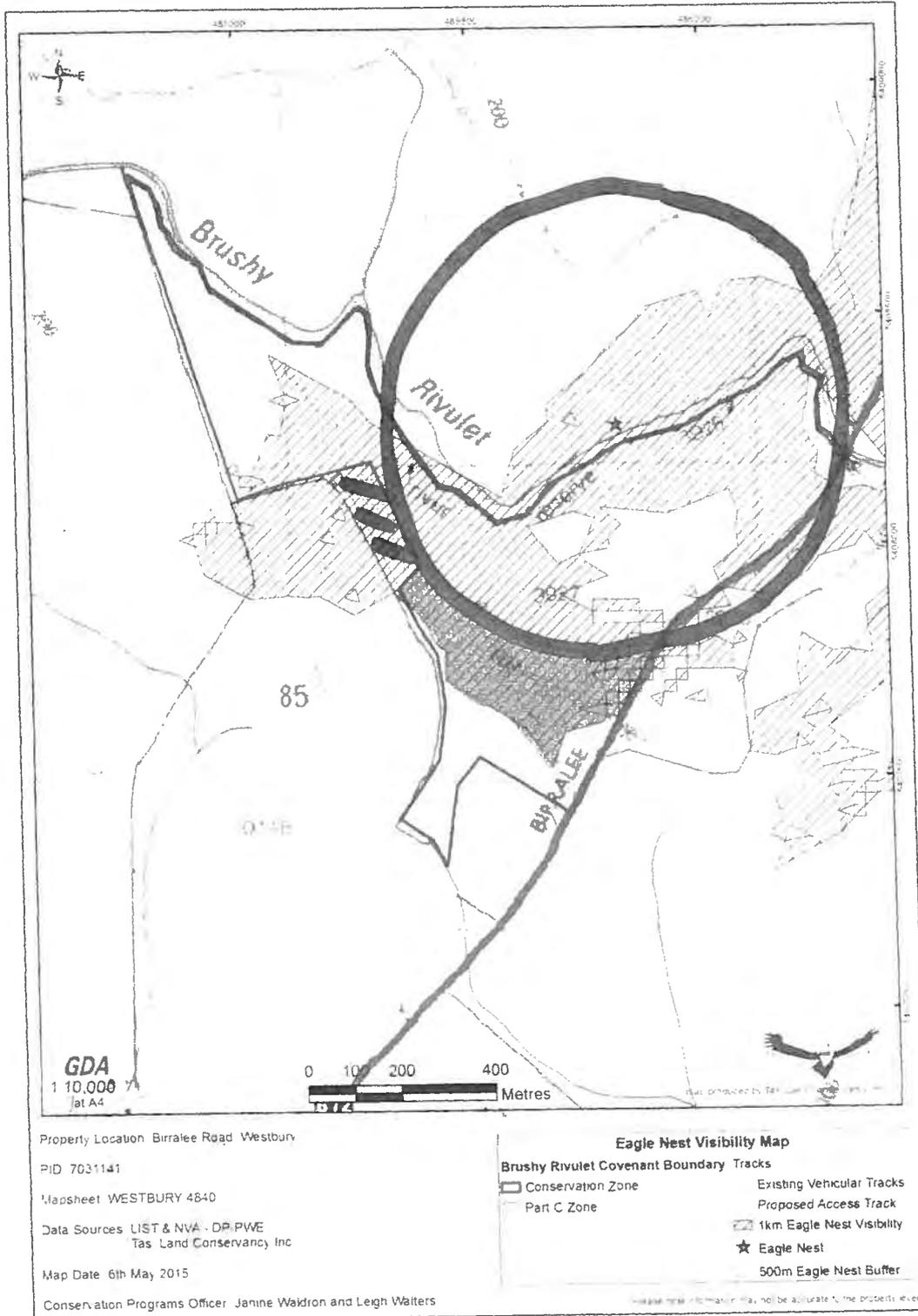
CC: Mr Roger Jaensch, Minister for Environment and Parks and Minister for Planning. By email to: minister.jaensch@dpac.tas.gov.au

CC: Honourable Peter Gutwein, Premier of Tasmania. By email to: peter.gutwein@parliament.tas.gov.au

CC The Honourable Rebecca White, BA, B Com.
Rebecca.white@parliament.tas.gov.au

CC: Cassandra (Cassy) O'Connor, cassy.oconnor@parliament.tas.gov.au

END



Area outside
 500 metre
 zone but
 within
 line of
 sight -
 MAP prepared
 by PLC
 with
 DPI/PWE

"Utility
 Zone"

Figure 4 amended: Eagle Nest Visibility Map with revised covenant design approved by PAG.

- In exceptional circumstances, such as wild fire, there may be a requirement to access the eagle nest management zone during the Breeding Season. In these circumstances, the Owner or delegate will seek approval from the Department before undertaking any activity on the Land, unless prompt action is required.
- Outside the Breeding Season the Owner may undertake recreational pursuits within the eagle nest management zone.
- During Breeding Season, the Owner must not conduct recreational pursuits within the eagle nest management zone.
- Land management activities such as weed control or fencing must only be undertaken outside of the Breeding Season.
- The Minister, in conjunction with the Owner, will develop specific management prescriptions if required for threatened and/or priority species that are identified on the Land

6.3 Utility Zone (Part C Land, as described in the Covenant)

The Utility Zone is an area that may be used by the Owner for grazing or horticulture. The Utility Zone and access track fall within line of sight of an established wedge-tailed eagle nest on the adjacent property to the north of the Land (see Management Map, page 24). The authorisations and prescriptions within this section of the Plan apply to the Utility Zone only.

- Activities undertaken within the Utility Zone during the Breeding Season must not create a disturbance, in particular loud noise that may deter the wedge-tailed eagles from using the nest site and/or rearing their chicks
- Dogs or other companion animals must not cause harm to Native animals within the Utility Zone (see section 6.15 *Exotic flora and fauna*)
- Fertiliser use within the Utility Zone should be minimised in order to reduce any impact on the remainder of the Land.
- Non-invasive Exotic plant species may be planted within the Utility Zone (Part C of the Land, see Land Map, page 22).

which is in line of sight
This
is
also
the
500m
manage-
ment
zone

Authorisation The Owner is permitted to graze stock (including horses) in the Utility Zone (Part C of the Land, see Land Map, page 22) subject to the following

- The boundary of the Utility Zone being fenced to prevent stock entering the remainder of the Land (Part B Land).
- Wherever possible, the Owner must ensure that the movement of stock onto the Part C Land is managed in such a way that the introduction of weeds and diseases is minimised. The movement of stock into the Land from an area with a high incidence of weed species should be avoided.

Authorisation The Owner may construct and maintain fences within or along the boundary of the Utility Zone (Part C of the Land - see Land Map, page 22).

Authorisation: The Owner may clear Native Vegetation for the purpose of horticultural activities, the maintenance of fencelines, infrastructure and cartageways

Andrew Charles Ricketts

REEDY MARSH 7304

Phone:

Email:

3rd September 2020

The Honourable Elise Nicole Archer, LLB
Attorney-General.

By email to: elise.archer@parliament.tas.gov.au

AND Mr Roger Jaensch

Minister for Environment and Parks and Minister for Planning

By email to: minister.jaensch@dpac.tas.gov.au

CC: Honourable Peter Gutwein, Premier of Tasmania. By email to:

peter.gutwein@parliament.tas.gov.au

CC The Honourable Rebecca White, BA, BCom. rebecca.white@parliament.tas.gov.au

CC: Cassandra Stanwell (Cassy) O'Connor, cassv.oconnor@parliament.tas.gov.au

**Response to Attorney General's letter of the 9th July 2020 on the Revised Site
Proposal for the Proposed Northern Prison for Tasmania**

Dear Ms Elise Archer, and Mr Roger Jaensch,

I am writing to you both¹, in providing a response to The Honourable Elise Archer's letter of the 9th July 2020 ([enclosed²](#)) and further to mine of the 23rd July 2020 to the Premier ([enclosed³](#)). In now also writing to Mr Jaensch, I am also forwarding to him both my original letter to Premier Gutwein, to which Ms Archer replied, perhaps on his behalf and that reply.

Thank you for your letter, Ms Archer in response to mine to the Premier. Your letter certainly raises a number of issues, which require a response. Ms Archer, your letter unfortunately fails completely to address many of the issues I raised in my letter to the Premier dated 23rd June 2020, regarding PID 7031141.

Firstly, I hadn't realised that this public land PID 7031141, purchased by the State of Tasmania for conservation and Reserved under the Regional Forest Agreement, has been automatically dedicated as the "new" site for the "Northern Regional Prison". Thank you Ms Archer, for your clarification that the Tasmanian Government has extraordinarily made up its mind prior to a completion of studies and due diligence investigation. Previous investigations, including as recently as the PAG assessment in 2015, regarded this land, PID 7031141, as worthy of remaining in the National Reserve System of Australia. It would be surprising if either its conservation values or the imperative to protect those values had changed in the subsequent 5 years, other than perhaps to become simply more pressing and relevant.

¹ Please note: This letter is also to Roger Jaensch, both as the Minister for the Environment, responsible for the Informal Conservation Reserve PID 7031141 and also as the Planning Minister.

² Reply Andrew Rickett - Revised Site Proposal for the Northern Prison.PDF

³ A C Ricketts letter to Premier of Tasmania 23-6-20.pdf

I note also the July 2020 OSG's plan⁴ (enclosed) showing the location of the proposed prison and possibly a PPZ and some of the associated planning issues. I seek clarification about these issues.

This letter however focuses on natural values even though there are also substantial and valid planning scheme hurdles (such as codes, policies and standards) which would indicate a further un-sustainability of this prison proposal, beyond the matters I raise below. This letter is a letter of response to Mrs Archer's of the 9th of July.

Vegetation Mapping Concerns

Ms Archer, you raised concern about the adequacy of the State's vegetation mapping, not only suggesting that the mapping done under RFA processes is vastly deficient but that when it is proved to be so, then that becomes, rather illogically it seems, to be a reason for deprecating and deriding a part, admittedly only a small part but nonetheless a part of Australia's National Reserve System (NRS). This proposition is not adequate.

I have maintained a strong interest in this matter of the adequacy and accuracy of the State of Tasmania's vegetation mapping for over 20 years now - first raising this important issue with Governments in 1996. At the time, the Reedy Marsh Forest Conservation Group (RMFCG) engaged the excellent botanist, Philip Cullen, who reviewed the draft vegetation mapping⁵ within Reedy Marsh, during the RFA process and showed it to be massively deficient. Despite revisions and new versions of State vegetation mapping⁶, the fact is that in many parts of the state the vegetation mapping is less than 50% accurate. This assertion can be demonstrated.

Commonwealth CAPAD Reporting

I refer to this Informal Reserve as a part of the National Reserve System (NRS), because in 2018 – and in many prior reportings – the subject land was included in Tasmania's reservation area statistics to the Commonwealth under CAPAD reporting. I hope we can all simply agree it is a public conservation Reserve, established under the Regional Forest Agreement and purchased with Commonwealth funds.

Informal Reservation Matters, Management Plans and Identification of Reserve Values

Ms Archer, you seem to think that an informal conservation Reserve may be inferior somehow to a gazetted formal conservation Reserve. However that is an erroneous conception. I admit informal reserves usually do not have management plans. Indeed, of far greater concern, there are over 600 formal Tasmanian public reserves with no Statutory Management Plans either and many such reserves are not even mapped adequately on the latest paper maps, after a period of over 20 years. It is true that a gazetted reserve is more difficult to dismember in general terms but not necessarily more important.

However, even gazettal of a Reserve in Tasmania does not clearly designate or recognise the extent of its conservation values. The reasons for the creation of conservation Reserves are many and varied. There is an amount of management information, which could be applied to manage this reserve and a management plan should be developed once the Reserve is gazetted. All reserves on public land, including this one should have management plans.

⁴ Northern-Regional-Prison-map.pdf

⁵ Mapping in Draft form of the Comprehensive Regional Assessment leading to the RFA

⁶ Currently a version known as TASVEG III

The Relevance of Pristineness of the Informal Reserve at Westbury

It is a common but perhaps understandable mistake, when considering conservation value, to put the notion of pristine forest above the biological diversity values, yet Australia has no obligation regarding “pristine” forest but does have international obligations around the conservation of biological diversity and the prevention of extinctions.

Pristine forest is rarely found amongst the lowland parts of Tasmania which are supporting dry eucalypt forest and which are dominated by private land. Pristine forest is usually found in the remote parts of Tasmania, especially the World Heritage Area. Were “pristine” the pre-eminent criteria, the state of Tasmania would not have reserved, nor purchased the patch of *Eucalyptus morrisbyi* on South Arm, as another example.

The terrestrial conservation priority for Tasmania is its dry forests, wetlands and grasslands rather than its “pristine” forests.

I am aware of the pressures, which Ms Archer mentions over the illegal and illegitimate use and abuse of this informal conservation Reserve. It is clear that such matters have a history and as my letter to the Premier indicated, this would not be the only Reserve to suffer from disrespectful and harmful activities by certain members of the local and broader community. This is a widespread problem. Perhaps Minister Jaensch simply has no one employed in DPIPW to police such illegal trespass matters.

Nonetheless, it is acknowledged the reserved forest is not pristine. It is my contention that this is not a particularly important or relevant consideration at all. What is more important in my view is the extent to which a values of high conservation significance remain and whether the reserve supports the survival of Listed species which can and do currently continue to flourish in the absence of development. It is an unavoidable fact that when it comes time to conserve the last remnants of any category of vegetation it will inevitably have been adversely affected by human activity.

It reflects badly on Tasmania that insufficient efforts have been made to prevent further degradation of accessible reserves such as this one. Not the fault of nature that humans choose to exploit it.

Many, indeed most private reserves are not pristine, yet the government recognised the important conservation values remained when these reserves were being assessed for purchase in the late 1990s. Likewise today in 2020, the natural values within this reserve remain. The reserve provides life support for a number of Listed Species.

Having visited the subject reserve on a number of occasions, I consider that, as private land, it is in quite good condition, it has some fantastic, huge, old trees, some several hundred years old, with a healthy grassy understory in some parts, good healthy regrowth and mixed age character, in some parts verging on woodland. In others there is more shrubby forest, somewhat more typical of the Birralee and Reedy Marsh areas, which are in fact in the adjoining Northern Slopes Bioregion. The weeds present, are not extensive and could be easily controlled.

Reliance on Vegetation Mapping rather than Considering the whole Ecosystem Criticised

One of the enormously inadequate aspects of the conservation of nature in Tasmania is that our bureaucracy (including the Regional Forest Agreement (RFA) of Tasmania) considers a surrogate for comprehensive conservation value to be the mapped or modelled, or even the

actual vegetation community types, which were devised originally for the Comprehensive Regional Assessment (CRA), performed under the National Forest Policy Statement (NFPS). The reservation of vegetation communities in this manner must surely be regarded as an artificial human construct, that is it is simply not a reliable surrogate for the adequate conservation of nature.

With the 1992 National Forest Policy Statement (NFPS), the notion of a Comprehensive Regional Assessment (CRA) was created, aiming for the Commonwealth to extricate itself from National Estate matters, which it obviously regarded as troublesome due to prolonged and determined agitation by the Australian people.

Ecological systems and Australia's (including Tasmania's) unique fauna, requires a more sophisticated approach than focusing our conservation effort on merely the meeting of watered-down state-wide based vegetation targets or even than by relying on bio-regional vegetation community targets. It is noted that the vegetation communities of the Regional Forest Agreement (RFA) are not floristic vegetation communities, which were originally pursued by the Forest Practices Authority and indeed prior by the Forestry Commission under the work and diligence of the botanist Mr Fred Duncan.

The Commonwealth, under EPBC, considers ecological, not vegetation communities as the Tasmanian legislation does. The Tasmanian system should rectify this deficiency or at least develop a far better understanding of fauna conservation.

The subject land was purchased and reserved presumably with field checking by DPIWE Government officers. I am relatively certain of this because it would have been subject to a very similar process to my first reserve, which as it happens is about 20 km to the north west of the subject land. However, some reserve candidates were assessed by other scientific officers of the Government.

In general, the Brushy Rivulet catchment is ecologically very interesting. It has a substantial array of high conservation values, even including in RFA vegetation community terms. However I reiterate, basing the reserve system on vegetation communities, is faulty science.

Native Fauna Conservation Values of the Informal Reserve

The highest conservation values of this Informal Reserve are almost certainly its fauna values and I discuss those below. The subject Reserve has a reasonable scattering of ancient old growth trees, both living and dead, these form important habitat.

Tasmania has an atrocious native fauna conservation record.

Beyond the Wedge Tailed Eagles, which I mentioned in my last letter, there is a range of other threatened and endangered fauna, which inhabit and rely upon this Informal Reserve. These are listed and briefly discussed below and their status being noted. In many cases these are Matters of National Environmental Significance.

The Eagles have a very large, unmistakable nest, located in a *Eucalyptus viminalis* tree on the banks of the Brushy Rivulet, immediately adjoining the subject Reserve but on the opposite bank. Its 500-metre exclusion circle alone would severely restrict any proposal for development of this natural area being the subject Informal Reserve, as well as additional adjoining land.

Reserve is within Key Fauna Habitat for Rare and Threatened Species

During the Comprehensive Regional Assessment, in 1996 and 97, the Commonwealth mapped the National Estate values across Tasmania and produced mapping of 'Indicative Areas of Key Fauna Habitat for Rare and Threatened Species', known as 'National Estate criterion B1'. I enclose⁷ a scanned version of this RFA map with this letter.

This CRA map, although made in January 1997, remains current because both Tasmania and the Commonwealth unwisely and without adequate reason agreed to extend the Regional Forest Agreement in 2017, without performing any new studies.

Prior to the time of the 2017 RFA renewal, I considered this avoidance of new studies inadequate. I expressed my views to both governments but was ignored. It should be remembered that in 1996 and 97 the sophistication and comprehensiveness of fauna study upon which the Regional Forest Agreement was ostensibly built, was highly variable and in many instances no adequate baseline data was established for many species. This remains problematic especially where the State Government wishes to embark upon land clearance (a nationally listed threatening process) within a conservation reserve, such as with this Northern Prison proposal.

If you both look carefully at this RFA map of Tasmania, National Estate criterion B1, you will see that the subject land, that is the informal Reserve, is within the area of Key Fauna Habitat for Rare and Threatened Species. I must say I am not surprised by this rare RFA mapping and consider that the subject Reserve will indeed prove absolutely, were competent studies to be undertaken, to be habitat for a number of species, which are either on the Commonwealth list under the EPBC Act or on the State List under the Threatened Species Act, under Minister Jaensch's care.

Known and Modelled Listed Fauna and Flora Species at the Informal Reserve

The Listed species, which I believe will be shown and could be shown to inhabit and visit and indeed rely upon the subject Reserve for their life support, are:

1. **Wedge-Tailed Eagle: *Aquila audax subsp. fleayi*** (NB: I can supply a recent photograph of this nest). On 22 August 2020 at 3.53 pm, I sited an eagle flying just above tree-top over the southeast portion of the subject reserve, where it occupies slightly higher ground. Despite being a large bird, Wedge-tailed Eagles are a forest dwelling species and this lowland area is one of their strongholds. This species is on both the State and Federal lists. Apart from the nest on the banks of Brushy Rivulet, it is fairly clear from the structure of the adjoining reserved forest that the forest would be good foraging habitat for the Eagle family. The presence of the Wedge-Tailed Eagle nest causes a prescribed 500-metre radius exclusion circle for development purposes. Such an exclusion circle would indicate that most of the subject Reserve cannot be developed. I am not an expert on the Wedge-Tailed Eagle but I would be surprised they were compatible with all night illumination, which I understand the prison would provide. A significant amount of additional parts of the Reserve beyond the 500-metre circle would be within the 1km line of site prescription of the Eagles nest. The constraints imposed on development of the nearby family of Eagles (which deserve to exist) would mean ongoing difficulties when developing the site. Such a problem would mean a massive increase in development costs and would lengthen development time, adding significant complexity to the project, in my view. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Endangered**

⁷ Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.pdf

2. **Spotted-tailed Quoll: *Dasyurus maculatus maculatus*.** When visiting the Reserve on the 30 July 2020, I observed and photographed ST Quoll scats and took a GPS site reading. This reserve is obviously habitat for the Tasmanian subspecies of the Spotted-tailed Quoll, a nationally listed species under EPBC and on the State List. Tasmania represents its last stronghold, especially after the mainland bushfires, which decimated an area on the mainland, much within quoll habitat, an area over two and a half times the size of Tasmania. The lowland forests of Central Northern Tasmania represent a stronghold for the Spotted-tailed Quoll. This is a wonderful animal, which has a large home range and requires old growth elements within the forest it calls home. I will advise the Natural Values Atlas (NVA) of the record of a Listed Threatened species recorded in the Reserve area. Status: Threatened Species Protection Act 1995: **Rare**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**
3. **Tasmanian Devil: *Sarcophilus harrisii*.** It is expected that Tasmanian devils will occupy the subject reserve. They have declined a lot in recent decades due to Devil Facial Tumour disease. This species accordingly is on both the State and Federal lists. Suitable habitat occurs on this Reserve. A recorded sighting next to the property on the road is on the NVA. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Endangered**.
4. **Masked Owl: *Tyto novaehollandiae* subsp. *Castanops*.** Ornithologist Sarah Lloyd mentions the presence of this listed species and has images of one taken on the site. . The central north lowlands, is a priority area for the masked owl. Highly suitable nesting and foraging habitat for the Masked Owl occurs on the subject Reserve property. Sighted in the Reserve near the stream and bridge. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**
5. **Eastern Quoll: *Dasyurus viverrinus*.** This species inhabits grassy woodland, including within the Northern Midlands. It is expected to inhabit the reserve. I am not familiar with the scats of this animal. Tasmania opposed the Listing under EPBC for this species, which scientists have proven is in decline. The Eastern Quoll is currently not listed at a state level, and there is no recovery plan. However, the species only exists in a single jurisdiction. A comprehensive set of recommended conservation actions are outlined in Fancourt (2015). Status: Threatened Species Protection Act 1995: **Not listed**. Environment Protection and Biodiversity Conservation Act 1999: **Endangered**.
6. **Eastern Barred Bandicoot: *Perameles gunnii gunnii*.** Characteristic diggings have been sighted in several locations across the reserve by the author whenever the reserve is visited. It is widely regarded that this species is in decline but despite being extinct on the mainland is not listed in Tasmania. Suitable habitat for the Eastern Barred Bandicoot occurs on the Reserve property. I will advise the Natural Values Atlas of the record of a Listed Threatened species recorded in the Reserve area. Status: Threatened Species Protection Act 1995: **Not listed**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**.
7. **Grey Goshawk: *Accipiter novaehollandiae*.** Ornithologist, Sarah Lloyd mentions (2020) the presence of this Listed species and has photos taken on site. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Not listed**.
8. **Swift Parrot: *Lathamus discolor*.** Swift Parrots breed in Tasmania and migrate to mainland Australia in autumn. The presence of Swift Parrots in northern Tasmania is generally linked to the flowering of *Eucalyptus ovata* trees and their migration.

Although the vegetation of the reserve is mapped as Amygdalina on Dolerite dry forest there are a scattering of Eucalyptus ovata trees through the reserve, including some fine old growth specimens of great antiquity. There would be good nest hollows for the species across the subject reserve. This species is on both the State and Federal lists. Status: Threatened Species Protection Act 1995: **Endangered**. Environment Protection and Biodiversity Conservation Act 1999: **Critically Endangered**. The Swift Parrot is also listed as '**Endangered**' on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species (IUCN 2004).

9. **Green and Gold Frog: Litoria raniformis**. This frog was found recently near the top of the hill within the Reserve. Status: Threatened Species Protection Act 1995: **Vulnerable**. Environment Protection and Biodiversity Conservation Act 1999: **Vulnerable**

There is at least one species, which is an **RFA Priority Species** but is not Listed otherwise.

1. **Tasmanian Bettong**: Characteristic one-sided diggings have been sighted in several locations across the reserve by the author. It seems good habitat for such species in the drier sites. I will advise the Natural Values Atlas accordingly.

There some Vulnerable and Rare plants present within the Reserve:

1. **Brunonia australis**: (blue pincushion) found on the subject land by Fred Duncan I believe. Status: Threatened Species Protection Act 1995: **Rare**. Environment Protection and Biodiversity Conservation Act 1999: **Not listed**
2. **Eucalyptus viminalis**: This tree species is not Listed but is in serious decline both across Tasmania and interstate in Victoria and NSW (personal observation). This magnificent Australian eucalypt occurs as a secondary species across the Reserve and should be subject to better conservation in any community in which it occurs. Where it occurs as an ecological community it is now the subject of an application for EPBC Listing status, presumably as Critically Endangered.

DPIPWE Property Assessment Group Decision

It is noted that the DPIPWE Property Assessment Group (PAG) in 2015 recommended the reserve be considered to be: **an IUCN class 3 class reserve, i.e. an "Area makes a moderate contribution to CAR requirements."** That is, the reserve was considered as desirable to retain in the National Reserve System.

Indeed the program, which purchased the subject reserve for the public good, was not erroneous selecting this land at all, in my view. Ms Archer, your letter of 9 July 2020 casts doubt on that decision taken by DPIPWE. I have further investigated this matter and comment on it below.

Northern Midlands Bioregional Relevance

The fact that this informal Reserve is located within the Northern Midland's bioregion is significant because the region has a poorer reservation outcome, due to the prevalence of private land and extensive historical land clearance, which I might add has been facilitated and is continuing through the inexplicably poor policy settings of your government. Actually, it is the poorest outcome in Tasmania.

I note that the IBRA bioregions used in Tasmania are not yet mapped in the Nomenclature Board's mapping of place names. Yet these bio-regional areas and their boundaries and the places and names of them are important and have been in use since prior to the RFA in 1997.

The IBRA names and an associated map should be provided and referred by The Minister for the Environment to the Nomenclature Board. DPIPWE uses these bioregions and so does the RFA. It may even help us all to reflect better on the bioregional significance and its importance in conservation terms. In any case I encourage you both to do so.

The Northern Midlands bioregion is a national biodiversity hotspot, meaning that it is under reserved (see enclosed map⁸). Yet, here you are, Ministers, seeking to decimate a patch of natural bush, which in 1999 was reserved, in good faith, with Commonwealth funds to contribute towards the meeting of Australia's international obligations regarding biological diversity conservation.

Other Issues

This informal Reserve is also important because the surrounding landscape has been subject to significant amounts of industrial forestry and land clearance has been very widespread in the general area since the 1997 Regional Forest Agreement. If you require I can particularise such very considerable land clearance matters and would do so at considerable length to establish the conservation bona-fide imperative and to further support the valid decision of DPIPWE, in purchasing this land for the State of Tasmania intending to be a secure conservation Reserve within the National Reserve System of Australia supporting also the decision of the panel of Government conservation experts who decided to retain it as a conservation reserve in 2015, contrary to Ms Archer's mistaken inference in your letter to me dated the 9th July 2020.

If the Government (DOJ) expects to operate a prison in this location, I expect there would be the occasional need to access the prison site with aircraft, especially helicopters. Using aircraft so near to an Eagles Nest would be very unwise. Please Note the DPIPWE advice:

*"Breeding Wedge-tailed Eagles are particularly sensitive to aircraft approaching the nest, even if the aircraft remains many hundreds of metres away. Helicopters are perceived as a greater threat than fixed wing aircraft, and may be attacked by eagles, risking both eagle and aircraft."*⁹

Unsustainable Land Clearance

Ms Archer, you mentioned on 9 July 2020 that the prison would require 15 ha of land to be cleared and developed as a prison. Does the Tasmanian Government even realise land clearance is regarded as a Key Threatening Process under the EPBC legislation and the reasons for that classification? Land clearance is obviously unsustainable let alone land clearance in an RFA reserve which has been reviewed as recently as 2015.

This 70 ha Informal Reserve site, PID 7031141, supports high conservation value natural forested habitat. It was purchased by the State of Tasmania in the late 1990s for the express purpose of meeting our Regional Forest Agreement (RFA) commitments to the Commonwealth Government, following a Comprehensive Regional Assessment of forestry and forest conservation in Tasmania in preparation of the 1997 Regional Forest Agreement, under the 1992 National Forest Policy Statement (NFPS) provisions and was intended always to be a secure, in-perpetuity reserve.

⁸ ibra-underrep-capad-2018.pdf

⁹ Threatened Species Section (2020). *Aquila audax subsp. fleayi* (Tasmanian Wedge-tailed Eagle): Species Management Profile for Tasmania's Threatened Species Link. <https://www.threatenedspecieslink.tas.gov.au/Pages/Wedge-tailed-Eagle.aspx>. Department of Primary Industries, Parks, Water and Environment, Tasmania. Accessed on 24/8/2020.

I reiterate this naturally forested place is actually a part of the National Reserve System (NRS) of Australia, intended to continue as a place where nature could continue to exist and flourish, including ensuring the habitat and life support for a number of important Threatened Species which are of Matters of National Environmental Significance.

In Conclusion

Ms Archer, please find a suitable and non-contentious site for your prison on land which is not already reserved for conservation. This latest proposed prison site is simply not fit for purpose.

Should the Tasmanian Government proceed with its proposed land clearance and construction of a regional prison on this informally Reserved site, I am in no doubt the proposal would be strenuously challenged and the informal Reserve would be defended against what would likely be regarded as a negligent action of the State of Tasmania. The spectre of such an acrimonious dispute, played out in public would, I foresee, inevitably damage Tasmania's reputation.

I wish to respectfully suggest that the 70 ha reserve of informally Reserved land, should be gazetted formally and become a Nature Reserve, thus resolving any doubt and ensuring it remains the legacy, which Dr Laker intended and which DPIPWE's Rod Pearse so diligently progressed for the benefit of future generations and the biological diversity which it protects.

This Reserve clearly has useful and special conservation values, some of which are of National Significance. The 2015 PAG decision was that this Reserve should remain a reserve - a Class 3 IUCN type reserve. Normally decisions about such reserves are reviewed every 10 years.

I sincerely hope you will embark upon a process to find a genuinely suitable and uncontentious Northern Prison site somewhere else.

This is a public interest matter. Accordingly, this letter is something I will make publically available.

I await your early response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Ricketts', with a large, stylized initial 'A' and a circular flourish at the end.

Andrew Ricketts

4th August 2021

Mayor Wayne Johnston, Meander Valley Council
26 Lyall Street, Westbury, Tasmania 7303

Dear Wayne Johnston,

In the notice of 23rd July on the MV website, referencing the upcoming Public Meeting, the MVC states that the Northern Prison is only a proposal at this point and that your role is to listen to the community on how we feel about the prison. Please seriously consider the following, and share our concerns with the government: Risdon Prison remains a complete failure, despite all the best efforts of Elise Archer, so how are we to believe that a Northern Prison will fare better? Each day we read that crime continues to escalate in Tasmania, and this is a very real concern for all of us. Crimes are occurring not only in low income areas, they are taking place next door and down the street in our small and once peaceful towns. Crime has become very local for everyone. This surge in crime is most uncomfortable and we need to ask, how seriously are you taking the repercussions of this prison, set to be built right outside Westbury on a designated nature reserve at Brushy Rivulet, a mere 5.3 kilometres from the Westbury town centre?

The Liberal government is proposing a new prison for the North, but we ask you to consider the 'revolving prison door' phenomenon and the dominating affect that this prison will have on the local Westbury area. The 'revolving door' refers to recidivism, meaning that those prone to criminality come in and out of prison every few years. One study found 71% returning within three years. The experts know that prison offers no rehabilitation for offenders. Statistics also reveal that those released from prison tend to remain in the local vicinity, where they commit more crime before going right back inside. As in Hobart, there is no housing in Meander Valley for parolees. Our government, however, tries to brush these facts under the carpet, keeping us in ignorance and refusing to admit that we are all accepting a very real threat of violence into our lives by agreeing to this new Northern Prison. We do not feel that we have been properly consulted and kept informed by the Meander Valley Council. This decision is too important for you to be making behind your closed doors without adequate public debate.

And what about the parole rules that are not working now and have not worked for years? With prisoners being repeatedly paroled and set free to roam within the local vicinity of the prison, the reality is that all of us in the Meander Valley region are being asked to accept the very real risk that we will increasingly become the victims of criminals going in and out of this revolving door. Westbury is the closest town to this proposed new prison and our beautiful, historic, peaceful little town will become the dumping ground and favoured locale for such people.

Professor Julian Savulescu, an Australian philosopher with a Ph.D from Monash University, a bio-ethicist and neuro-ethicist, Co-Director of the Wellcome Centre for Ethics and Humanities and holder of the Uehiro Chair of Practical Ethics at Oxford University, writes in one of his research papers on crime: "In 2002, Melbourne resident Adrian Bayley was found guilty of carrying out 20 rapes over a 23 year period, and was sentenced to 11 years in prison. Seven years later, having completed a sex offender treatment program, he was deemed no longer to pose a threat to the public and was released on parole. Tragically, he went on to sexually abuse and murder 29 year old Irish born ABC journalist Jill Meagher after he had a spat with his girlfriend."

Adrian Bayley's history of repeated attacks on women raised serious questions over the parole regime. The state Premier said that the system failed the murdered Jill Meagher, and the Coroner agreed. "It should never have happened", they said, "Correctional Services failed". The sad truth, however, is that our parole system is still failing in Tasmania and all over Australia.

Professor Savulesco writes: “Bayley committed his first rape at the age of 18, when he trapped a 16 year old girl in his house before assaulting her. Within a year he had raped two other women, one a hitchhiker. He was sentenced to five years in prison in 1991, but was released after two years. In 2000 he embarked upon a series of rapes in Elwood, attacking women who were working as prostitutes. On each occasion, he parked his car close to a wall behind a row of shops so his victims could not open the door to escape. In February 2011 he attacked a man in Geelong, breaking the victim’s jaw and knocking him unconscious. Bayley was handed a three month term, but he appealed against the sentence and parole was not revoked, allowing him to be free on bail at the time he killed Meagher.”

Presently there are now more than 200 parole assessment review tools to determine the risk of reoffending. But do they work? Savulesco’s decades of research show that these tools work moderately at best. The records show numerous catastrophic failures in these parole assessments. Have the Meander Valley Councillors considered that our parole system may be exposing the peaceful population of Westbury to increased risk? You were elected to look after the welfare of your constituents! What are you actually proposing here? To abandon peace and safety? Prof. Savulescu’s research shows that there are an alarming number of psychopaths and sociopaths living in our neighbourhoods. Spending a single afternoon at the Magistrates’ Court in Launceston, one can come to realise just how many psychopaths there are in society. We are all feeling this deterioration of society, so isn’t it time for the Meander Valley Council to say to our government that this prison is not well thought out? We believe it is!

New Tasmanian Ferries are being built to bring tourists to the Northwest of Tasmania, and we can see our government actively cutting off Meander Valley’s prosperity while supplying Burnie and Devonport with new life. What are you offering us in Meander Valley with this new prison? A life of danger and violence? We all know that when tourists see the Prison signs they’ll drive quickly on and will not stop in our region. Are we to endure another mismanaged Risdon scenario?

Alarming, Australia is now rated eighth in the world for exposure to pornography, and it has been shown that violent porn is rampant in our prisons. Is it difficult to see the connection here? Psychologists confirm that offenders who feel that they do not have a place in society find an affinity with porn groups and are prone to live an outlaw life of repeated criminal activity.

After Jill Meagher had been raped, she told her ‘revolving door’ abuser Adrian Bayley that she was going to report him to the police, whereupon he promptly murdered her and dragged her body out of sight. Her body wasn’t found until six days later, dumped 50km away from the scene of her death. In three separate trials held in 2014 and 2015, Bayley was found guilty of three more rapes committed before he killed Meagher. The victims, two sex workers and a Dutch backpacker, came forward due to the high level of publicity of the Meagher case. Bayley had by then been convicted of sexual crimes against 12 people. On 25th June 2015, Bayley lodged an appeal against two of the three convictions and the extended non-parole period he received in May 2015. In July 2016, Bayley lodged an appeal against one rape conviction and was given a three-year sentence reduction.

This letter is asking you to consider more carefully what it is that you would actually be doing by locating a Northern Prison in the tranquil Meander Valley. It is not all about economic growth, it is about the quality of life that we wish to preserve here in our towns.

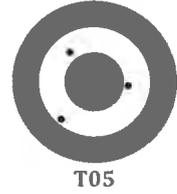
We do not need a Northern Prison in the middle of the Meander Valley, one of the most peaceful areas in Tasmania. We should not be exposed to rising violence, nor do we need to accept this ill-considered prison, with its parole rules that are not fit for purpose. Ignorance is not bliss! The truth is, our future is not being well managed.

Yours, Concerned Residents of Westbury



Westbury Shooting Club Inc.

Westbury - Tasmania - Australia



2nd of August 2021

Att:

General Manager

PO Box 102

Westbury TAS 7303

mail@mvc.tas.gov.au

Dear Sir,

As an interested party the Westbury Shooting Club would like the assurance that the locating of the Northern Prison at Westbury will not impact on our Range or club activities / operations.

Although no fire arms nor ammunition are stored at our range location, we do have a concern if local farmers, who may be members or require their firearms for vermin control, crop protection or hunting will be impacted.

Many thanks

Regards,

Bruce Pepper

Secretary / Treasurer

Public Officer

Westbury Shooting Club

Index No. S04-05-040			
Doc No. 1637540			
RCVD	- 5 AUG 2021	MVC	
Action	ML	Dept.	G
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Meander Valley Council
Lyell Street
Westbury
Tasmania 7293

28th July 2021

Cheryl Hendley

Rosevale
Tasmania 7292

SUBMISSION FOR PUBLIC MEETING RE ESTABLISHMENT OF PRISON AT WESTBURY

My concern with the proposal to build a maximum-security prison in the Meander Valley is that it would inevitably become the only maximum-security prison in Tasmania. Risdon Prison has been problematic for many years.

The current minister and government do not seem to be able to manage one prison, and certainly, Tasmania cannot afford the financial cost of running two prisons. Therefore, I believe that the government's long-term plan is to build a modern maximum-security prison and eventually phase out the failing Risdon Prison.

Already the Meander Valley hosts the Ashley Youth Detention Centre (which is also poorly managed). By adding a maximum-security prison, the government would be condemning the Meander Valley to becoming the correctional centre of Tasmania with all the social problems that it would bring, destroying the rural charm of Westbury and besmirching the name of the Meander Valley, making it a place to avoid for tourists to visit and families to settle.

Sincerely,



CHERYL HENDLEY

Submission regarding the proposed prison in the Meander Valley

I object to the proposal to build a maximum-security prison in the Meander Valley primarily on the grounds of the process used by the Tasmanian State Government in selecting the current site and the former site.

There was no consultation with the public on the proposal prior to the announcement made by Minister Elise Archer and the Meander Valley Council. The 'consultation' that followed the announcement was a sham with members of the northern prison team taking individual appointments but unable to answer questions because of the 'in confidence' agreements that they had to sign prior to the sham public consultation.

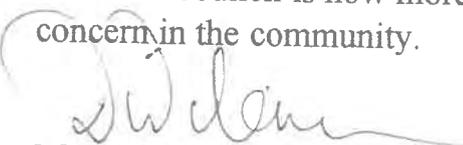
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The land was identified by the secretary of DPIPWE, a role that is supposed to protect land purchased to protect endangered flora and fauna. The land has languished without real protection for the twenty years since it was purchased using federal money.

Martin Gill, a former general manager of the Meander Valley Council made the original contact with the government relating to a correctional centre being built in the Meander Valley. His contact was with his own cognisance only. He, in no way sought the opinion of the residents of the Meander Valley or even, possibly, members of the council at that time.

Your lack of consultation with the residents and ratepayers of the M.V. has led to suspicion, disrespect, and frustration with the council and councillors.

How does the present council explain this lack of consultation with the rate payers of the M.V. municipality, whilst other councils have consulted with their ratepayers, and why has there been no consultation regarding the present site, when the council is now more aware of the questionable process and the level of concern in the community.


Mrs D.M. Wileman

Westbury
Tasmania 7303

Index No. 504-05-040			
Doc No.			
RCVD	- 4 AUG 2021	MVC	
Refer to	ML	Dept	G
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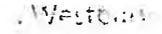
Please acknowledge receipt of this submission

From: david evelyn
Sent: Friday, 6 August 2021 12:22 PM
To: Meander Valley Council Email
Subject: Attention General Manager, re Prison proposal.

I wish to raise concern over the Northern Prison proposal and the negative community effects so far. I am not necessarily against a prison itself but the process to it's current chosen site. Originally Government appeared to just announce the original location with no real consultation, no other shortlist locations made public and then tried to deal with the backlash. Then, probably with good intention, met with some anxious people who would be directly affected by the proposal, changed the site to it's current site at the drop of a hat. To me, a desperate and shortsighted attempt to resolve an issue, again with no wider consultation with residents directly involved. How can changing location and creating High Anxiety to other families directly bordering and close to the site be proper process? Not to mention it's meant to be a nature reserve. What is to stop this poor selection process from happening again to any of us in the Meander valley? Time spent by Government (so called) consultation so far could have been a lot better in my opinion. It is with these thoughts and views that I ask Meander Valley Council to please consider these effects on families and individuals when considering Government prison proposals.

Sincerely, David Evelyn.

Martha McQueen

 Westbury

Attention General Manager, John Jordon

PO Box 102

Westbury Tasmania 7303

mail@mvc.tas.gov.au

Submission on the Northern Regional Prison project

My name is Martha McQueen. I have lived in Westbury for 33 years, near the Village Green. My husband and I have raised a family of four children here, and as a family we have enjoyed the lifestyle this community provided.

Our children and grandchildren [and other extended family] continue to visit us from the mainland and overseas and consider it a privilege to embrace the environment we boast—our own backyard, The Town Common, Village Green, Egmont Reserve and the Westbury Reserve [aka Marney's Hill Reserve or Brushy Rivulet Reserve]. A regular and anticipated fascination for all of them is the opportunity to explore these places and discover the presence of wildlife in our midst—Eastern-barred bandicoots, brown bandicoots, pademelons, Bennetts wallabies, skinks, frogs, platypus, as well as the variety of native birds that visit each habitat. **Of particular note are the threatened species living and breeding at Westbury Reserve.**

We have watched and participated in the various programs in Westbury over recent years which have supported an increase in native habitat in backyards, The Town Common and Westbury School. **But the Westbury Reserve remains the only site rich in old-growth vegetation necessary for the preservation of a number of threatened species.**

It is our sincere hope that this tract of land—given by the Commonwealth government for the purpose of safeguarding both fauna and flora—will not be cleared and repurposed as a prison. The cost will not only be prohibitive in installing necessary infrastructure on site, building the prison and improving the road, but also irreversible in the desecration of such a critical natural environment and the well-being of local citizens.

We urge you to consider our grave concerns in this matter.

Martha McQueen

Rod McQueen
Westbury

Attention General Manager, John Jordan
PO Box 102
Westbury Tasmania 7303
mail@mvc.tas.gov.au

Submission on the Northern Regional Prison Project

My wife and I have lived in Westbury for 33 years, during which time we raised four children, all of whom love coming home from the Big Smoke not just to visit us but also to revel in the abundance of wildlife that this area has to offer. A recent visit with grandchildren to the Marney's Hill Reserve helped us to see just what a treasure this site is for children — safe, yet filled with opportunity to explore and plenty of insects and plants to discover.

I appeal to Council to reconsider its decision to support the Marney's Hill Reserve as a site for a maximum security prison.

True, Westbury is close to quite a lot of bush, but this site is unique for its natural values, being less disturbed and thus more “natural” than any surrounding bushland areas. Adjacent bush has been cleared and replanted over the years with non-native Shining Gum. Such bush may look healthy, but it contains very few old gums with cavities that are critical for successful breeding by hollow-nesting species. Marney's Hill Reserve, by contrast, harbours numerous old gums with cavities. The reserve was, after all, purchased in 1999 with Federal funds for such reasons.

Others more informed than myself will undoubtedly provide lots of information on the natural values of this reserve. I will just add that one of the outstanding features of living in Westbury is the abundance and biodiversity of bird life on the town. To its credit, Meander Valley Council actively encouraged residents to plant species that would attract and provide food reserves for native birds. It even invested quite a lot of money to provide free plants to community members for attracting and building up food reserves for native birds. The point I want to make is that few of the more “interesting” birds, such as the Yellow-throated Honeyeater, the Grey Shrikethrush and Eastern Spinebill breed on the town. Though I cannot provide figures, one can presume with some confidence that the Reserve contributes significantly to our thriving, diverse bird population.

Personally, I believe building a maximum security prison anywhere within the municipality would be a mistake for various reasons. But I particularly appeal to Council's better judgment and ask that the Marney's Hill Reserve be removed from consideration.

Rod McQueen

SUBMISSION

I shall continue to do my utmost to stop this proposal by the state government to force the Meander Valley community to host another correctional facility. Ashley Detention Centre is the proof of this area carrying its weight in social responsibility. I believe that the proposal to build a maximum-security prison in the Meander Valley is a shallow political stunt to demonstrate the state government's willingness to follow up on their populist promise to be 'tough on crime', which they apparently seem to think requires them to build another warehouse for offenders instead of trying to solve the real problem of poverty, poor education, homelessness, substance abuse and family violence. It is easy to hold this up as another populist proposal to the audience that responds to their 'bread and circuses' sports initiatives. Unfortunately for the residents of the Meander Valley, their council appears to have been blindsided by the state government in their support of extending Ashley to accommodate a medium to low security correctional facility with a market garden training wing. A previous council made the suggestion and the current council appears not to be willing to challenge the result that has been handed back from the state government, perhaps due to fear of negatively affecting aspiring and budding Liberal political careers.

The entire project has been dogged by undemocratic controversy from the very beginning because of trickery and secrecy and the blatant absurdity of the idea, so well expressed by Mr Peter Hoult, the former Secretary of the Justice Department who labelled the concept as 'verging on insanity'. If the government really want another prison to replace the one that they have so demonstrably shown to be incapable of running, then it should be geographically central for all Tasmanians to access. That does not describe Westbury. Tasmania obviously can't afford two prisons and the government certainly can't staff the one that they have. If they truly feel a need for a second prison then it would need to be close to all logistical providers. That would mean somewhere very close to a major city such as Launceston, however, this happens to be in the seat of Bass, which is the seat and home of the senior Liberal politicians. Devonport or Burnie in Braddon, would be an alternative, but they also happen to be the seat of other senior Liberal politicians. Lyons, on the other hand, is the seat of the Speaker, who is widely tipped to be retiring soon, and the member for Lyons - who lives in Bass. So he, amongst others who live in Bass and have responsibilities in Lyons, has 'no skin in the game' regarding the direct effect of a maximum security prison on his family or business. It is a purely selfish, populist political stunt. One which the mayor of the Meander Valley has often given his blessing to in the media



Peter Wileman. M.Sc, BEd, LCGLI.

Westbury
Tasmania 7303

Index No. 504-05-040			
Disc No.			
RCVT	- 4 AUG 2021	MVC	
Action	ML	DEPT.	G
LOI	OD	✓	

Please acknowledge receipt of this submission

SPREYTON

TAS 7306

4th August 2021

Meander Valley Council

P.O. Box 102

WESTBURY

TAS 7303

mail@mvc.tas.gov.au

Att: General Manager Mr J. Jordon.

Dear Sir,

I am writing in response to your Council's invitation for public submissions on the proposed development of a northern prison on the property north of Westbury known as the Brushy Rivulet Reserve.

As a field botanist I have consulted and assessed the environmental impacts of proposed projects in many areas of Tasmania, including the Meander Valley district for over 20 years, up until my recent retirement, mainly focusing on the mineral exploration sector. I have walked over the Brushy Rivulet Reserve numerous times to observe and record the flora which occurs within the reserve.

I therefore consider that I am well placed to make comment on the likely environmental impacts of the prison being sited and developed in this reserve.

The natural vegetation within the Brushy Rivulet Reserve and specifically within the proposed development footprint of the prison is clearly defined as a grassy forest community. That is open Eucalyptus forest with an understorey and ground layer consisting of native grasses and herbs.

Grassy Forests and Woodlands are one of the most threatened vegetation communities in south-eastern Australia including Tasmania. This vegetation formation was once widespread across the northern Midlands but very little now remains, and what does remain is often in a degraded state.

It is critically important that all remaining remnants of such Grassy Forest and Woodlands in Tasmania are retained and protected for their biodiversity and conservation values and this clearly includes the Brushy Rivulet Reserve.

The area of Grassy Forest in the Brushy Rivulet Reserve is particularly important in that the forest is in a quite mature condition with old-growth Eucalypts, many of them possessing hollows which are critical breeding habitat for many of our hollow dependent species of fauna, including a number of threatened species. The loss of old-growth trees with hollows is a significant threat for such wildlife right across the state but is particularly so in areas largely devoted to agriculture and forestry, such as around Westbury.

The Grassy Forest within the Brushy Rivulet Reserve is also important as it is very likely to be the most westerly occurrence of this typically northern Midlands vegetation, and it is also likely to be the last remnant of this vegetation community that remains in the Westbury area.

The grassy ground layer of the forest in the Brushy Rivulet Reserve is quite diverse with many species of native grasses and herbs including a number of listed threatened species including the Blue Pincushion *Brunonia australis* which has disappeared from many of its previously known locations due to clearing for agriculture, forestry and urban development. A decline which I can personally attest to. On this basis alone the location is worthy of full protection and conservation.

It is quite clear to me from an environmental impact aspect that the Brushy Rivulet Reserve is a most unsuitable and inappropriate location to develop a prison. I strongly urge the Meander Valley Council to do all within its capacity to ensure that the prison development project is relocated to a more logical and commonsense site.

The Council should also lobby the state government to have the Brushy Rivulet Reserve dedicated as a formal reserve in order to conserve its high biodiversity values, as was the original intent with the acquisition and purchase of this important parcel of remnant vegetation. These biodiversity values have been confirmed by my own on-site surveys.

Philip Milner

Proposed Prison For Westbury

01.08.202

Having a prison at or near the village of Westbury, will bring with it, a social culture currently exhibited in the suburbs of Risden ,Mayfield and Rocherlea . Requiring a constant police presence.

Westbury is known as a village invoking a warm peaceful & historic ambiance, supported by numerous historic homes and public buildings , having one of only two Village Greens to be found in the southern hemisphere, a common, providing tranquil recreation for the many who utilise it, supported by a wonderful Western tier back drop.

The Questions should be posed, 1/ why is the state government pushing so hard to place the prison at Westbury, when a location like Rocherlea has all the infra structure, (ie) water, gas, power roading , poor grade agricultural land, close proximity to launceston , geographically central for Hobart, East Coast and North West coast visitors, Minimal travel time for law enforcement and general administration. ???

2/ why are the Westbury Councilors being Gagged in respect of openly offering their individual opinions on the matter.???

What Is the Real Reason, Council and State Government are fixated on Westbury, as the location for the Prison. Where are the justifiable facts supporting their argument???

Concerned long term Citizen retired local business operator

Robert Bryant



Central North Field Naturalists
<https://www.disjunctnaturalists.com>
disjunctnaturalists@gmail.com

Meander Valley Council
Attention: General Manager, John Jordan
PO Box 102
Westbury Tasmania 7303
mail@mvc.tas.gov.au

2 August 2021

Dear Mr Jordon,

Members of the Central North Field Naturalists have been visiting Brushy Rivulet Reserve (also known as Westbury Reserve or Marney's Hill Reserve) for many years. This land was originally acquired for its high conservation value which has been clearly confirmed by on-site surveys undertaken by many of our members.

Our most recent visit as a group occurred in spring 2020 when we observed an extensive patch of the rare blue pincushion, *Brunonia australis* and numerous species of native orchids that had not thus far been recorded at the site. Subsequent visits by members have identified the site as extremely important for breeding native bird species that have been decreasing elsewhere in the region. These include the endemic Dusky Robin and Yellow-throated Honeyeater and the migratory Satin Flycatcher and Dusky Woodswallow.

There is a Tasmanian Wedge-tailed Eagles' nest on the boundary of the adjoining property on Brushy Rivulet that has been on the records for many years. In January 2021, an active nest of a Grey Goshawk was also identified on the boundary of the adjoining property on Brushy Rivulet.

There are at least 80 hollow-bearing eucalypts on the reserve, which alone should protect the site. Eucalypts take up to 80 years to form hollows suitable for small birds like Striated Pardalotes, and up to 150 years to form hollows suitable for large birds such as the Tasmanian Masked Owl, which is protected under commonwealth legislation. There are numerous records of Tasmanian Masked Owls at the site, and a nest/roost tree has been identified on the proposed prison's 'footprint'.

It is extremely concerning that the government seems determined to forge ahead with its plans to destroy the natural values of this site. If a high security prison in the north is needed, there are plenty of cleared areas with no natural values that could be used for the purpose. Furthermore, an already cleared site would ideally have the necessary infrastructure – water, power, internet access, safe road access, and public transport – all of which are lacking from Brushy Rivulet Reserve.

Thank you for the opportunity to have input about this important matter.

Yours sincerely,

A handwritten signature in cursive script that reads "R. E. Read". The signature is written in dark ink on a light-colored background.

Robert Read
CNFN President

8-8-2021

My Submission to Meander Valley Council

I chose to come to live in Westbury because it is a nice, attractive country town with friendly people and a good level of service for the residents, and close enough to Launceston to be able to access the hospitals and so on when required. I am asking the council to please stop the proposed prison from being built here. I understand that the council made the decision to apply for this prison without asking the people. That is not democratic. I have noticed a growing split in the town and it seems to me that people are avoiding talking about the prison because they are afraid of being seen to be in one camp or the other. This split is caused by the council and must be healed by the council. I think that the council should either make it clear to the state government that we don't want their prison, or hire a respectable survey company to ask the people how they feel about the proposal, so that the matter can be settled one way or the other.

EVE ROSSON

WESTBURY 7303
E. Ross

Index No. 804.05-040			
Doc No.			
RCVD	- 9 AUG 2021	MVC	
Action	ML	Dept.	G
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Please acknowledge receipt of this submission

8/8/21

Submission regarding the proposed prison in the Meander Valley

I object to the proposal to build a maximum-security prison in the Meander Valley primarily on the grounds of the process used by the Tasmanian State Government in selecting the current site and the former site.

There was no consultation with the public on the proposal prior to the announcement made by Minister Elise Archer and the Mayor of Meander Valley Council. The 'consultation' that followed the announcement was a sham with members of the northern prison team taking individual appointments but unable to answer questions because of the 'in confidence' agreements that they had to sign prior to the sham public consultation.

The Expressions of Interest exercise turned out to be another sham with the current site never having an EOI applied to it. The nature reserve has now lost part of its protection and I would like to see the council rezone Marneys Hill to protect it in a way that was supposed to happen, but never did, at the date of purchase twenty years ago due to ineptitude by DPIPWE.

The land was identified by the secretary of DPIPWE, a role that is supposed to protect land purchased to protect endangered flora and fauna. The land has languished without real protection for the twenty years since it was purchased using federal money.

Martin Gill, a former general manager of the Meander Valley Council made the original contact with the government relating to a correctional centre being built in the Meander Valley. His contact was with his own cognisance only. He, in no way sought the opinion of the residents of the Meander Valley or even, possibly, members of the council at that time.

Your lack of consultation with the residents and ratepayers of the M.V. has led to suspicion, disrespect, and frustration with the council and councillors.

How does the present council explain this lack of consultation with the rate payers of the M.V. municipality, whilst other councils have consulted with their ratepayers, and why has there been no consultation regarding the present site, when the council is now more aware of the questionable process, the 'sensitive' flora and fauna, and the level of concern in the community.

IAN ROBSON

WESTBURY



Index No.		504-05-040	
Doc No.			
RCVD:	- 9 AUG 2021	MVC	
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Please acknowledge receipt of this submission

Submission lodged ahead of public meeting on 11 August on Northern Regional Prison proposal

By Mark Westfield

Launceston; Mobile

There are numerous reasons why the proposed prison that the State government wants to build on national reserve land near Westbury CAN'T and SHOULDN'T be built.

Why it can't:

- The land on which the prison is proposed to be built was bought in 1999 using federal government funds from the Telstra privatisation under a Partnership Agreement associated with the National Heritage Trust between the federal government and each of the States, Tasmania in this case. The federal government bought dozens of similar areas of natural bush around Australia with the objective that these reserves would be preserved to enable threatened species to survive. Under the NHP Agreement the Tasmanian Government has been legally obliged to put in place a plan of management "as soon as possible" after the purchase. The Tasmanian government hasn't done this despite numerous requests from the federal environment minister and the fact the land was bought with federal funds 22 years ago. Under the agreement, it is only deemed to be the property of the Tasmanian Government if it is retained as a reserve. The Tasmanian Government does not own this land, it has no title over this land, so it cannot build the prison there. If it tries to, inevitably there will be a legal challenge

Why it shouldn't:

- The prison would be too close to Westbury, a Georgian village of about 2,000 people. The prison and its unsavoury visitors would dominate and degrade the town going by the experience of "prison towns" near jails in NSW (eg, Kempsey, Lithgow, Cessnock, Grafton etc)
- There is no power, water, sewerage connection, or suitable road servicing this complex said to house up to 270 prisoners and a similar number of prison staff (around 500 all up); the sewage clearly would end up in nearby Bushy Rivulet and the South Esk River
- It is highly unlikely Westbury (or the nearby villages) will get any economic benefit from the jail. Prison staff will come from more distant towns/cities like Launceston and Burnie (there is an unspoken rule that prison staff do not live where the prison is located because of the threat of being targeted by visitors and friends of prisoners); the construction work will likely go to major contractors (possibly from the mainland)
- There is justifiable concern locally that Risdon will be closed (as it is a suburb of Hobart) and this will eventually become the State's main prison
- If the government really has to build another prison, there are other, far more suitable, sites; the former woodchip site on the East Tamar which has power, water and sewerage connections; also Burnie, which has said it is interested in having the prison located near the city, and Launceston (Rocherlea)

- Threatened species such as the wedge-tailed eagle and masked owls along with Tasmanian Devils and wombats that live in the reserve will not likely survive the complete destruction of their environment

No doubt there will be some supporters of the prison at the public meeting, presumably arguing some sort of economic benefit to Westbury and nearby towns. These arguments are not sound, as it is unlikely there will be sufficient benefit to offset the very damaging negatives for Westbury.

The overwhelming case, including the fact the State Government has no right to develop this national reserve land, however, is against the prison



Mark Westfield

6 August, 2021



5 August 2021

Mayor Wayne Johnston and Meander Valley Councillors
Meander Valley Council
26 Lyall Street
Westbury TAS 7303

Dear Mayor and Meander Valley Councillors

Re - Protecting Birralelee Road, Westbury

The Tasmanian Land Conservancy (TLC) believes the property (PID 7031141) on Birralelee Road, Westbury should be conserved as originally intended through the Private Forest Reserve Program, contributing to the National Reserve System.

By way of background, the Tasmanian Land Conservancy (TLC) is a not-for-profit, apolitical, registered environmental organisation that owns and manages land of high conservation significance (tasland.org.au). Established in 2001, the TLC is now one of the largest private landholders in Tasmania with conservation reserves extending over 30,000 ha. TLC reserves are protected by a conservation covenant on title under the Nature Conservation Act 2002. The TLC works both on our own reserve network and with private landholders to achieve conservation. The Revolving Fund program, delivered by the TLC, enables the organisation to identify and acquire land with conservation significance, secure a conservation protection on the title through a covenant, and sell the land to a conservation-minded buyer.

As outlined in the Brushy Rivulet - Westbury CONSERVATION COVENANT PROPOSAL the property has numerous natural values, including suitable habitat for a range of rare and threatened species. The TLC is supportive of the property's conservation (as originally intended) within the National Reserve Estate, either as a public conservation reserve or with a conservation covenant through the Revolving Fund mechanism.

In 1999/2000, land (PID 7031141) on Birralelee Road, Westbury was purchased by the State Government through Federal Government funded Private Forest Reserve Program for the purpose of conservation.

In February 2011, in discussions with the State Government (Department of Primary Industries, Parks, Water and the Environment) offered the property to the Tasmanian Land Conservancy to sell (with a covenant on title) through the TLC's Revolving Fund program with the proceeds to remain in the fund to support future conservation purchases. In May 2015, the TLC completed the proposal for a conservation covenant under the Nature Conservation Act 2002 (Brushy

Tasmanian Land Conservancy
PO Box 2112
Lower Sandy Bay TAS 7005
Ph 03 6225 1399
E info@tasland.org.au
www.tasland.org.au

Rivulet - Westbury CONSERVATION COVENANT PROPOSAL) as part of the process. The proposal outlined the various natural values of the property and identified the suitable habitat for a range of rare and threatened species. Since then, the TLC has been awaiting finalisation of the process through the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) which administers conservation covenants under the Nature Conservation Act 2002.

On 18 June 2020, the TLC was verbally informed by DPIPWE that the transfer of the property to the TLC would no longer transpire, as the property was selected as the site of the northern prison. The TLC was not informed of this decision until after the Tasmanian Government media release was made public, notifying the community of the government's decision.

The TLC is yet to receive any formal correspondence from DPIPWE or the Department of Justice in relation to the matter. The TLC has requested copies of relevant documents including the executed deed of transfer which the TLC has not received. Through the RTI release (019) the TLC now has a copy of the executed deed of transfer. We have sought legal advice in relation to the deed, which indicates the Minister has no obligation under the deed to transfer the land to the TLC.

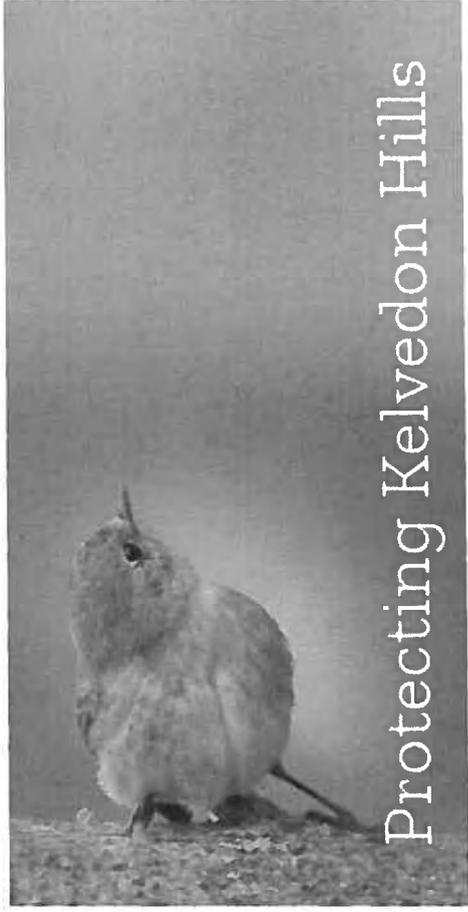
We believe the property should be conserved as originally intended through the Private Forest Reserve Program to protect the important natural values onsite.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Hattam', with a stylized flourish at the end.

James Hattam

Chief Executive Officer



Protecting Kelvedon Hills

Enisa Oldenhof

From: Jacqui Parker on behalf of John Jordan
Sent: Friday, 6 August 2021 5:06 PM
To: Meander Valley Council Email
Subject: FW: On Birralee Road
Attachments: image001.jpg; image002.png; image003.png; image004.png; image005.gif; Letter to Meander Valley Council Aug 2021.pdf

Please register the below as a submission for the public meeting.

From: Margie Jenkin <_____>
Date: 6 August 2021 at 10:08:24 am AEST
To: Wayne Johnston <Wavne.Johnston@mvc.tas.gov.au>
Cc: James Hattam _____
Subject: On Birralee Road

Dear Wayne

On behalf of James Hattam, CEO of the Tasmanian Land Conservancy, I am attaching a statement on the Birralee Road, Westbury Prison Site.

We understand that the Meander Valley Council is investigating the background, issues and sentiments related to the proposal and the TLC wanted to provide the attached.

We will not be in attendance at the public meeting next week, but wanted to share this background with you.

Best wishes,
Margie



John Jordan, General Manager
P: 03 6393 5317 E: John.Jordan@mvc.tas.gov.au
26 Lyall Street Westbury, TAS 7303 PO Box 102, Westbury Tasmania 7303
www.meander.tas.gov.au

From: Pauline Ross
Sent: Saturday, 7 August 2021 8:28 AM
To: Meander Valley Council Email
Subject: Submission for a public meeting

This is to register for a public meeting to oppose the building of a maximum security prison in Westbury.
Would you please acknowledge my submission by return email.
Pauline and Danny Ross
(Westbury ratepayers)

From: Maria Saldana
Sent: Sunday, 8 August 2021 5:10 PM
To: Meander Valley Council Email
Subject: Proposed northern prison

Meander valley councillors.....the council' dishonesty and secretive dealings in attempting to plonk a prison right next to Westbury beggars belief.

The lack of information about, the lack of communication with ratepayers, is stupidly arrogant.

Even your figures have been misleading from the get-go...2 kilometres, then 5 kilometres from Westbury...when those distances were measured from the centre of town..the post office, not the town boundary.

You have opened the door to having a prison in the municipality with your self interested wheelings and dealings. I suggest you go back to the drawing board...have some proper and independent consultation with residents and ratepayers....before going any further along this very dodgy path.

Maria Saldana, Liffey.

Sent from my iPad

From: Heather Donaldson
Sent: Sunday, 8 August 2021 8:30 PM
To: Meander Valley Council Email
Subject: Attention General Manager

Submission re Proposed Prison

Submission to Meander Valley Council on Proposed Westbury Prison

There are many concerns regarding this prison.

Personally I would prefer to see half a billion dollars to be spent instead on proper rehabilitation, drug and alcohol services, education and housing, to reduce recidivism, or on our appalling health and mental health system, youth suicide prevention and homelessness.

Apart from not wanting to see Westbury changed from a quiet, peaceful, historic tourist village into a prison town, my main concern is the damage being done to our once wonderful community.

There is grief, anxiety, depression, anger and frustration across our community. There is huge disappointment in our council at their lack of consultation, and the discovery that they played such a major part in the initial stage of this proposal.

Obviously they knew it would be controversial.

This prison has also caused some bitter divisions between friends and neighbours and other groups within our town.

Studies have shown that when a controversial project is dropped onto a community, without prior consultation, that community can easily disintegrate into “angry, warring tribes.” We need to ensure that this does not progress any further within our community.

There is no social license for this prison. The social costs are too high.

Heather Donaldson,
Westbury

Enisa Oldenhof

From: Marjorie Burrows 1>
Sent: Monday, 9 August 2021 9:41 AM
To: Meander Valley Council Email
Subject: Henry Burrows. Submission ahead of the Northern Regional Prison proposal.

Dear Council members,

As a resident of Westbury this is my submission re the proposed maximum security prison.

Westbury is a rural area with a base for rural industry some of which requires nature protection. It is also classified as an "historic" town. It has no workforce trained in prison management. A high number of Westbury employment is taken up with approximately 5 or more industries already based here. The argument that locals can be trained up is a joke. The numbers required are not here which means they would be brought in and fundamentally change the community which has a rich historic and rural atmosphere.

Westbury is home to many new residents who wish to escape the fundamental changes that this development would bring. They have also in good faith brought greatly increased revenue to the area and given time will contribute more to Westbury than this prison. My wife and I therefore implore you to reject the submission to building this prison here and hope they find a much more suitable place for lawbreakers closer to their families.

Could you please acknowledge receipt of this email. Thank you.

Kind regards, Henry and Marjorie Burrows.

A Submission

7/9/2021
SB/MS-040

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If this government want a new prison in the north, then it should be built somewhere close to courts, hospitals, police, suppliers, ambulances, power and water, and in an area that has a big population with a high number of the families of prisoners, so that they can visit the prisoners easily. Why spoil a historic country town by making it known as the prison town in the same way that Risdon is a name that is both the suburb and the prison. When people visit Tasmania, I don't want them to automatically think of the Westbury prison. I live in Westbury, and I don't want people to think that because I live here, that I must have someone in prison. There are no services to be suitable for building a prison anywhere in the Meander Valley so it should be built on the outskirts of Launceston or Devonport in my opinion.

I don't know why the council has got us into this mess, but they have never asked anyone I know how they feel, so any advantages that might come from having a prison here must be for the council's benefit and not for the people. Perhaps it's time for the council to ask the people what they want. The meeting has been forced on the council and they have done their damndest to avoid a meeting, which, to me, suggests a level of guilt or embarrassment for the way that the council has acted. I think that a proper survey of the people should be run that clearly shows that the council is not involved in the survey and the results of that survey should be available in full to the people who pay the wages of the council.

Dorothy Matthews

Westbury, 7303

D. H. Matthews

Please acknowledge receipt of this submission

A Submission

If this government want a new prison in the north, then it should be built somewhere close to courts, hospitals, police, suppliers, ambulances, power and water, and in an area that has a big population with a high number of the families of prisoners, so that they can visit the prisoners easily. Why spoil a historic country town by making it known as the prison town in the same way that Risdon is a name that is both the suburb and the prison. When people visit Tasmania, I don't want them to automatically think of the Westbury prison. I live in Westbury, and I don't want people to think that because I live here, that I must have someone in prison. There are no services to be suitable for building a prison anywhere in the Meander Valley so it should be built on the outskirts of Launceston or Devonport in my opinion.

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Annex Daber
Miss A DEXTER

6th August 2021

Westbury
Tas 7303

John Jordan
General Manager
Meander Valley Council
PO Box 102
Westbury TAS 7303

9 August 2021

Dear Mr Jordan

Westbury

304-05-040	
- 9 AUG 2021	MVC
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OD	✓

RE; SUBMISSIOIN FOR PUBLIC MEETING WEDNESDAY 11 AUGUST 2021

This submission categorically opposes the State Governments proposed Northern Regional Prison that was spoken about by the Meander Valley Council BEFORE the public announcement on 30 September 2019.

1. Earlier in 2017 the Council expressed an interest to the State Government to build this prison adjacent to the Northern Correctional Centre in Ashley.
2. Now your proposing to build this prison on a bush corridor that allows native wildlife to move safely from habitat to habitat.
3. The present Meander Council has opened up Westbury for residential development, ensuring their income for the future BUT with NO tangible improvement in services.
4. Now a prison is proposed on their doorstep!
5. To consider a prison of this nature without an independent socio-economic study into the impact is absurd.
6. The results of any thorough consultation process should be made available to the ratepayers.
7. Why isn't there a scheduled visit by the Premier to view the proposed site. With continuing problems at the Risdon Prison, is this one going to be managed any better?
8. Rehabilitation and training for future incarceration should be the agenda.
9. Tasmania would achieve much respect from the rest of the country if this was encouraged.

In my opinion I have no confidence in the Meander Council proceeding with a prison without proper analysis.

Yours faithfully



Valerie Stone (Mrs)

From: Karen Mackenzie m>
Sent: Monday, 9 August 2021 5:16 PM
To: Meander Valley Council Email
Cc: Wayne Johnston; Michael Kelly; Stephanie Cameron; Frank Nott; Rodney Synfield; Deborah White; John Temple; Tanya King; Andrew Sherriff
Subject: Attention: General Manager Meander Valley Council

Dear Mr Jordan

I am requesting that the Meander Valley Council reverse all of its support for the building of a Northern Prison in the Meander Valley. No open consultation with the community of ratepayers and other residents has ever occurred. What began as the support of the previous General Manager and a few councillors for some sort of low level correctional facility near Ashley, has morphed into a maximum security Northern Prison, which I fear will become the only prison in Tasmania in time. Again no open public consultation from our local Council.

Meander Valley Council needs to go back to the beginning and undertake a study into the economic, environmental, traffic and social impacts, independent of any proponent bias.

The site proposed by the Dept of Justice is totally inappropriate for development. It surprises me that Council has not already made its environmental concerns clear to the community. The Crown Land at Marney's Hill is inappropriate due to the presence of rare, vulnerable and endangered species eg Masked Owl, Grey Goshawk, the Tasmanian Wedge tailed eagle and the Green and gold frog. The clearing of over 16 hectares of habitat should be of considerable concern to the Council. Perhaps Council's Environmental Staff could commence this study? If this type of study had been undertaken, Council, might have already realised the importance of this parcel of land and already rezoned the land from agricultural to priority habitat. This land was purchased for forest conservation and to provide a long term representation of forest environments, that are now largely cleared.

I do not believe that the social impact study undertaken by the proponent has taken into account the change to the nature of the local community of Westbury, which would be brought about by a Northern Prison. A small historic village such as Westbury will be unable to absorb the impacts of such a large development. There will be long term impacts on the cultural fabric of such a small heritage village.

Because of the behaviour of a few people in Council Westbury is now sadly, a divided village. I have lived in Westbury for 22 years and this is the most disturbing effect Council's behaviour and lack of transparency has had on the village. After Westbury was bypassed it was like a tap had been turned off, but after years and years of effort and hard work Westbury is once again a vibrant, living village with many amenities other small villages of our size and larger would be grateful to enjoy. Westbury does not need a maximum security prison.

Council initiated and facilitated this vexing problem and I urge Council to take the necessary steps to rectify the situation for the betterment of the ratepayers and all the community.

Yours sincerely
Karen Mackenzie

Westbury

Sent from my iPad

Submission to Tasmanian Government's Northern Regional Prison Proposal Public Meeting.

Wednesday 11th August, 2021.

I believe there are three main reasons why a Northern Regional Prison should be built, and why it should be located in the central north of Tasmania, near the town of Westbury.

1. Risdon prison is currently near full capacity.
2. There is a need for a prison in the north of the state to allow inmates whose families reside in the north easier more regular access to help with eventual placement of released prisoners into their communities.
3. The Westbury area, being situated approximately in the centre of the north, with good access to the main east west highway, is an obvious choice.

No community is likely to put up their hand voluntarily demanding to have a prison built in their area. Now that the State Government has chosen Westbury as the preferred site, we should be looking for the positives for the town and community and do our best to negate the negatives.

Positives:

1. Short term employment in the construction of the facility.
2. Services required by the larger companies involved in the construction and operation of the facility such as
 - a. Food
 - b. Fuel
 - c. Accommodation
3. Long term employment in the operation of the Northern Regional Prison.
4. Workers with families who move to the area will give a boost to the community as demand lifts for schools, sporting facilities, cafes, and small business in general.
5. Longer term, the prison will require support services to help with rehabilitation of inmates.

Negatives; and counter arguments:

1. Tourists won't visit a prison town.
 - a. Not borne out in any other town that we have travelled to on the mainland that has a prison either close by, or in the centre of town eg Broome-biggest tourist town in WA. [See regional prison list below.]
 - b. Whether a town has a prison, is not a consideration when deciding to visit that town or area for us, and every other traveller with whom this has been discussed.
2. Real estate prices will be lowered.
 - a. No recent evidence to support this.
 - b. Minimum 20% rise in land and house prices in the past year.
3. The prison will be an eyesore with bright lights at night. This relates to the original proposed site.
 - a. To see the prison at the original site in daylight hours, you would have to be looking for it, otherwise it wouldn't be noticed.
 - b. At night time, the lights from what was the poppy factory stand out from kilometres away, and it is much closer to the highway which would overshadow any other structure with a similar light output which is further away.

Further comment: I believe that the State Government has made an error in moving the proposed site to the Brushy Rivulet conservation area. Services such as electricity, gas, water, and sewerage are much more readily available at the original site. Putting the prison on a greenfield site further away from the town has only served, quite rightly, to annoy other landholders and those who see the conservation values of the area being devalued.

The proposed correctional centre should be focussed on rehabilitation to get as many inmates as possible back into the mainstream community, and minimising recidivism. We shouldn't be locking up law breakers and throwing away the keys but should be doing all we can as a civilised society to help them assimilate into the community as contributing members.

List of regional prisons on Australian mainland. (Juvenile prisons excluded. Not a comprehensive list.)

- **NSW** Bathurst, Berrima, Broken Hill, Cessnock, Glen Innes, Goulburn, Grafton, Junee, Lithgow, Tumbarumba, Tamworth, Wellington.
- **NT** Alice Springs, Darwin.
- **QLD** Rockhampton, Mareeba, Maryborough, Gatton, Townsville, Woodford.
- **South Australia** Murray Bridge, Port Augusta, Port Lincoln.
- **Victoria** Beechworth, Sale, Castlemaine, Ararat.
- **Western Australia** Albany, Broome, Bunbury, Kalgoorlie/Boulder, Roebourne, Derby.

Tim Stevenson

Westbury.

John Jordan
General Manager
Meander Valley Council
PO Box 102
Westbury TAS 7303

9/8/2021

RE: Submission for public meeting Wednesday 11 August 2021

I write this submission to OPPOSE the State Government's proposed Northern Regional Prison in the Meander Valley.

I am appalled and dissatisfied with the Meander Valley Council and ask the Council to withdraw its support of the prison in the municipality.

I do this for the following reasons:

- Meander Valley NEVER discussed the options of having the prison in the municipality in the very first instance. This is what has angered the community. For a council who's by-line is "working together", Meander Valley Council did not work together with its community but worked together in secret with land holders, politicians and council behind closed doors, with secret emailing, devising a plan and a deal that was done well and truly prior to the public announcement on 30 September 2019. The consultation process following this announcement was not consulting the community it was a government ploy to appease the public!
- Since the public announcement, the local and wider community has shown their disappointment with the process.
- As a member of the community, I wasn't involved in the decision making process. A maximum security prison will have a huge impact on the local and wider community, we should be part of that decision making process. We should be able to decide if that is what I want in my backyard.

I call on Meander Valley Council to:

- withdraw their support of the Northern Prison by revoking the Council's motion of 12 December 2017 in which Council moved to express interest to the State Government in a Northern Correctional Centre to be built next to Ashley.
- Withdraw the two expressions of interest submitted by the Council in September 2018 for the Northern Regional Prison to be located near Westbury.
- Request that the State Government hold off on their development application for the prison until the Council can conduct and publish an independent socio-economic study into the impact of the prison on Meander Valley and particularly the residents and ratepayers of Westbury.

Yours sincerely

Liza de Lautour

Submission against Westbury Prison

I am writing this submission to voice my strong disapproval for the proposed maximum-security prison to be built on the site of the Brushy Creek Reserve.

I am 50 Y/O and grew up in the area. I spent the first 20 years of my life living on Birralelee Road before moving away. I drove past this site daily, going to school and work etc. This section of bush was a mature block of typical bush, similar to many in the area. Directly opposite this block was once the same as the reserve, and this area was an area you would often see roadkill of native animals. I have seen more Tasmanian devils in this area than in any other area I can recall. Unfortunately, as road kill. But each year there were more. On a recent trip through Birralelee Road, I saw another devil had been killed. while crossing the road. While unfortunate, to me this shows the devils are still living in this area.

I travel back home and to visit family and often you see the areas that were once bush in the area are slowly reducing. Not by huge clearing but through disease in trees, clearing of small sections for irrigators or removing a small area for pasture. Bit by bit the native bush is being reduced.

The bush along to brushy lagoon and towards Deloraine is has vast amounts of plantation. The amount of natural bush land is not great.

This is an area found to have great bio-diversity of flora and fauna and was purchased with the specific objective of retaining its values for future generations of the native inhabitants and people so we won't lose them values.

Regards

Graeme Brown

East Devonport Tasmania

9-8-2021

TO THE GENERAL MANAGER - MEANDER VALLEY COUNCIL.
SUBMISSION RE PROPOSED NORTHERN PRISON SITE.

I, TIMOTHY MACARTHUR SCOTT OF
WESTBURY, AS A LIFE LONG WESTBURY RESIDENT AND
RATE PAYER, I REQUEST THAT COUNCIL REVOKE ITS
DECISIONS THAT SUPPORT THE CURRENT PROPOSED PRISON
SITE. IT IS TOTALLY UNSUITABLE, IT IS NOT A LEVEL
AREA, ONE OF THE REQUIREMENTS OF THE GOVERNMENT, AND
HAVE A HIGH FIRE RISK WITH LIMITED ACCESS IF BIRRALEE
ROAD IS BLOCKED THAT WILL PUT EMERGENCY SERVICES
PERSONEL AND THE WIDER COMMUNITY IN DANGER.

THE LAND NEEDS TO BE REZONED TO RE INSTATE
HABITAT AND WILD LIFE PROTECTIONS THAT EXISTED UNDER
THE PREVIOUS PLANING SCHEME. IF THE LAND WAS SUITABLE
FOR FARMING OR OTHER USES IT WOULD HAVE BEEN DEVELOPED
A LONG TIME AGO.

SIGNED

T M Scott

Index No.	804-05-040		
Loc No.	1639967		
RCVD	10 AUG 2021	MVC	
Author C.	ML	PL	G
EO		OD	

WESTBURY TAS 7303

Email:

From: Julie Gee
Sent: Tuesday, 10 August 2021 2:27 PM
To: Meander Valley Council Email
Subject: Attention General Manager. Mr John Jordan

After speaking with a friend and he telling me his sister had 1,000 acres at the back of Rocherlea she would sell to the State Government for a Northern Regional Prison.

I telephoned Mr Ivan Dean at the time the MLC for Windermere and formerly Northern District Police Commander. When I mentioned the land available at Rocherlea and this would be close for prisoners family's to visit as 250 prisoners in Risdon Prison are from the Launceston area and they would have better rehabilitation prospects, he burst out saying 'oh you could not do that to Rocherlea it would become a ghetto'. Then I mentioned maybe a small purpose built Village near the new prison 'oh no you could not do that because the Village would become a ghetto also. Well Mr Dean what do you think will become of Westbury.

I have a friend from the Meander Valley who is presently travelling on the mainland with wife and caravan, he told me he was travelling through Port Augusta where there is a maximum security prison, the town has not gone ahead even though it once was a pretty place on the water and well loved, in fact it has gone backwards, the houses have steel shutters over the windows due to the high crime rate and there was a general lack of pride in the town. The only improvement is a new bridge in the town and I guess that is to get the prisoners families to the prison.

Meander Valley residents please think carefully is this what we want for our beautiful Municipality. High crime rate, violence, drugs, theft as this is what will come with a Maximum Security Prison in our Municipality. I feel our young can aspire to better things than this type of employment. Our State Government looks upon this Prison as an industry with little thought of Rehabilitation or the social implications for our Municipality in fact they look on it as a growth industry which is very sad and no prospects of serious rehabilitation for prisoners.

Ashley is a kindergarten compared to this monstrosity.

Our Meander Valley does not need saving it is one of the most economically sound Municipalities in the state, we must demand more from our leaders from local, state and federal government.

J Gee
Exton 7303 Tasmania

Please advise me in receipt of this submission.

With Thanks,
J Gee.

Sent from my iPad

Sent from my iPad

Submission against the proposed Westbury Goal

10/08/2021.

I am writing to you to express my opposition to the proposed building of a goal at the Brushy Creek Reserve at Westbury, Tasmania.

I don't not agree that this is the appropriate setting for the new goal based on the negative impact this will have on flora and fauna on the reserve itself and also for fauna that use this reserve as a corridor when moving around the Westbury area itself. It has been noted in many discussions either through news outlets or social media that this reserve is home to many endangered fauna including Wedge - tailed Eagles, Grey Goshawk Tasmanian Devils and Quolls as well as many plant species that are also endangered or endemic to that specific region. It has also been noted that this parcel of land had been deemed Crown Land with the aim to retain the land as a reserve for the purpose of ensuring habitat for fauna species into the future.

I am also concerned about the environmental impact this will have on established families who already live in this area and for those who were planning to move to this area in the future. Due to increased lighting, traffic and noise pollution that will emanate from the goal, during the construction phase and also once completed. Many valuable farming families may leave this area as it no longer is able to support their livelihood.

I am also concerned about the impact this will have on the greater Westbury area due to increased traffic, noise and the negative connotations that having a goal in this area will have on the town itself. With the possible loss of long-term residents and a significant change to the village appeal of the township itself.

Regards Janine Brown

East Devonport, Tasmania

QUESTIONS AND CONCERNS RE PROPOSED WESTBURY PRISON SITE For tabling at the Community Meeting on Wednesday 11th August 2021

Author – Annette Reed

BACKGROUND

I am a local resident, who grew up on the Birralea Road and currently reside at Selbourne.

I do not outright oppose a northern prison. As one who at one point faced the possibility of having to travel south to visit a family member, I am well aware of the benefits and necessity of having some kind of facility for families to support inmates. My views on what that facility should be lie outside the scope of the issue at hand.

There were several prison submissions from northern councils but all focus has been on the Meander Valley. We are not even aware of the nature or location of the others. This immediately raises questions about why the Meander Valley and more specifically, why Westbury are such an imperative. I understand that it is a central location but it is not the only central location. The unanswered questions, the sudden announcements and the lack of consultation over the entire process has created increasing doubt and suspicion.

The sudden announcement of a previously unconsidered site has caused alarm and fear. This is particularly so as the site has been a recognised Reserve for many years and has been deemed to have high environmental and conservation value.

It is on that basis that I submit my concerns and recommendations.

SUDDEN CHOICE OF PREVIOUSLY UNCONSIDERED SITE

The announcement of the Brushy Rivulet Nature Reserve as the new preferred prison site came from completely out of the blue. My understanding is that, with the increasing unlikelihood of the Glen Avon site going ahead, the Brushy Rivulet site was, like the poor neighbour cousin minding his own business, simply pinpointed and chosen just because he was standing in the wrong place. Then, neighbours learned of the decision just minutes before the announcement or first heard about it on the radio when the announcement was made. There was even less community consultation than the first time.

I cannot begin to understand how the current proposed site even became a consideration, given that it was never in the running as a northern prison site. It was not on anyone's list while several other proposed sites in the north have apparently been dismissed without any consideration. The State Government has still not answered this question satisfactorily.

I have read and heard about possible deals between Meander Valley councillors, land owners (namely Glen Avon Farm) and the Liberal Government. The concerns raised around possible

conflicts of interest are well expressed by Mr John Hawkins, whose submission you will have received.

<https://www.tasmaniantimes.com/2021/08/submission-to-meander-valley-council-on-westbury-prison/#:~:text=Submission%20to%20Meander%20Valley%20Council%20on%20Westbury%20Prison>

I, too, am concerned by the apparent lack of transparency as outlined in this document. I am alarmed by the sudden appearance of the Brushy Rivulet Reserve as a preferred site and cannot help but be suspicious that there is a hidden agenda at play.

IF THE PROPOSED INDUSTRIAL SITE WAS NOT SUITABLE, HOW IS THE NEW SITE ANY BETTER?

At only 3km further away, the only argument that could be made for the new site is for “out of sight out of mind.” This is poor and cruel logic.

While Site 1 had good access to amenities, the Brushy Rivulet site has nothing at all (although Minister Archer did try to argue with locals that there are power lines running right past the site). While I acknowledge this would give plenty of short-term employment, I do not accept that jobs only for jobs sake is sufficient justification for anything. (This is not to be interpreted that I am anti-jobs or anti-progress. Every form of progress must be weighed and measured in relation to its inevitable drawbacks). The degree of works that would have to be completed is enormous and would ultimately and permanently scar the entire block.

POSITION OF PROPOSED SITE IN RELATION TO WESTBURY

I have heard a number of comments from the public stating that the new site is more appropriate because it is “in the middle of nowhere.” I’ve heard State Government members speak of the area in similar terms, with the Premier himself stating that the site will be tucked in behind the trees and “you won’t even know it’s there.” (Given the amount of works required, as stated above, along with the night time lighting it will bring, I very much doubt this). This insulting statement assumes “out of sight, out of mind.”

Minister Archer, herself, chose to argue with locals that the area was not even a part of Westbury and that nor are they. This is insulting to the locals whose very address is Westbury. As one who grew up there, I still identify with that area as my home and I certainly considered myself to be a Westbury resident.

I understand that no matter where a prison is finally placed, there will be people who are unhappy. In this case it must be fully acknowledged that the area is home and workplace to locals,

many of whom have very long term connections to the site and the area in general. They will be affected.

The site is in the middle of farmland. There has been long term local awareness of the value and importance of this site, even reinforced by Government itself. Farmers directly backing onto it have recounted numerous examples of refusals by Government departments to be allowed to undergo sometimes the most basic works on their own properties because of the potential disturbance to natural values on the Reserve site (eg. wedge tailed eagle on the back boundary). How then, can none of this matter now and what stand does the MVC plan to take on this hypocritical backflip?

IMPACT ON EGMONT SWIMMING HOLE

The proposed site is less than two kilometres from Egmont swimming hole. Egmont is an attractive area with amenities, that has been used by the locals for swimming and relaxation for many decades. It is the only swimming facility we have in Westbury. Note, I say *in* Westbury because as locals, we have always considered it to be part of the town.

Because of its values, Egmont would also provide a safe, relaxing pull-over area very close to a new prison. People will be travelling considerable distances to get to the prison. Sometimes they will arrive early and have to wait. Sometimes they will want to stop and “gather” themselves before heading home. I can foresee that the swimming hole carpark will become a far more attractive waiting room for prison visitors than the prison carpark itself. This is not a judgement on the acceptability of those visitors in any way. It is simply to point out that the purpose of the Egmont swimming hole is not as a prison waiting room. The more outsiders who frequent the area and use it for a purpose other than its intended purpose, the less safe it becomes for locals who value it for what it is.

LOCAL RESIDENTS DO CARE ABOUT THIS BUSH

I have heard it said that “local residents didn’t even care about the site until they learned it was going to have a prison on it.” I respectfully disagree. I grew up on Birralea Rd, on a property with a considerable amount of bushland. My mother instilled in us a strong awareness of the important natural values of native vegetation. She knew the area well, was well aware of the wildlife that existed there and adamantly defended the importance of wildlife corridors. My parents knew Dr Harry Laker and were pleased when his bush block on Birralea Rd took on its new role. It was obvious and very concerning to my mother that farmers can, and will, clear land over time, creating an ever-shrinking natural environment and native habitat. This continuing trend is evident now as you look around the hills surrounding the Reserve. The trees are disappearing rapidly. It was due to my mother’s strong conservation values that 800ha of native

bushland, very close to the Reserve, have and will continue to remain intact. She was very aware of the importance of the connection between the two blocks.

It is possible that we local residents took that bush wildlife corridor for granted because we knew its history and we thought it was safe, but it is incorrect for anyone to believe locals did not care about that Reserve block. The expansive work by local resident and highly respected naturalist, Sarah Lloyd OA, is testament to this.

IMAGINE A DIFFERENT FUTURE FOR THE WESTBURY RESERVE

I understand that the State Government can do as it chooses with the Westbury Reserve and (aside from certain approvals etc) it is technically not a MVC issue. However, the land is in the Meander Valley Council and it is a block of land that has been shown to have high conservation value. Clearly, the MVC has some influence in the decision around location of the prison.

In this day and age, when climate change is rapidly threatening and destroying natural bushland (the very thing we need to help counteract climate change), how can the conservation values within the Reserve suddenly have no meaning to the point that it can simply be destroyed in the name of "The Economy"? What does it say about the values of those who govern us that they place "The Economy" in isolation above all else? This is false economy. The economy is only a part of the whole. Yes, a thriving economy needs jobs, but it also needs a thriving natural environment and it needs thriving human communities. We need bushland more than ever. We need it more than it needs us and we should be doing everything in our power to conserve what we can.

I note a recent comment made by MVC General Manager John Jordan, in response to a community member's question on the development of a Climate Change Emergency Plan:

Meander Valley Council recognises that while the specific local impacts of climate change are uncertain, it makes sense to minimise pollution and related environmental impacts and adapt to emerging and future risks arising from climate change. Council's efforts to mitigate and adapt to climate change need to be relevant to our community, industry and local circumstance. It is appropriate to incorporate climate change responses into existing planning, risk management and other business practices rather than developing a separate climate emergency plan. (MVC Minutes , 10/3/20)

By agreeing to place the new prison on the proposed site is to not only enable a hypocritical environmental sellout of convenience on the part of the Government but also to sacrifice a valuable opportunity right in our midst.

I have heard people say, "The land is compromised anyway. It has gorse on it and people have been cutting wood in there for years." Both of these are true. But both are fixable and neither one has, at this stage, destroyed the bush beyond repair. They are not reason enough to "throw the baby out with the bathwater."

There is little accessible, publicly owned, intact natural bushland in the area. Rather than being complicit in the destruction of what is there, I would like to see the MVC fight to have the Reserve cared for and opened up for the public to enjoy. It is a high-value asset right on Westbury's front doorstep. No, it will not create as many jobs as a prison, but it will create far more wellbeing. It is ironic that high value bushland, the very thing that promotes better health outcomes for all, is at risk of being destroyed to make way for a concrete, high security prison - the most toxic, unhealthy environment of all.

CONCLUSIONS AND RECOMMENDATIONS

I fully support the submission of Mr John Hawkins.

1. I support his request "that the meeting is given sufficient time to debate a motion requesting that the Integrity Commission be asked to fully investigate the actions of the state government, the Meander Valley Council, and the former mayor Mark Shelton regarding their undeclared involvement over the first Glen Avon Farm site for the proposed Westbury Northern Regional Prison and all aspects of the initial Expression of Interest Process which was clearly tainted."
2. I support Mr Hawkins' proposal "that the meeting votes that the second site chosen again without community consultation by the state government on Marney's Hill Reserve, Westbury should be rejected, and that the meeting resolves to call upon the Meander Valley Council to support and facilitate this action without fear or favour."
3. Given its very close proximity to the proposed site, I ask the Meander Valley Council to seriously consider the likely impact of the prison on Egmont swimming area.
4. I ask that the Meander Valley Council, in rejecting a prison on the site, instead seize on its potential and push to have it promoted and appropriately valued and cared for as a notable natural asset to Westbury and the Meander Valley Community.



Annette Reed

, Selbourne (formerly of

Westbury)

JP Loader

Westbury TAS 7303

John Jordan
General Manager
Meander Valley Council
PO Box 102
Westbury TAS 7303

10/08/2021

Dear Mr Jordan

Re: Submission for the Public Meeting Wednesday 11 August 2021

I write this submission to oppose the State Government's proposed Northern Regional Prison in the Meander Valley, to express my discontent with the Meander Valley Council's involvement and call on the Council to withdraw its support of the prison in the municipality. I do this for the following reasons:

1. The Meander Valley Council first spoke about a prison in the Meander Valley and moved to make it happen long before the public announcement was made on 30 September 2019 by the Attorney General, Elise Archer. All of this was done in secret with no public consultation at all. The first time the community of Westbury heard about the prison was via the media.
2. Since the announcement, there has been no robust, transparent or independent community consultation by either the State Government or the Meander Valley Council.
3. I object to the prison because as a resident of Westbury I wasn't involved in the decision-making process and the prison is too close to Westbury and, should it be built, will irrevocably damage and negatively change Westbury.

There are many other reasons why I object to a prison close to my residence, however, for the purpose of the Public Meeting the above are my main objections.

As a result of these objections, I request the following:

I call on the Meander Valley Council to withdraw their support of the Northern Prison by revoking the Council's motion of 12 December 2017 in which Council moved to express interest to the State Government in a Northern Correctional Centre to be built next to Ashley Youth Detention Centre.

I call on the Council to withdraw the two Expressions of Interest submitted by the Council in September 2018 for the Northern Regional Prison to be located near Westbury.

I call on the Council to request that the State Government hold off on their development application for the prison until the Council can conduct and publish an independent socio-economic study into the impact of the prison on the Meander Valley, and particularly the residents and ratepayers of Westbury.

Yours sincerely



Paul Loader

Anne-Marie Loader

Westbury TAS 7303

John Jordan
General Manager
Meander Valley Council
PO Box 102
Westbury TAS 7303

10/08/2021

Dear Mr Jordan

Re: Submission for the Public Meeting Wednesday 11 August 2021

I make this submission as a resident and ratepayer of the Meander Valley.
Not in my capacity as Secretary of Westbury Region Against the Prison Inc.

I have many concerns about the siting of a prison near my home in Westbury. The main concern that I would like to raise in this submission is about the Council's role in getting the proposed northern prison Expression of Interest (EoI) off the ground and the Council's clear lack of community leadership and involvement with this issue since that day.

To find out about the proposed prison by watching the evening news was an unpleasant shock. It was a shock to see our Mayor standing with the Attorney General and nodding in the background to the announcement, it was a shock to hear him come out in support of the proposal. It was a shock when he said that most people in the community would be supportive of having a prison in the municipality when the community were only just finding out about it.

What made the Mayor think that the community supported this proposal before we even found out about it?

Clearly he was wrong or this Public Meeting would not be happening nearly two years after the first announcement.

Clearly if the community was behind this proposal, the DA would be already submitted, approved, tenders advertised and the building of a prison imminent. None of this is happening because the community has had no choice but to fight back and let the Council and the State Government know that we do not want a prison in Westbury.

The announcement of the proposed northern prison on 30 September 2019 came out of the blue to the community but since that day it's obvious that this announcement was after a long and secretive process that involved Meander Valley Councillors and Council staff.

Why wasn't the community kept in the loop with the Council's decision to submit an EoI for a Northern Prison? The EoI process was never advertised, the list of other locations never made public.

Is this because there are no other sites? Why wasn't the community asked if we wanted to express interest in the first place?

Why has the Council, since that day, chosen to ignore the obvious lack of support for the proposal by the majority of the local community?

Why did the Council think it was ok for the immediate neighbours of the first site on the Valley Central Industrial site to find out by a visit from the media? Why didn't the Council as the local governing body ensure that the neighbours would be treated with respect?

Why did the Council allow a similar thing to happen to the neighbours of the second site? They only found out 30 minutes prior to a public statement by the State Government and some only through the media again.

Why has the Council allowed the high level of community angst to go on with no support for the Westbury Community?

Why does the Council hide behind the notion that one day the Liberal Government will submit a planning application / change of zoning for the prison and therefore Council can't do or say anything until that day? Clearly the Mayor is supportive of the proposal, Councillor Andrew Sherrif has said in the media that he thinks it's a good idea. Councillor Stephanie Cameron said she is supportive of the proposal during her recent State election campaign. Councillor Tanya King has been shown in RTI prior to the 30 September 2019 to be supportive too.

Why doesn't the Council show strong leadership? Why did it take two petitions of nearly 1000 signatories each to get this Public Meeting to happen?

Why do some Councillors constantly say that since they weren't elected at the time of the original EoI that it's nothing to do with them?

Why doesn't this Council come out strongly and say to the State Government that clearly the majority of the Westbury community does not want this prison in Westbury and therefore the Council doesn't support it?

The damage that the secrecy from the Council has caused will take hard work and a long time to fix. The secrecy has not only brought about damage but it's brought about community mistrust of the Council as an administrative body and as community leaders.

I call on Council to do the following:

- (a) revoke Council's motion of 12 December 2017 in which Council moved to express interest to the State Government in a Northern Correctional Centre to be built next to Ashley Youth Detention Centre;
- (b) withdraw the two Expressions of Interest submitted by the Council in September 2018 for the Northern Regional Prison to be located near Westbury;
- (c) request that the State government withhold its application for the Northern Regional Prison to be located in the Meander Valley municipality until after:

- the Council commissions, publishes and considers an independent socio-economic study into the impact of the proposed Northern Regional Prison on the Meander Valley municipality; and
- the Council commissions, undertakes and publishes the results of its own, thorough consultation process with its ratepayers; the Council brings the results of these processes back to its ratepayers so as to consult with them as it ought to have done in 2017.

Further to this, the process to hold the Public Meeting has been non-inclusive:

1. A weekday evening excludes many people with family commitments, work commitments and elderly people generally don't like to go out in the evening.
2. Eventbrite is a difficult method to register for an event if a) you don't have digital skills, b) you don't have access to a device and c) you don't have access to the internet. There are many people like this in the Meander Valley. Why didn't the Council allow for Eventbrite administrators to create tickets? This takes but a few seconds to do. Not to do this is mean spirited.

The two above points are another piece of evidence that this Council doesn't understand the community who is serves and doesn't seem to want to.

Yours sincerely



Anne-Marie Loader

From: Rachael Mansfield
Sent: Tuesday, 10 August 2021 12:53 PM
To: Meander Valley Council Email
Subject: Northern prison site.

To Whom it May Concern

I'm writing to express my opposition to the proposed prison site at Bushy Rivulet Reserve. The people in the surrounding area will be deeply impacted by the prison. It is currently surrounded by local farms and residents who will have their way of life drastically impacted and considerably effect their land value.

The area was set aside for conversation and I do not understand how this is now unimportant. It is currently a reserve and should remain that way.

I believe the previous location was far more suitable in an industrial estate only a short distance away from the proposed site and should be reconsidered, or a similar industrial areas.

Rachael Mansfield, Kingston,

Submission to Meander Valley Council on Proposed Westbury Prison

From Chris Donaldson, Westbury.

Any discussion on the proposed northern regional prison on the Birralee Road site must include an informed understanding of its future within the Tasmanian prison system and in Meander Valley itself.

When built as planned it will house 270 prisoners at a cost of over half a billion dollars. The present prison at Risdon will be by then even more outdated and unfit for purpose. It is inconceivable that any government will be able to justify the cost of 2 maximum security prisons in this state, whatever they may say now. As sure as night follows day, whatever government is in power will amalgamate the two prisons into one. There will be plenty of room on the Birralee road site to do this, and no government will be able to afford NOT to do this, probably sooner rather than later. This new northern regional prison will rapidly double in size to accommodate the closure of a redundant Risdon. This will have a huge social impact for Meander Valley for the foreseeable future and beyond, with very little discussion or understanding about this at present.

This new prison will become far and away the biggest single enterprise in the municipality and yet will generate little or no new wealth overall.

The money to build and run this prison will be entirely taxpayers' money. Meander Valley will go from its present successful private enterprise base to a community that relies very significantly on taxpayers' money. Inevitably, this will markedly change Meander Valley's social structure.

Do Meander Valley council, and more importantly its residents, really understand the future implications this change will bring to Meander Valley?

Do Meander Valley council and residents believe it will be a better future for Meander Valley and the overall character and wellbeing of the municipality?

There has been no serious discussion with the Meander Valley community on these long term aspects of the proposal.

It should be council's foremost responsibility to undertake this before any final decisions are made on this prison proposal.

The social and economic impact statement undertaken by SGS Economics and Planning and put out by government in June 2020, was not an independent study (see the qualified assessment on page 9 of that report).

This public meeting is a start, but it is only scratching the surface on the ramifications of this very large and expensive project.

From: corey cox
Sent: Tuesday, 10 August 2021 1:14 PM
To: Meander Valley Council Email
Subject: Re prison

To whom it may concern,

I am contacting you in regards the prison at Westbury and wish to say I deeply reject this proposal. Having grown up and lived around that region I personally know the district and a lot of good people in that area and they certainly don't deserve this to be going on. I often hunt the proposed district with close family and friends and would hate to loose this opportunity as it's a magical area that means all lot to me as well as the owners of the region.

Corey cox

penguin tas 7316

Sent from my iPhone

From: Kim Bishop
Sent: Tuesday, 10 August 2021 1:34 PM
To: Meander Valley Council Email
Subject: Objection Regarding Proposed Prison Site At Westbury

Please, I implore you NOT to go ahead with the proposed prison site at Westbury and these are my reasons why:

1.I do not believe that the construction of a new maximum security prison located at the Brushy Rivulet Reserve is the right location.

2.The government should abandon all plans and stop wasting tax payers money

3.The Department of Justice can not even run one prison successfully...how are they going to run two?

4.Why not try and fix the problem instead of building another warehouse to house prisoners?

5.The Brushy rivulet was a hastily chosen, quick fix when the government chose to move off the first site in the industrial estate.

This site has:

- no electricity,
- no water,
- no sewerage,
- no gas and
- no fibre optics
- and is on the Birralee Road, which is a major freight route that is already labelled dangerous in government documents.

6.The Birralee Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralee Road.

7.Brushy Rivulet is recognised as bushfire prone. I can't understand why the Government would consider risking the safety of prison staff, prisoners and ourselves by locating a maximum security prison on Brushy Rivulet Reserve.

8.Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions as vulnerable and should not be sited in bushfire prone areas.

9.The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate. We call upon the Federal Environment Minister and the Tasmanian Government to honour the original intent of the agreement and lock up Brushy Rivulet Crown Reserve.

10.No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

We are concerned for the survival of the many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

11.The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest and the newly discovered Goshawk's nest.

12. Property values will decrease. Equity has been lost in properties, the adjoining neighbours Aaron and Olivia Reader's bank have told them that they may not be able to finish their new home due to the lost equity and they will be unable to lend them the funds to complete... the build is in limbo

13. Egmont Reserve has been used for generations as the unofficial swimming pool for the Westbury community and in summer is often close to capacity for safe swimming. If a prison is built, this will no doubt become an unofficial waiting room for visitors of inmates and place a strain on the popular community place.

14. Neighbouring farms are concerned about the day-to-day operations effect on themselves and their livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents).

15. I call upon the Meander Valley Council to reinstate appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management".

16. I call upon the Tasmanian Government to listen to the will of the people and the overwhelming evidence and put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve.

Kim Bishop, Launceston

Mobile:

Submission from Jenny Brown, Westbury
Northern Regional Prison Site at Brushy Rivulet Crown Reserve

11 August 2021

As direct neighbours of the proposed Northern Regional Prison, we believe the Brushy Rivulet Crown Reserve is the totally wrong choice of location for a maximum security prison.

This site has

- no electricity,
- no water,
- no sewerage,
- no gas and
- no fibre optics
- and is on the Birralelee Road, which is a **major** freight route that is already labelled **dangerous** in government documents.

This is a Crown Reserve purchased by the Tasmanian Government because it was agreed that the site was of significant environmental value and should be preserved for future generations – your children and their children.

The Birralelee Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralelee Road.

Brushy Rivulet is recognised as bushfire prone. We are concerned for the safety of prison staff, prisoners and ourselves. The Government will be placing prisoners, who are deemed vulnerable, on this bushfire prone site.

Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions should not be sited in bushfire prone areas.

We all know that fires at prisons do occur as witnessed at Risdon earlier this year. We are concerned about the increased risk of fires in their community and the potential risk to people, property, pets and livestock.

Reports from the Risdon Prison fires detail police swarming the site, multiple police vehicles stationed around the jail's border and dozens of officers patrolling the perimeter following the fires. This is exactly what both Tasmanian Government representatives and Elise Archer have said will not happen in Westbury.

The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate.

No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

We are concerned for the survival of the many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

The Brown family, along with other neighbours, have ensured the wildlife corridor has remained connected through all of our properties. Our late mother and mother-in-law, Enid Brown, was an active environmentalist and believed in caring for our environment for future generations. She insisted that this corridor be kept and instilled in her children "just because we own it, doesn't mean that we have the right to clear it".

The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest.

The Tasmanian Wedge-tailed Eagle is listed as an endangered species under the EPBC Act with fewer than 200 breeding couples in the wild. The Forest Practices Code states that forestry activities are restricted within 500m or 1 kilometre line of sight of active nests during the core breeding season and a reserve minimum size of 10 hectares must be established around all nests found.

Documents recently released under Right to Information reveal DPIPWWE stated that over 95% of the proposed prison site is within 1 km line of site of the nest.

The Tasmanian Masked Owl is **critically** endangered and has a nest right in the middle of where the proposed prison would be built. How is the Government going to protect the Masked Owl given its critically endangered status?

Our properties will be de-valued if the prison is built. Saul Eslake, a well-known Tasmanian economist, has said properties will be devalued by 25%.

Egmont Reserve has been used for generations as the unofficial swimming pool for the Westbury community and in summer is often close to capacity for safe swimming. If a prison is built, this will no doubt become an unofficial waiting room for visitors of inmates and place a strain on the popular community place.

We are concerned about the day-to-day operations effect on both us and our livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents). Artificial light disrupts flora, nocturnal fauna activity, interfering with reproduction and reducing already endangered native populations.

The Government has assured us that lockdowns do not occur but only in recent months, we have seen the unfortunate effects of lockdowns at Risdon. In the event of lockdown, we are concerned about how we are going to access our properties to attend to stock, pick up children from school etc. If roads were closed, this would be a major disruption to all road users and particularly to trucking companies as this is a major freight route.

We can't keep on clearing little pieces of bush just because they are little pieces of bush and we believe they won't matter in the grand scheme of things. These pieces of bush are becoming rare and the endangered species on them will become extinct and it will be because government didn't have the guts to stand up for what the people want and for what is so

· obviously right! Just because a development brings jobs – doesn't mean it's the right thing to do.

Northern Regional Prison Site at Brushy Rivulet Crown Reserve

11 August 2021

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obviously right! Just because a development brings jobs – doesn't mean it's the right thing to do.



Sarah Lloyd OAM
Ornithologist/naturalist

Birralee, Tasmania 7303

General Manager, Meander Valley Council, John Jordon
PO Box 102
Westbury Tasmania 7303
mail@mvc.tas.gov.au
7 August 2021

Submission to the Meander Valley Council regarding the proposed northern regional prison.

The major part of this submission covers the environmental importance of Brushy Rivulet Reserve and the likely impacts of the proposed development. The second part concerns Birralee Road and its inability to deal with such a development, especially in the event of a bushfire in the area.

The Environmental Values of Brushy Rivulet Reserve

On 18 June 2020, the Tasmanian government announced Brushy Rivulet Reserve on Birralee Road as their preferred site for the Northern Regional high security prison. In a letter to me, the Tasmanian Attorney General Hon. Elise Archer wrote “the site does not contain pristine forest, but shows a long history of timber harvesting, and, more recently, also illegal firewood collection, stock grazing, rubbish dumping and shooting”. The letter also states that “The crown land site for the Northern Regional Prison was originally purchased by the government from a private landowner because it was believed it contained a specific forest type which had been significantly reduced by agricultural development and was not well reserved. However, subsequent investigation revealed that the site did not contain this forest type.” (Personal communication 6 August 2020) After a year of denigrating the site, Premier Gutwein and Minister Archer finally recognised in parliament on 24 June 2021 that the site has “sensitive natural values” and yet they still seem intent on destroying it.

I have been visiting Westbury Reserve (as I’ve always known it) since 2006 but have been there more frequently since the government’s shock announcement. After numerous visits to the reserve, it is clear to me as a naturalist and ornithologist that this is an extremely important fragment of remnant vegetation. The site is used by threatened fauna including Tasmanian Masked Owl, Grey Goshawk, Tasmania Wedge-tailed Eagle, Green and Gold Frog, and Tasmanian Devils. It supports a significant population of the rare blue pincushion *Brunonia australis*, and a further three rare plant species. It is also important for endemic and migratory bush birds, whose populations have declined or are becoming locally extinct in the region.

This is a summary of the conservation values of Brushy Rivulet Reserve, based on scientific and government documents as well as numerous visits documenting the flora and fauna by myself and members of the Central North and Launceston Field Naturalist Groups.

This submission will provide a brief summary of the location of the reserve in Tasmania to provide geographical context. It will then outline the history of the reserve, to show that its environmental values have been recognised for many years. Each of these environmental values will be summarised, including (1) current condition of the reserve; (2) important flora and fauna species observed at the site; (3) the reserve (especially proposed 'footprint') as a botanical hotspot, and (4)

the importance of hollow-bearing trees on the reserve. The next section of the report will summarise the harmful impacts that a major prison development would have on the natural values of the reserve. This includes harm from (1) high levels of noise pollution (2) 24-hour bright light pollution, (3) disturbances to the watercourse; (4) spread of weeds; (5) other impacts on bush birds, including breeding populations that have been lost from other nearby areas. The report ends by highlighting the ecological intactness and biodiversity richness of the reserve in comparison to nearby areas; and brings together the report's points to conclude that the reserve has a high environmental value, and makes an important contribution to biodiversity conservation. It is not an appropriate site for a major development. The state government should embark on a new, open and transparent site selection process: this reserve, and the threatened species it supports, should be protected in perpetuity.

The importance of the vegetation community at Brushy Rivulet Reserve in the Meander Valley municipality, Central North Tasmania

The site of the proposed high security prison on Birralee Road is within the 74.5 ha Brushy Rivulet Private Forest Reserve Program Reserve (previously Marney's Hill). The entire Crown Land parcel was mapped as Priority Habitat under the *Meander Interim Planning Scheme 2013*.

There is no question that there has been significant clearing of native vegetation throughout the Meander Valley municipality since the Meander Valley Council *Natural Resource Management Strategy* was compiled over two decades ago. Therefore, it is even more important and urgent to retain this reserve, especially considering the additional rare and threatened species that have been recorded at the site since July 2020.

In the Meander Valley Council's *Natural Resource Management Strategy 2000* (p. 34) Grassy/heathy *E. amygdalina* dry forest on sediments is listed as **Critical** under Priority for conservation of the community in Meander; and **Critical** under Priority for old growth in Meander. Grassy *E. amygdalina* dry forest and woodland on dolerite is listed as **Important** under Priority for conservation of the community in Meander; and **Urgent** under Priority for old growth in Meander.

- Table 2.10 Extent and Conservation significance of Vegetation Types in the Meander Valley Council Area, Meander Valley Council *Natural Resource Management Strategy 2000*, Inspiring Places Consultants, Jerry de Gryse and John Hepper with Louise Gilfedder, Andrew North and Ray Brereton

The Meander Valley Council's Vegetation Management Strategy describes general principles for setting priorities:

Principle 1. Highest Priority is for the protection and conservation of native vegetation containing threatened plant and animal species, listed in the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999*.

Principle 2. At the landscape level the priorities are to protect and conserve native bush in good condition consisting of threatened, rare or poorly-reserved plant communities.

- Arnhem Environmental Impact Assessors Pty Ltd in conjunction with stakeholders 2001 Meander Valley Council's *Vegetation Management Strategy consultation draft*

It is clear that Brushy Rivulet Reserve contains rare and threatened plant and animal species and poorly-reserved plant communities and should be prioritised for protection based on Principles 1 and 2 above.

Background to the purchase of Brushy Rivulet Reserve

An understanding of the background to the purchase of the Brushy Rivulet Reserve will help to highlight the importance of the reserve, and demonstrate that the reserve was always intended to be

retained as a conservation area specifically because of its environmental values. To this end, a summary of the background to the purchase of the reserve is presented here.

In 1997, seventy hectares of grassy woodland/eucalypt forest on Birralee Road (Certificate of Title Volume 14862 Folio 1; UPI 653927), came to the attention of Private Forests Tasmania because the owner wanted to convert the native forest for plantation development. Senior botanist with the Forest Practices Authority, Fred Duncan, and other staff undertook lengthy negotiations with the landowner to prevent harvesting and subsequent conversion to plantation because of the presence of a threatened vegetation community (inland black peppermint *Eucalyptus amygdalina* forest); two threatened plant species, blue pincushion *Brunonia australis* that was listed Vulnerable at the time of purchase and the rare handsome hooksedge *Uncinia elegans*.

Fred Duncan's report (February 1998) listed factors that added to the conservation value of the property:

“the occurrence of a large bettong population [that] also adds to the conservation value of the property [...]

The Regional Forest Agreement (RFA) does not list bettongs as a species requiring protection. However, it does indicate the desirability of some populations to be managed by reservation or prescription.”

The report goes on to describe the forest:

“The forest type has its strongest **affinities** (my emphasis) with the RFA community “inland *E. amygdalina* forest”. The forest is primarily dominated by *E. amygdalina*, with *E. viminalis* widespread as a sub-dominant or minor species and occasional occurrences of *E. ovata*. The vegetation varies considerably in structure and composition, depending on past land use, geology and topography. The rock types are Jurassic dolerite, Tertiary ironstone gravels and associated sediments. These rock types are all associated with remnant stands of the community elsewhere in the northern midlands.”

- (Ref: Duncan, F. Report and Recommendations on Proposed Forestry Operations, February 1998, Right To Information-002 p. 15)

It might be difficult for people with no botanical expertise or knowledge of natural history to appreciate just how difficult it is to assign a bureaucratic code to a complex ecosystem. As Fred Duncan wrote in his report, the vegetation varies considerably over the 70+ hectare reserve depending on local conditions, and it is these different habitat niches in the reserve that make it so important. For instance, Brushy Rivulet itself changes from a relatively level floodplain to a steep gorge. It is thickly vegetated along its entire length, and this dense vegetation provides ideal habitat for numerous species of fauna.

The site was recommended as a “Comprehensive, Representative and Adequate (CAR) reserve” under the Regional Forest Agreement (RFA) because the CAR Scientific Advisory Group (CARSAG) decided that the property was of “high enough import regionally to consider purchasing.” Following the recommendations, the block was purchased in 1999 with Commonwealth Government funds for the Private Forest Reserve Program (PFRP). In a summary of CAR reserve values in the Negotiators Brief, it is stated

“The block is composed of two forest types: Inland *E. amygdalina* [AI – now DAZ] and *E. amygdalina* on dolerite [AD – now DAD]. The Inland *E. amygdalina* community is rare/vulnerable, with a large percentage (>40%) of forest on private land required to meet the targets. **The *E. amygdalina* on dolerite community is also an RFA priority.**” [My emphasis]

Advice to negotiator:

“This property is regarded by the CAR Scientific Advisory Group (CARSAG) as very important because Inland *E. amygdalina* has become highly fragmented and this property is at the edge of its geographic range.”

- Negotiators Brief, RFA Private Land Reserve Program. Revised Version Date 24/03/1999. Conservation Officer Matt Appleby (Right To Information-002 p. 44)

The forest was subsequently reclassified a non-threatened community that was not required by the State Government to fulfil its RFA obligations. Nevertheless, its high conservation values were recognised and negotiations began in 2011 to transfer the land to the Tasmanian Land Conservancy for resale after being covenanted. These negotiations continued until April 2020, when the Tasmanian government announced, without warning, that the reserve was the government’s new ‘preferred site’ on which to build a large northern prison.

Current condition of the reserve

Brushy Rivulet Reserve has remained relatively untouched for the past 30 years, apart from small amounts of illegal firewood collection and occasional grazing by stock from the neighbouring property. Before that, there had been timber harvesting, gravel extraction, firewood collecting, and some livestock grazing, despite which the land retains extensive valuable habitat for fauna with numerous hollow-bearing eucalypts, scattered logs, coarse woody debris and patches of dense native vegetation especially along Brushy Rivulet where animals have safe access to water. Importantly, the site retains the values for which it was originally purchased. Indeed, subsequent visits to the reserve by experienced naturalists and ornithologists in 2020 and 2021 have reinforced its importance by recording the presence of additional rare, endangered and vulnerable species. Important species recorded in the reserve are listed below.

Important species recorded at Brushy Rivulet Reserve

Wedge-tailed Eagle - Endangered TPSA (1995) & EPBC (1999)

It should be noted that Brushy Rivulet Reserve was considered to be of high conservation value and purchased **before** the Tasmanian wedge-tailed eagle’s nest was found on the boundary of the adjoining property in 2005.

Once it had been recorded, the eagle’s nest complicated negotiations between Tasmanian Land Conservancy and staff at the Department of Primary Industries Water and Environment (DPIPWE).

“This [negotiation] has stalled since May 2015 as we have been unable to identify suitable management prescriptions to provide for the wedge-tailed eagle’s on the [adjoining] property. (Email from Helen Crawford to Samantha Fox 16 March 2016 Right To Information 07602019-20)

A more recent report ‘Status of Brushy Rivulet’, an undated, unattributed summary of the site based on a field trip on 15 March 2020, stated that:

“The Department typically and regularly recommends that developments (both their construction and operation) within 500m/1000m line-of-sight of an eagle nest do not occur in the breeding season (July-January inclusive) in order to minimise breeding disruption ... [and] ... For a facility of this kind with continual movement (and the likelihood of specific 24-hour lighting requirements) it would normally be *recommended* that the facility not be developed within 500m/1000m line-of-sight.” (RTI 1003 2020-21)

Note: If the department’s recommendation as outlined above is implemented, the proposed prison would not go ahead on this location. If it did go ahead against the government department’s own

advice, the construction and operation of such a facility would not be allowed at the site for seven months each year.

The eagle's nest in question at the reserve's boundary is in a healthy relatively young white gum *Eucalyptus viminalis*, and while not in use in the 2020/2021 breeding season, its sheltered location and health of the tree make it likely that it will be used in the future. There are several nests on properties surrounding the reserve, but some of these are in senescent trees that are increasingly vulnerable to strong winds.

The Tasmanian Wedge-tailed Eagle is listed vulnerable on both state and federal legislation. Not only could this proposed development disturb the breeding of this species because of constant noise at the site, but a fenced, large-scale development will be a hazard for species foraging in the area. Eagles- and other species - are vulnerable to crashing in to such structures.

Tasmanian Masked Owl - Vulnerable TPSA (1995) & EPBC (1999)

A Tasmanian Masked Owl's nest/roost tree was found at Brushy Rivulet Reserve in August 2020 on the proposed development site at GR 55 485524 S 54 07482 E.

Several Tasmanian Masked Owl pellets have been found at the Reserve during recent outings (2020-2021). A pellet found during a Central North Field Naturalists' outing on 6 September 2020 was identified from a photograph. (N. Mooney personal communication.) Another pellet was confirmed as the pellet of the Tasmanian masked owl by Judy Rainbird, researcher at Queen Victoria Museum and Art Gallery, Launceston who described the pellet as 'most definitely' masked owl, with a starling's scull and beak, as well as numerous scales, probably from a blotched bluetongue lizard. (Judy Rainbird Pers. comm. 8 December 2020).

Tasmanian Masked Owls have a permanent home range of about 2000 hectares in mostly lowland forests including the Reedy Marsh forests to the west of Brushy Rivulet Reserve. They nest in large hollow-bearing eucalypts such as those scattered across the reserve. Given the located of Brushy Rivulet Reserve on the eastern edge of these lowland forests, the proximity of the reserve to the agriculture/bush interface where there is a ready supply of food, Brushy Rivulet Reserve is likely to constitute very important Tasmanian Masked Owl habitat.

The Tasmanian masked owl—along with Tasmanian devil and Tasmanian Wedge-tailed eagle—is an 'apex predator', a species at the top of the food web that preys on other animals but has no predators itself. They are naturally rare and vulnerable to persecution because they often come in conflict with humans. They are extremely important biologically because they control populations of introduced pests such as rats, rabbits and starlings. Apex predators are also important in controlling populations of introduced 'mesopredators' such as feral cats and foxes.

Grey Goshawk - Endangered TSPA (1995)

An active Grey Goshawk's nest was found beside the reserve on 20 January 2021 by conservation ecologist Dr Phil Bell. The nest was located in a blackwood *Acacia melanoxylon* on the neighbouring property on Brushy Rivulet. GR 485876 5408283.

The following statements describe high priority nesting habitat, and the size of forested areas required to sustain populations of Grey Goshawk (currently estimated at 110 breeding pairs) both of which occur at and surrounding Brushy Rivulet Reserve.

“High priority nesting habitat occurs along watercourses in wet forest with old growth or regrowth older than 50 years, particularly where blackwoods occur.

[...]

Studies on other medium-sized wet forest raptors suggest that interconnecting forest areas of 20-30 square km are required to sustain a population.”

- Grey Goshawk *Accipiter novaehollandiae* Biodiversity Values Database current at August 2011

Steps to take to assist with the species' recovery include:

“To assist with its recovery – retain mature native wet forest, **forest along watercourses and other connecting forest corridors**; prevent disturbance within 100 m of an active nest; reduce the risk of birds coming into conflict with livestock and infrastructure.”

- Bryant, S.L. and Jackson, J. (1999) Tasmania's threatened fauna handbook. Threatened Species Unit. Parks and Wildlife, Hobart

The stated requirement to retain bushland along watercourses and the importance of interconnecting forest areas as corridor habitat for Grey Goshawk indicates the importance of this Reserve for this endangered species, given that the reserve represents both watercourse habitat and corridor habitat.

Green and Gold Frog (*Litoria raniformis*) Vulnerable TSPA (1995) & EPBC (1999)

A Green and Gold Frog was observed within the Brushy Rivulet Reserve on 5 July 2020. This is the first report of the species in the reserve. This species is also known to occur on adjoining properties (A. Reader Pers. comm.) and probably uses the reserve either as an overwintering site or as a corridor to move to breeding habitat (e.g., farm dams). Although there is a common misconception that frogs live in water, Tasmania's frogs only **breed** in water, the adult frogs **live** where vegetation, rocks and logs provide shelter and their food of skinks, insects, and other frogs. It is therefore likely that Green and Gold Frogs are using the many rocks and logs throughout the reserve as habitat.

The Threatened Species Listing Statement for the Green and Gold Frog states:

“Management on crown land: Protect all known habitat on Crown Land. Any newly discovered populations and their habitats should be protected. The dynamics of populations in reserves is unknown and requires study.”

- Ref: Threatened Species Unit, Department of Primary Industries, Water and Environment, Listing Statement *Litoria raniformis*, March 2001

Given the advice in the above Listing Statement for this vulnerable species—i.e. that the management of this vulnerable species on crown land includes a requirement to protect the habitat of any newly discovered populations—any development on this land will mean the state government is going directly against its own advice.

Tasmanian Devil - Endangered, TSPA (1995) & EPBC Act (1999)

Wildlife monitoring cameras used in late 2020 and early 2021 at Brushy Rivulet Reserve have captured Tasmanian Devils inside the reserve on two occasions:

5 December 2020 4:01am GR 488619 5410705
3 January 2021 3.22am GR 485696 5408096

These videos can be viewed at <https://www.disjunctnaturalists.com/westbury/index.html>

In addition, Tasmanian Devil scats have been found near the southern boundary of the Reserve GR 485363 5407451, and verified by Judy Rainbird, researcher at the Queen Victoria Museum and Art Gallery (Judy Rainbird, Queen Victoria Museum and Art Gallery, 17 February 2021, pers. comm.). On 28 April 2021 a young dead Tasmanian Devil was photographed on Birralea Road adjacent to Brushy Rivulet Reserve. (Lee-ann Barwick, 22 March 2021 pers. comm.) A large adult male was killed on the road 3 June 2021.

The reserve contains numerous disused wombat burrows, logs, hollow-bearing eucalypts and tangles of vegetation that would be suitable for use as lay-ups, social dens, natal dens and maternal dens for

Tasmanian Devils as described in “*Physical characteristics of Tasmanian Devil Dens and Lay-ups*” (N. Mooney July 2015 unpublished data).

Tasmanian Devil populations and their habitat are increasingly in need of protection. Recent research indicates that there has been an 80% overall population decline in devil populations since the facial tumour was first detected. <https://www.youtube.com/watch?v=GKTrilCGzHM> (Accessed Mar 4, 2021). This highlights the importance of safeguarding the reserve with its water access, den habitat and value as a corridor to support the long-term conservation of devils in this area.

Blue Pincushion *Brunonia australis* - Rare TSPA (1995)

One of the key stated reasons for the Commonwealth government’s purchasing of the Brushy Rivulet Reserve in 1999 was the presence of Blue Pincushion, *Brunonia australis*. At the time this species was listed ‘Vulnerable’ on the Tasmanian *Threatened Species Act 1995*, and identified as a ‘priority species’ under the RFA. Clause 68 of the RFA states that “The State agrees to protect Priority Species ... through the CAR Reserve System or by applying relevant management prescriptions.” Blue Pincushion has since been downlisted to ‘Rare’, despite the caution expressed by Craig Hawkins, botanist with Forestry Tasmania, who undertook an honours and PhD thesis of the Blue Pincushion in 2004 (Hawkins 2004).

In Tasmania Blue Pincushion is restricted to the central north of the island and is mainly found in the dry grassy forests of the northern midlands where clearing for agriculture and grazing by domestic stock have led to its decline. Clearing for urban development and hobby farms around Launceston has eliminated many populations, with remaining patches degraded through increased competition from understorey plants. Blue Pincushion was listed ‘Vulnerable’ in 1995 because the surviving populations were mostly small and fragmented, and they faced ongoing threats of fire, grazing, fertilizers, firewood cutting and logging.

Because of the Blue Pincushion’s ‘Vulnerable’ listing in 1995, and the increasing number of applications to log dry eucalypt forests in the central north (including at Brushy Rivulet Reserve) in the 1990s, Craig Hawkins started a study of *B. australis* in 1998. After extensive searching, he identified 58 populations, of which half contained fewer than 1000 plants. Thirty-five populations had not been reported previously, but 20 previously-recorded populations were not found in 2000, indicating that populations of the species had been lost.

The Brushy Rivulet Reserve is important as a conservation site for Blue Pincushion, and is listed as one of the few sites that has some form of protection to help safeguard the species. By area, the Brushy Rivulet Reserve was listed in the top five sites and is now the fourth largest reserved population of Blue Pincushion. It would not be possible to find a suitable offset for this site.

In the same report, Hawkins notes the on-going risk of further decline which this species faces (p. 38):

‘The data suggest that due to a high number of small, fragmented populations, *Brunonia australis* faces further significant decline in Tasmania. It tolerates a range of environmental conditions in the lowland dry forests in the north of the State but inappropriate management regimes in these areas will see the continuing retraction of populations. [...] heavy disturbances such as clearing or inappropriate disturbance regimes such as constant sheep grazing may eventually eliminate the species from a site. It is recommended that *Brunonia* remain listed on the Threatened Species Protection Act (1995). While the species may technically be downgraded to ‘rare’ (Schedule 5) under Tasmanian guidelines, **the large number of populations at risk of continuing decline suggests that *Brunonia* should be retained on Schedule 4 of the Threatened Species Protection Act (1995) as ‘vulnerable’**. [emphasis added] Important populations should be monitored approximately every 5 years, or more regularly if there have been changes in management regime.’ [Note: There is no record that the recommended 5-yearly monitoring was undertaken.]

- Hawkins, C. Ecology of the threatened herb *Brunonia australis* in Tasmania, Master of Science Thesis, UTAS, 2004
https://eprints.utas.edu.au/20617/7/whole_HawkinsCraig2005.pdf (accessed August 2020)

Bushy Rivulet Reserve, especially the south east section, is a Botanical Hotspot

During the negotiations for the Tasmanian Land Conservancy covenant (outlined earlier above) the Property Assessment Group meeting on 16 July 2014 included a botanist's report which identified the importance of further assessments of the botanical characteristics of the reserve. The report stated: 'I would be reluctant to exclude the two patches currently shown on the map as exclusion zones (RTI 076 2019-20 653 p.6) until a more thorough assessment has been conducted of these sites in spring-early summer.' (RTI 076 2019-20 653)

This recommendation was made in the report because the botanical survey on which the Property Assessment Group was relying was conducted on 4 May 2015, which is a less than ideal time for a botanical survey given that most plants are not in flower. There is no indication that a subsequent survey was undertaken despite the above recommendation. Nevertheless, in 2016 (21 May) the Property Assessment Group included the property and Reserve in the IUCN category IV "Habitat/species management area" and agreed to a Priority 3 category – i.e. The area makes a contribution to CAR requirements.

The botanical richness of the site has been documented by members of the Central North and Launceston Field Naturalists during surveys from late winter 2020 to summer 2021. Fifteen species of orchid (14 more than previously documented) were recorded, some of which are scattered across the reserve. However, the largest concentration of orchids, lilies (including chocolate lily *Arthropodium strictum* listed 'rare' (TPSA 1995) when the land was purchased), and other herbaceous plants coincides with the Blue Pincushion on the hill upslope from the entrance in the south east corner of the Reserve. (i.e. within the proposed prison's 'footprint'). Many visits to the site by groups of experienced naturalists from these field naturalist organisations during the spring and summer months in 2020-2021, indicate that the reserve is a botanical treasure, and that the aforementioned hill upslope (proposed prison footprint) is the most botanically rich site not only on the entire property, but for many kilometres around. The government's first flora and fauna consultant, Mark Wapstra, found another rare plant dwarf fanwort *Apheli pumilio* at the reserve, noting that it is the western most extent of its range which is significant for rare species. The thriving kangaroo grass *Themeda triandra*, wallaby grass *Austrodanthonia* spp. and other grasses *Poa* spp. are another indication of this midlands-like vegetation community, and the extensive area dominated by these grasses possibly accounts for the high number of insects, particularly butterflies, observed during summer 2021

Complete species lists of flora and fauna are on the website:
<https://disjunctnaturalists.com/westbury/index.html>

The reserve contains many hollow-bearing eucalypts – essential habitat for many species

There are more than 80 hollow-bearing eucalypts scattered throughout Brushy Rivulet Reserve. These are a disappearing resource that are critical for the survival of hollow-dependent fauna. Once a hollow-bearing tree is lost it cannot easily be replaced: eucalypts take several centuries to form hollows for larger tree species including the endemic Green Rosella and Tasmanian Masked Owl, and at least 80 years to form hollows suitable for smaller hollow-nesting species such as Striated Pardalote. Safeguarding hollow-dependent fauna is an increasingly important management issue. Any reserves with hollow-bearing trees are critical to maintaining biodiversity and should be protected.



Site map to be updated with additional hollow-bearing eucs
 bird symbols – nests
 yellow circles – masked owl and grey goshawk sightings (NVA & non-NVA records) and pellets
 large green circles – trees with large hollows
 small red circles (NVA) and small green circles (Phil) – *Brunonia australis*.
 grey circles with cross hairs – approximate location of drilling activities on the proposed prison's footprint (outlined in blue)

(Basic map taken from the Strategic Infrastructure Projects website)

The harmful impacts of an industrial-scale development on the natural values of Brushy Rivulet Reserve

Brushy Rivulet Reserve is the western-most extent of the grassy eucalypt forest/woodland characteristic and once widespread in the northern midlands, and whatever the underlying geology—be it dolerite or Cainozoic deposits—the vegetation clearly has **affinities** with the rare community 'inland black peppermint (*Eucalyptus amygdalina*) forest'. Only about 10% of the Midlands region remains, of which only 4% of the is protected.

The size of the proposed prison's 'footprint' is unclear and varies in different official reports from 13 ha up to 17 ha. Whatever the size, a development of this scale will result in the clearing of hundreds of mature and younger trees inside the development 'footprint', including old growth banksia *Banksia marginata*, native cherry *Exocarpus cupressiformis*, prickly box *Bursaria spinosa* and *Eucalyptus* spp. many with hollows; a significant population of blue pincushion; two rare plants handsome hooksedge and dwarf fanwort, fifteen species of native orchids; and other small herbaceous plants. The development and associated clearing would cut into the reserve such that the remaining sections of the site will be unviable for the species that currently inhabit the site.

This is an intact functioning ecosystem – it is its entirety that makes it so valuable and important. Fragmenting it would severely compromise the integrity of the site.

A fenced building of the size planned for this prison in the middle of the bush will disrupt the passage of many species and it is inevitable that birds and insects will be killed after flying into the buildings. The loss of approximately 17 ha of bush, in addition to the bright 24-hour lights and frequent noise (including loud sirens), will reduce the capacity of this reserve to act as a significant corridor habitat for wildlife; likely severely. Detailed environmental and conservation impacts from the noise and lighting associated with this development are outlined below.

Impacts from Noise Pollution

Prison sites are extremely noisy at all hours of the day and night with vehicles coming and going, and loud sirens ruling the activities of the inmates. Frequent loud sounds will be likely to disturb wildlife, including having a negative impact on birds' communication. Birds communicate primarily using sound, especially when there is no clear line of sight between individuals. They vocalise (sing/call) for a wide range of purposes that are critical for their survival and reproduction, including to attract a mate, communicate between parents and offspring, indicate and defend a territory, communicate

alarm, aggression or fear (e.g. if there's a predator in the area), and to locate prey. Constant disturbance from loud noise will likely have a negative impact on all these critical activities.

Impacts of 24-hour Lighting Pollution

Of all the impacts on wildlife associated with placing an industrial-scale development in a bushland setting, potentially of greatest concern is the impact of artificial lighting at night. This is very likely to disturb the behaviour of animals in the surrounding area and warrants detailed investigation. All plants and animals rely on the daily cycle of light and dark to govern key survival activities such as when to feed, sleep, breed and hide from predators. Artificial lighting at night is widely documented to have negative and, over time, potentially lethal effects on amphibians, birds, mammals, insects and plants, and is especially damaging to nocturnal insects, contributing to the insect 'apocalypse' first reported in 2019.

Harmful Impacts of Artificial Lights on Invertebrates (Insects and Spiders)

The impacts of bright, 24-hour artificial light will have a particularly harmful effect on local invertebrate fauna. Sixty percent of invertebrates worldwide are nocturnal and vulnerable to artificial lights. Numerous studies have documented the rapid decline in insect diversity and abundance globally, with artificial night lighting among the factors most strongly implicated. (Owens and Lewis 2018).

Even shielded lights impact local biodiversity with the position of light sources affecting different species negatively in different ways. For example, downwelling light is more likely to affect species on the ground, while upwelling light is more likely to affect flying insects.

Of concern, exposure to artificial light inhibits a range of key biological processes in nocturnal insects. For instance, studies on moths have found that constant light can inhibit female sex pheromone release, reduce male attraction, induce male sterility and disrupt female oviposition. (Owens and Lewis 2018).

The proportion of insect fauna killed after being attracted to bright lights is alarmingly high: research has found that around 30%-40% of insects that approach street lamps die soon after as a result of collision, overheating, dehydration, or predation. (Owens and Lewis 2018).

It is vitally important to protect the insect fauna in bushland areas. Insects are essential components of all terrestrial food webs, and any loss in insect biomass is likely to trigger a cascade of ecological consequences for the local plant and fauna that depend, directly or indirectly, on the local insect population.

- Owens, ACS, Lewis, SM The impact of artificial light at night on nocturnal insects: A review and synthesis. *Ecol Evol.* 2018;00:1-22.

Harmful Impacts of Artificial Light on Birds

The loss of insects due to artificial night lighting mentioned above is likely to have an impact on the migratory and resident bird species at the reserve, all of which feed on insects at some stage of their life cycle. Artificial light could also disrupt their reproductive cycle. This impact would be in addition to direct negative impacts of the noise and light disturbance on the birds' movements and behaviours.

In particular, artificial light can disrupt birds' reproductive cycles. In temperate regions such as Tasmania, most bush birds prepare to breed in late winter and early spring when the days start to lengthen. Their early morning singing (the so-called 'dawn chorus') stimulates the production of hormones important for breeding. The time of first song is closely correlated with sunrise, and critically, artificial light is known to disrupt dawn singing in some species, with flow-on disruption to hormones and therefore to breeding. In one concerning study into the impact of artificial night lights on dawn song, researchers compared the behaviour of birds living in a forest to those living close to

roads with streetlights. Males of several species near streetlights started singing significantly earlier than those in the forest. Early dawn singing is known to indicate a bird's quality to father offspring, so earlier singing because of artificial light falsely indicates a bird's fitness for breeding and may falsely advertise an inferior bird.

In another species in the same study, female birds exposed to artificial light started laying earlier in the season, with the increased risk that their chicks would hatch too early in the season, for example, before sufficient invertebrates, nectar, seeds or fruits were available.

Another serious concern regarding the harm of 24-hour lighting is the impact on nocturnal and migratory birds. Strongly-lit buildings are well documented to attract, confuse and/or kill birds. Twenty-four-hour lighting can have more subtle but potentially highly negative effects on birds and other wildlife (including plants) such as interfering with natural physiological timing patterns associated with daily and seasonal behaviours.

- <http://cescos.fau.edu/observatory/lightpoll-Birds.html#:~:text=Some%20effects%20of%20light%20pollution,that%20a%20species%20depends%20on.> (accessed 16 August 2020)

Impacts of a major Development on Brushy Rivulet Watercourse

The proposed development is within 300 m of Brushy Rivulet, which is notable for being a watercourse with a relatively intact catchment and riparian vegetation. The section of Brushy Rivulet near the proposed development has an Integrated Conservation Value rating of 'High' (Conservation of Freshwater Ecosystem Values database). A minor watercourse at the proposed development site flows north into Brushy Rivulet, and it is likely that any disturbance of the soil while clearing the ground for this major construction will lead to pollution and sedimentation of the waterway. Potential harmful impacts on the aquatic ecosystem of Brushy Rivulet include pollution and sedimentation from vegetation clearing, construction and stormwater drains.

Brushy Rivulet flows into the Meander River approximately 5 km from the Reserve, so any degradation of the waterway will have consequences downstream of the proposed development, including the Tamar Estuary.

Impacts of a major Development on Weeds in the Reserve

Apart from some scattered and sparse areas of gorse *Ulex europeaus* Brushy Rivulet Reserve is relatively free of weeds. This is particularly notable considering the lack of management in the past several decades. Any major work at the site is likely to spread the seeds of gorse and possibly other invasive plants, thus extensively degrading the area outside the proposed prison's footprint.

Impacts of a Major Development on Bush birds in the Reserve

Brushy Rivulet Reserve provides important breeding, foraging and nesting habitat not only for legally protected bird species mentioned above, but also for endemic and migratory bush birds whose numbers are also known to be decreasing in Tasmania. The reserve's status as being mostly free of Noisy Miners (an aggressive species of native honeyeater that favours degraded areas and excludes other native birds from the area) means it is an important source of recruitment for bird species that are declining or are now locally extinct in the region.

The clearing of Tasmania's dry forests in the 1970s that led to the decline in Blue Pincushion populations, also meant the loss of extensive areas of important habitat for many native Tasmanian bird species. The highly fragmented patches of similar native vegetation that remain around the reserve continue to be further degraded because of their small size, weeds (especially gorse) and the dominance of Noisy Miners at many sites. Together this highlights the value of this particular reserve as a safe haven for bush birds.

Retention of Breeding Populations of Bush Birds that have been lost from similar nearby sites

In my capacity as an ornithologist, I have conducted bird surveys for the past 15 years in remnant native vegetation at Connorville, a large (17,000 ha) grazing and cropping property south of Cressy (~45 km SE of Brushy Rivulet Reserve). One of the six survey areas on the farm is grassy eucalypt forest similar to the vegetation community at Brushy Rivulet Reserve, which facilitate a comparison between the Connorville site and the Reserve. Concerningly, over the past 15 years, I have recorded the decline and increasingly the absence at the Connorville site (and other sites) of Tasmanian bird species that have been generally regarded as common.

The Connorville property could be viewed as a representative microcosm of what has been occurring in northern Tasmania in the past several decades. Specifically, at Connorville, numerous hollow-bearing paddock trees, many with multiple nest sites, have been removed during the construction of two large dams and to establish a shining gum plantation. (This led to the immediate decline of hollow-nesting birds including Welcome Swallows and Tree Martins, species that feed on copious quantities of flying insects.) Increased availability of water from dams has increased the hectares devoted to irrigated agriculture throughout the region. The extensive Meander Dam Irrigation scheme started operating in 2008, followed by schemes at Whitemore in 2012 and Lower South Esk in 2013. This additional irrigation has inevitably led to the loss of remnant bush patches and large hollow-bearing paddock trees (both of which provide important 'stepping stones' in the landscape and habitat for many species) to make way for pivot irrigators.

Ever since my surveys began at the Connorville property, I have noted the absence of presumed common native bird species including the Tasmanian endemic Yellow-throated Honeyeater. I have also observed the steady and unchecked decline in numbers of Dusky Robins (also endemic), Grey Shrike-thrush, Fan-tailed Cuckoos and Yellow-rumped Thornbills. **Importantly, breeding populations of all of these species persist at Brushy Rivulet Reserve.** To risk the populations of these native birds at Brushy Rivulet Reserve, in the face of their ongoing declines in other areas in northern Tasmania—and in particular, to risk disturbing successful breeding populations—would seem to go against Tasmania's and Australia's biodiversity conservation goals.

This reserve is a relatively large habitat patch, which makes it particularly important for bird species diversity. Recent research by Bain (2019) of bird species in remnant woodland patches in the Tasmanian Midlands support earlier research elsewhere in Australia in showing a significantly greater diversity of species in large remnant patches compared with small patches. Large patches of woodland, and landscapes with high vegetation cover (such as this reserve) provide more resources for wildlife, including space, food and safe nesting sites, as well as better access to these resources and increased protection from harms that exist outside the reserve. Larger habitat patches are increasingly rare, and remaining patches are important to retain, to support larger and more diverse bird populations. This is a relevant point for this particular reserve, as Bain's (2019) research also documented declines, in Tasmanian woodlands, of many local native bird species; including Striated Pardalotes, Grey Shrike-thrushes and Yellow rumped-Thornbill, As noted above, Brushy Rivulet Reserve is important because it is a site which currently supports breeding populations of all these species.

- Ref: Bain, G.C. (2019) *Restoring habitat for woodland bird communities of the northern midlands*. PhD Thesis.

Furthermore

“Macdonald (2001) found that the Grey Shrike-thrush and Dusky Robin were the species most likely to be in decline in the Midlands.”

- Freudenberger, D & Harvey, J. (2003) A Method for Assessing the Potential Biodiversity Benefits of Vegetation Enhancement Activities in the Meander Valley, Tasmania. (Page 18)

The Dusky Robin is an endemic Tasmanian bird species, part of Tasmania's natural heritage. Latest information is that this species is 'in steep decline' and it fits the IUCN criteria for listing as

'Vulnerable'. (Unpublished data to be published late 2021.) It has breeding populations at Brushy Rivulet Reserve and using the site for a proposed prison would severely compromise its chances of long-term survival and drive it further towards extinction.

Conclusion

Brushy Rivulet is situated on the western edge of the Northern Midlands Bioregion, which was originally one of most biodiverse areas in Tasmania. Most of the habitat in this bioregion has now been cleared for farmland that extends to the outskirts of Launceston and south to Cressy and Ross. The scattered patches of vegetation that remain throughout the region are becoming more fragmented and degraded each year by grazing, unmanaged weed infestation (particularly gorse), burning and or 'tidying up', all of which eliminate the understorey and create the ideal habitat for Noisy Miners, the aforementioned native honeyeater that is associated with a lower numbers and diversity of the bird fauna as well as tree decline. Of particular important for the reserve is the presence on or near the site of three apex predators: Tasmanian Devil, Tasmanian Masked Owl, and Tasmanian Wedge-tailed Wagle, and a significant population of the rare blue pincushion.

Brushy Rivulet Reserve is considerably more ecologically intact than anything in the surrounding landscape.

Governments at all levels expend considerable funds on fencing riparian areas and protecting remnant native vegetation alongside waterways. In some instances, the focus is on reducing pollutants and preventing erosion, but revegetation is a desirable outcome and presumably the ultimate aim is to recreate something akin to the original ecology. It therefore seems contradictory that this reserve which can be a source of recruitment of rare plant and animal species which are declining or have become locally extinct in the region, is slated by government to be cleared for a development that could be built elsewhere. It takes centuries for a functioning intact ecosystem such as Brushy Rivulet Reserve to develop – the interactions between plants, animals fungi and other important components of a healthy ecosystem. It is not possible to recreate this within our lifetime. The future health of agriculture in Meander Valley depends on retaining these important ecosystems.

On the topic of the suitability of this site for a major prison development (and setting aside the question of whether another large, maximum-security prison is the most effective, evidence-based option for Tasmania's criminal justice system) there are numerous areas of cleared or degraded land in northern/ north-western Tasmania which already have appropriate infrastructure (power, water, sewage, internet, good road access etc) These would be suitable sites for a prison. Not only does Brushy Rivulet Reserve have none of the necessary infrastructure, it has considerable and unique natural values.

Birrallee Road

I moved to Birrallee with my partner at the end of 1988. Birrallee Road was like any other country road, although busier than most because it connects the Frankford and Bass Highways. We used to see Wombats, Tasmania Devils and Spotted-tailed Quolls, and birds such as Flame Robins and Australasian Pipits used to sit on the fence on the straight stretch of road near the Birrallee Hall. These species have gone from the area, and in the past 6 months two Tasmanian Devils, one Spotted-tailed Quoll and one wombat have been killed on Birrallee Road near Brushy Rivulet Reserve.

As a long-term resident of Birrallee, I am well aware of the disruption to traffic on Birrallee Road caused by even minor roadworks. If the proposed prison goes ahead on Brushy Rivulet Reserve, there will be daily disruption to traffic. Birrallee Road is a major freight route between the Frankford Highway and the Bass highway. There are increasing numbers of heavy vehicles including b-doubles, log trucks, milk tankers and cattle trucks. There is a growing population of local residents at Birrallee and surrounding areas, and many tourists use the road as they drive to the historic township of Westbury and further afield to experience the tourist hotspots in Meander Valley and beyond.

If the prison goes ahead, traffic will be disrupted every day on this major freight and tourist route.

Furthermore, given the constraints of the site, there is no way that a major development of this nature will be hidden from view, especially when it is lit up at night.

Over the years Birralea Road has been subjected to piecemeal roadworks that have involved attempting to fix the deteriorating surface and potholes, but the ever-increasing heavy traffic, means it is in a constant state of disrepair. The road is currently inadequate for the local residents, tourists and heavy vehicles. Some sections are extremely dangerous, and many of us have become fearful about using it. The projected increase in traffic as a result of a proposed prison will put additional pressure on an already inadequate road.

Bushfire

It is inevitable that bushfires will occur at some stage in the future in the Frankford/Birralea/ Reedy Marsh/Four Springs area. If what we are witnessing in other parts of the world is any guide (there are currently catastrophic fires in Greece, Spain, Turkey, California, Canada and Eastern Europe), wildfires are becoming more intense, dangerous and difficult to control. Birralea Road will be a major escape route for residents – and others – possibly from a very wide area. The added work for fire crews to evacuate not only us residents, but the inmates of a major prison, would put unnecessary and dangerous stress on what will inevitably be a chaotic situation. As a resident of Birralea, this is a very frightening prospect.

Bushfires are much more likely to occur during drought years because spring growth dries before the heat of summer intensifies. As recently as January 2020 there were water restrictions throughout Meander Valley because of low water levels in the Meander River. How will this lack of water at the most critical time of the year be overcome if there is a bushfire in the region? How will water resources be prioritised? For households and local residents? for irrigation of crops? or for keeping prisoners from incinerating at this most inappropriate site?

Conclusion

The government made a hasty, ill-conceived and foolish decision to use a biodiversity hotspot for a prison. It disrespects and dishonours those highly qualified specialists and staff who could see the value of this site and secured it for conservation in 1999.

It is clear from Right to Information documents that this was a 'done deal' from day one. Warnings from several people on the day of the government's announcement about the Wedge-tailed Eagle's nest on the boundary of the adjoining property were ignored. Now the government is in an uncomfortable and embarrassing position between a blue pincushion on a rocky ridge and an eagle's nest.

It is causing anxiety, depression, distress and division in the community that should never have been allowed to occur. It is time the Tasmanian government admitted its mistake and ceased preparing a development application to present to the Meander Valley Council. It will be a shameful legacy of the Tasmanian Government and Meander Valley Council if this irreplaceable gem is destroyed for a prison.

The government should go back to the drawing board and start an open transparent process to select an appropriate site for a northern facility.

Proposed Northern Regional Prison Site at Brushy Rivulet Crown Reserve

Public meeting with Council on 11 August 2021

Why is the Government addressing Climate Change but with the same pen stroke is willing to decimate a Reserve brimming with known and recorded Sensitive Natural Values?

Removing valuable trees, shrubs, understorey, flora, fauna, micro-organisms, fungi, slime moulds etc, that are found on the Brushy Rivulet Crown Reserve and replacing that with a concrete jungle has no place in protecting our future and certainly is not addressing how we can actively combat Climate Change.

If a Reserve does not matter with all its Sensitive Natural Values living on/in it (and don't forget this Reserve already has been put in protection by the Government), then what does?

Question for Council:

- For what reasons does MVC want a Maximum Security Prison located within the Meander Valley Council?
- Why does MVC not object to a Maximum Security Prison in Westbury. Westbury is a small village with a colourful history. Just because the proposed prison site is 5.2km out does not mean it will not be known for anything but "the Westbury prison" therefore putting a negative stigma on our village.
- Of all councillors at MVC, who actually lives close enough to the Reserve or Birralee Road that they will be first hand impacted by this project?
- Why has MVC not consulted the MVC community about the first proposed site AND then the second proposed site?
- Why has MVC not responded to Government OR the MVC community when the 2nd proposed site was publicly announced by the Government on 18 June 2020 to move the proposed prison from a serviceable area to Brushy Rivulet Crown Reserve with no services whatsoever?
- Does MVC not find it odd that no Government Selection Panel was involved in the selection of the 2nd site and no official Government process appears to have been followed to obtain approval chasing this 2nd site?
- The Government spruiks this project will generate many jobs but does Council see locals having any chance gaining meaningful, long term employment from this project?
- What does MVC gain from having a maximum security prison in the MVC?
- What does MVC gain from having a Reserve that could heavily reduce MVC's carbon footprint?
- How will Council remedy the unfortunate divide in our community due to this project? Is a swimming pool on the cards? Does Council have any suggestions to make that will actually benefit ALL of the community?

As neighbours of the Brushy Rivulet Crown Reserve it is unfathomable why anyone would consider this Reserve for a maximum security prison **or any development at that.**

Department of Justice representatives acknowledged that had processes been followed and finalised we would not have been in this situation and the Reserve would have been locked up for perpetuity.

As was intended when purchased with Federal monies!

Brushy Rivulet Crown Reserve has:

- No electricity
- No water
- No sewerage
- No gas
- No fibre optics
- And is located on the Birralelee Road, which is a **major** freight route that is already labelled **dangerous** in Government documents **AND DEEMED UNFIT FOR PURPOSE.**

Question for Council:

- With the proposed prison on one side of the Meander River and the waste treatment plan on the other side of the Meander River, how and what does Council propose to move the prison's waste disposal safely without any chance of leaking into Brushy Rivulet, Meander River or dams on surrounding properties?
- Department of Justice representatives advised no land was to be acquired, instead the road verge is to be used for any required services to get to the proposed site. What is Council's opinion given Birralelee Road is narrow and unfit for purpose, let alone have road space used for "services"?

Brushy Rivulet Crown Reserve was purchased by the Tasmanian Government because it was agreed that the site was of significant environmental value and should be preserved in **perpetuity**.

The Birralelee Road is notorious for being a dangerous, narrow road and our concerns lies with the safety for everyone who travels on Birralelee Road.

Question for Council:

- For at least a decade money has been available to improve Birralelee Road but to date very little improvements have been made. When road improvements will finally occur and traffic movement increases, how will MVC ensure locals will be able to safely access their properties?
- How will MVC address noise pollution from increased traffic for each property?
- What will MVC put in place to reduce noise pollution from increased traffic?
- What will MVC put in place to assist in a safer road and thus reducing road kill?

Brushy Rivulet is located within a bushfire prone area.

Having been told by Colin Shepherd that in case of a fire prisoners and support staff will be left on site, locked up to fend for themselves is simply outrageous.

Question for Council, in the scenario a prison is built:

- How will you keep prisoners, staff, delivery workers, visitors etc safe in case of a fire?
- How will you keep surrounding bush / remainder of Reserve safe from for eg cigarette butts or deliberately lit fires or fires started because of rubbish / glass etc.
- How will you protect surrounding land holders, buildings, livestock etc from fire that has (deliberately) started on the Reserve?

Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions should not be sited in bushfire prone areas.

Question for Council:

- Prisoners -who are identified as “vulnerable people” in the LUP&A Act- in correctional institutions should NOT be sited in bushfire prone areas. Why has MVC not already put a stop to this proposed site? Isn't it clear that on this merit alone a maximum security prison simply should not be allowed to be placed in a bushfire prone area?

Fires at prisons do occur as witnessed at Risdon earlier this year. We are concerned for the increased risk of fires within the prison footprint, the remainder of the Reserve and the potential risk to surrounding properties, travellers on the Birralelee Road, pets and livestock.

Reports from the Risdon Prison fires detail police swarming the site, multiple police vehicles stationed around the jail's border and dozens of officers patrolling the perimeter following the fires. This is exactly what Tasmanian Government representatives and Elise Archer have said will **not** happen in Westbury.

Question for Council:

- What is Council's involvement in keeping fire risk to a minimum?
- How will Council keep surrounding properties and livestock safe?

The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate.

No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

The many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest.

The Tasmanian Wedge-tailed Eagle is listed as an **endangered** species under the EPBC Act with fewer than 200 breeding couples in the wild. The Forest Practices Code states that forestry activities are restricted within 500m or 1 kilometre line of sight of active nests during the core breeding season and a reserve minimum size of 10 hectares must be established around all nests found.

Documents recently released under Right to Information reveal DPIPW stated that over 95% of the proposed prison site is within 1 km line of site of the nest.

The Tasmanian Masked Owl is **critically endangered** and has a nest right in the middle of where the proposed prison would be built. How is the Government going to protect the Masked Owl given its critically endangered status?

Question for Council:

- What will Council involvement be in protecting the Masked Owl given its critically endangered status and roosting/nesting trees have been identified **WITHIN** the prison's footprint?
- How will Council be involved in protecting nests of the Wedge-tailed Eagles, grey Goshawks, Masked Owls, the birds themselves and many other vulnerable and endangered fauna & flora?

Egmont Reserve has been used for generations as the unofficial swimming pool for the Westbury community and in summer is often close to capacity for safe swimming. If a prison is built, this will no doubt become an unofficial "waiting area" for visitors of inmates and place a strain on the popular community place. The bin outside the toilets is not coping presently.

Question for Council:

- How will Council ensure Egmont Reserve will be safe and fit to use for both the local and wider community?

We are concerned our properties will be de-valued if the prison is built. Saul Eslake, a well-known Tasmanian economist, has said properties **will** be devalued by 25% and this has already been made apparent with the sale of a local property owner who had to drop their asking price by \$35,000.

We are concerned about the day-to-day operations effect on both us and our livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents). Artificial light disrupts flora, nocturnal fauna activity, interfering with reproduction and reducing already endangered native populations.

Question for Council:

- How will Council ensure there will be **no** noise and light pollution affecting surrounding properties?

The Government has assured us that lockdowns do not occur but only in recent months, we have seen the unfortunate effects of lockdowns at Risdon. In the event of lockdown, we are concerned about how we are going to access our properties to attend to stock, pick up children from school etc. If roads were closed, this would be a major disruption to all road users and particularly to trucking companies as this is a major freight route.

Question for Council:

- How will Council ensure safe passage from its rate payers to their properties in the event of a lockdown.
- What responsibility will Council take on in the event of a lockdown and sirens, spotlights, helicopters overhead, emergency /tactical response personnel everywhere cause livestock to abort or injure itself by spooking or run onto the road into traffic as this scene is to no fault of either the property owner / stock owner / road user.

We can't keep on clearing little pieces of bush just because they are "little pieces of bush" and we believe they won't matter in the grand scheme of things. These pieces of bush are becoming rare and the endangered species on them will become extinct and with Brushy Rivulet Crown Reserve it will be because Council didn't stand up for protecting pockets of Meander Valley natural habitat, didn't stand up for what the community needs and didn't act on what is so obviously right!

Just because a development may bring (temporary) jobs – doesn't mean bulldozing a Reserve is the right thing to do.

Do not allow Brushy Rivulet Crown Reserve and all its Sensitive Natural Values to be decimated!

Question for Council:

- Will MVC address Government to complete their paperwork started with the purchase of this piece of land in 1999?
- Government has not shown any interest in addressing mental health and anxiety caused by this proposed project. What support can MVC offer for our community?
- Government has not shown any interest when asked how they will keep landholders safe with some properties surrounded by bush and not visible from the road. How will MVC ensure landholders personal safety? How will MVC ensure visitors to the prison won't stray into the bush onto private land?
- Will MVC ensure transparency with our community about all the ongoings of this project? Will MVC consider for eg a monthly update?
- Will MVC reinstate appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management" and use any appropriate method to protect our Reserve?

10th August 2021

General Manager

John Jordan

Meander Valley Council

Dear Sir,

Proposal by Tasmanian Government to build Northern Regional Prison on Marneys Hill Reserve (Birrale/Westbury)

This letter is in response to councils handling of the pending DA and rezoning for the Marneys Hill Reserve near Westbury, which the Tasmanian government has identified as the proposed site for the Northern Regional Prison.

I wish to advise that it is now evident that council is has got us into this whole prison matter, and that council should and can get us out of this. I would like council to withdraw its initial motions that got the ball rolling in the first place.

I and many other in the community are alarmed at the council's past role in submitting and expression of interest for the prison to be near Westbury with a total lack of consultation by the council about the pros and cons of having a prison in our municipality. Council is supposed to follow due process however, this has clearly not been done as the idea for a prison and site selection had quietly been determined as early as 2017. I understand we have significant evidence obtained through Freedom of Information laws that support this.

Apart from this significant failing, the new site is totally inappropriate for such a large proposal and will have adverse impact on the threatened flora and fauna at the site, and on habitat. The site was purchased by the then Federal Government in 1999 for the purpose that it be protected by the Tasmanian Government as a nature reserve, to protect it from any form of future development.

The site is on a nature reserve that should have been protected by the Tasmanian government and should be zoned environmental management. The zoning has clearly been changed to a rural zone under the new planning scheme. It is obvious that this was done to pave the way for a prison at this site.

The site is also totally unsuited to a large structure that will require slab on ground over a large area, involving significant excavation, clearing of vegetation and site disturbance. There will be an increased use on the already dangerous road, and significant costs at taxpayers expense would be required to upgrade the road. Connecting the isolated site to local service infrastructure for water and sewer will cost millions of debt.

The lack of detail around the economic and social ramifications of having a prison here and the need for council to do a proper analysis, is wanting. The obvious and significant failings of the State government in terms of the justice system and what that means for Risdon Prison and for our municipality to have a maximum security prison here, is obvious. The community also holds serious concerns of the impact on our municipality's tourism sector of having a prison in our municipality.

-
- I urge council to therefore withdraw its original motions for the prison which show council had already made up its mind about the prison, without any proper consultation.
 - Council prepare its own independent social, environment and economic studies
 - Rezone the land back to its original environmental zoning; and
 - Properly consult the community as required under the relevant legislations.

A concerned resident of Westbury

Jane Kerr

Launceston TAS 7250
10/08/2021

Attn: General Manager, Councillors
Meander Valley Council
mail@mvc.tas.gov.au

Dear Mr Jordan and Councillors,

Re: Submission to be tabled at Public Meeting, regarding Northern Regional Prison.

I write this submission to be tabled as part of the Public Meeting Council has been compelled to hold, in order to express my opposition to the prison proposal and to bring to light certain aspects of the situation we, the community, find ourselves in and Council's role in this situation. It is also to provide my reasoning behind my opposition, in the hope that at least some of this may be enough to cause Council to reflect and rescind any support of this project in our Municipality.

In doing this, I recognise that certain members of Council, both past and present, have been complicit in the undertaking by the State Government to build a maximum security prison in our municipality, both through inaction and their direct action. These points will be outlined further below.

In the minutes of the Meander Valley Council December 2017 meeting, point 265/2017, Meander Valley Council approved a motion "that Meander Valley Council write to the State Government to express interest for a Northern Correctional Centre to be built next to Ashley Detention Centre." Through RTI documents, we now know that this expression of interest was rejected by the Government, who then approached then-GM Martin Gill to look for other lots of land in the Municipality where a prison could be sited. This was then discussed at some length between Mr Gill and DoJ representatives, and Mr Gill made then-Mayor Craig Perkins and Councillors Tanya King and Michael Kelly aware of the fact that he was going to do joint-EOI submissions with landowners at the Valley Central Industrial Park. Ms King sent via email a statement of support, saying she would be happy to move a motion to this effect, however no motion was ever moved in Council, and the public were left unaware of this turn of events. Indeed, Mr Gill himself stated in email that a vote by Council was unnecessary, thereby depriving Council its duly-elected role to properly represent its community.

As such, I submit that any and all EOI submissions made by Mr Gill without Council's vote are undemocratic in nature and lacking in probity. I therefore call on Council to revoke any and all EOI submissions made by Mr Gill to the State Government for the purpose of a correctional facility or prison in the Meander Valley Municipality.

The first site chosen, Glen Avon farm, had a financial debt on it owed to Meander Valley Council, due to be paid out by January 2022. This debt was incurred when then-Mayor Mark Shelton signed an agreement for Council to pay for improvements to the Industrial Park area, on the understanding that this sum was to be paid back in full by the landowners in 10 years time by selling off smaller lots of their land. As of 2018, no repayments had been made by the owners of Glen Avon farm. If the first site chosen for a prison had been successfully purchased by the State Government, then all references to Mark Shelton, now a Liberal member of the House of Assembly and thus one of the proponents of the prison proposal, would be expunged from the record. When questioned in Parliament around his involvement in selecting the site for the proposed prison, Mr Shelton refused to answer whether he had declared a conflict of interest in this site. As such, I find the selection of

the first site for the proposed prison to be again lacking in probity, and likely subject to potential corruption.

In December 2019, following sustained opposition to the prison proposal, Minister for Corrections and Attorney-General Elise Archer held a public meeting in Westbury to try and sell the Government's spin for the site. At that meeting, a gentleman publicly noted that he had spoken with Ms Archer previously, and had offered her a parcel of land that would be far more suitable and less contentious than the Industrial Park site. Ms Archer went on to state that because that site was not part of the original EOI process, it was not going to be considered.

In June 2020, Ms Archer then went on record to announce that the Government were abandoning the first site, and instead had selected a Crown land site at Brushy Rivulet to be the site for the proposed prison.

However, given Ms Archer would not consider any other proposed site that was offered her prior to this date, on the grounds of it "not being part of the original EOI process", why did she then select a site that was most DEFINITELY not part of the original EOI process, namely the current proposed site on Marney's Hill? Again, this smacks of a lack of probity and a hidden agenda.

The current proposed site, Marney's Hill on Brushy Rivulet reserve, was purchased by the State Government using Commonwealth funds in 1999 on account of the natural values it contained. The understanding was that this site was to be given a conservation covenant in perpetuity to protect the natural values of the site. This site was never handed over to the Tasmanian Land Conservancy, as it was intended to be, and construction of a prison on this site will destroy the habitat, which has been found to contain more than 30 endangered or threatened species. If the Government had to go to such extreme lengths as to have specific work orders that included bring uncontaminated water supplies on site, limiting the number of vehicles on site etc, to protect the natural values of the site just to conduct geotechnical drilling, how on earth are they going to protect the natural values when they intend to begin construction and need to blast through dolerite, level trees, lay roads etc on this site? More lack of probity, more hidden agendas by the State Government.

In a state that promotes itself as "clean and green" the destruction of an environmentally significant location like Marney's Hill for the construction of a maximum security prison is incongruous to that promotion. In the recent 2013 Interim Planning Scheme, the Marney's Hill area was subject to a Priority Habitat Planning overlay, which would have given the land more protection than it currently has. In the new Local Provisions Schedule, this area has been stripped of that protection and is now vulnerable. There is scope to change this status to an Environmental Management area, and I urge Council to initiate this rezone immediately.

The State Government recently announced that they would be looking into trying to "offset" the loss of natural values at the Marney's Hill site by protecting a different piece of land.

I therefore ask as part of my submission for Council to adopt the following measures:

1. Withdraw any and all support of any EOI submissions made by Mr Martin Gill to the Tasmanian Government for the construction of a correctional centre/prison in the Meander Valley Municipality
2. Write to the Tasmanian Government and advise them that there is no community consensus and thus insufficient community support for the proposed prison project to be constructed in the Meander Valley Municipality, and thus Council will not support it either.
3. Move a motion to reverse the December 2017 motion with regards to a correctional centre near Ashley Youth Detention Centre.

4. Initiate a rezone for the Marney's Hill reserve to change its status to Environmental Management in recognition of its natural values
5. Move a motion to refuse to assist the Tasmanian Government in finding a site to "offset" the damage the prison will cause.

This Council, in refusing to engage with its community over such a divisive project, has fostered a level of division in the Westbury community that may last for many years, well after the prison proposal has been abandoned. The personal attacks levelled at anti-prison proponents, both physical and verbal, MUST stop. The fear that hangs over so many in the community MUST stop. I call on Council to put an end to this division, and end it quickly.

Yours Sincerely,

Martin Hamilton
Westbury

From: Gina ·
Sent: Tuesday, 10 August 2021 4:42 PM
To: Meander Valley Council Email
Subject: Submission to Meander Valley Council re Northern Regional Prison - Attention: General Manager, Mayor and all Councillors

Submission to Meander Valley Council re Northern Regional Prison

Attention - Mr Jordan – General Manager, Mayor and all Councillors of the Meander Valley Council

I have lived in Westbury for close to 22 years moving from Melbourne. I thoroughly enjoy living in Westbury as it is an attractive, quaint, historic, quiet, rural country town with friendly people and has a level of various services for the needs of residents and visitors alike. So far, I don't have any regrets.

During these years, I have seen a number of changes to Westbury and the surrounding areas. In my opinion, the previous councils and the current council, have made some positive decisions to the area as well as some negative decisions. Some of those wrongful decisions were overturned after having community consultation (again after the fact) and in this particular situation the council took notice of the community, listened to their concerns, and overturned their previous decisions and ended up doing the right thing for the community which was great. Unfortunately, one of the negative decisions now is that council is supporting the Northern Regional Prison to be built close to Westbury, therefore I am submitting this submission to voice my concerns on this proposal.

In my opinion, I believe that by having a maximum security prison built within close proximity to Westbury, the Council and government would be condemning the Westbury and surrounding areas in the Meander Valley to become the correctional centre of the North in Tasmania with all the social problems that it would bring, destroying the rural charm of Westbury and making it a place to avoid for tourists to visit and families to settle, not to mention the negative impact it would have on already existing residents.

I am asking and strongly urging the council to back away from any support of the state government in this proposal and work together with your community instead of against it. I have noticed that there is a growing spilt within the town and that people and/or residents of Westbury especially, seem to not want to talk about the prison for the fear of receiving unjust criticism one way or another. The council could heal this spilt by making it clear to the state government that we don't want the prison built here. The other issue with this site is the damage being made to threatened species of flora and fauna.

As the government has changed laws that make the nature reserve at Marney's Hill, which has lost part of its protection, easier for the government to carry on with this ridiculous concept, I ask the council to re-zone Marneys Hill to protect it in a way that was supposed to happen at the date of purchase twenty years ago with federal money, but didn't. Let's try to protect what flora and fauna is there as they deserve to be protected too, with the council re-zoning this area.

My understanding is that a former general manager of the Meander Valley Council, Mr Martin Gill, made the original contact with the government relating to the correctional centre being built in the Meander Valley and did not seek the opinion of the residents of the Meander Valley or even, possibly, the members of the council at that time. Council's lack of consultation at that time and since with residents and ratepayers of the Meander Valley has led to suspicion, disrespect and frustration with the council and its councillors.

Mr Jordan, you and your current council going forward, now need to be neutral, honest and transparent on this matter to its rate payers and residents within the Meander Valley and especially within Westbury. No more secrets!

The council need to make a clear statement that they no longer want the Northern Prison near or in Westbury or anywhere within the Meander Valley and I now call on the Meander Valley Council to:-

- Withdraw their support of the Northern Prison by revoking the Council's motion of 12 December 2017 in which Council moved to express interest to the State Government in a Northern Correctional Centre to be built next to Ashley.
- Withdraw the two Expressions of Interest submitted by the Council in September 2018 for the Northern Regional Prison to be located near Westbury.
- Request that the State Government hold off on their development application for the prison until the Council can conduct and publish an independent socio-economic study into the impact of the prison on the Meander Valley, and particularly the residents and ratepayers of Westbury.

This is now your opportunity to step up Mr Jordan as General Manager, the Mayor and all your Councillors of the Meander Valley Council to also step up and turn these decisions around.

It's time to listen to your community, listen to the people who live here, listen to those that building a prison here will have the greatest impact on, listen with open minds. Being part of the Meander Valley Council, you all have the power and obligation to make changes that matter and change minds of those that matter too. Just think about who this will really affect directly, how it will change the landscape, what will the impact on neighbourhoods and the local community be, how will the site be serviced for sewer and water, what will that mean for Westbury? How will it impact on neighbourhood characters, it's residents living in Westbury, how will it impact them. It will directly impact on us.

You the General Manager, the Mayor and all the Councillors can now make this decision right by stopping the prison from being built at Marney's Hill, in Westbury or within the Meander Valley region. Take back charge, listen to your community and act accordingly as to what is being asked of you as our representatives in our everyday life – Stop the Prison from being built here at Westbury and the Meander Valley Region.

Thank you for your time and I look forward to receiving your response to my submission and acknowledgement of such.

Kind regards

Georgina Linnemann

Westbury resident and ratepayer

Submission Dwayne and Lee-ann Barwick

,Westbury.

Proposed Northern Prison Meeting, 10 August 2021

As directly impacted neighbours of the proposed Northern Regional Prison, we believe the Brushy Rivulet Crown Reserve is the totally wrong choice of location for a maximum security prison OR ANY DEVELOPMENT

This is a Crown Reserve, and was purchased because the site was of significant environmental value.

The Brushy Rivulet Crown Reserve was purchased in 1999 because it was agreed that the site was of significant environmental values and should be preserved for future generations. The government has failed to protect the reserve by simply not doing their jobs in completing the paperwork. They must do this now.

- We call upon the Federal Environment Minister and the Tasmanian Government to honour the original intent of the agreement and lock up Brushy Rivulet Crown Reserve.

How could you even contemplate building a prison **when importantly** this site has no electricity, no water, no sewerage, no gas and no fibre optics and is on the Birralea Road, which is a major freight route that is already labelled dangerous in government documents.

This prison should not be in a rural area on a nature reserve.

Premier Peter Gutwein and Elise Archer admit it “has sensitive natural values”

Brushy Rivulet is recognised as bushfire prone. We can't understand why the Government would consider risking the safety of prison staff, prisoners and ourselves by locating a maximum security prison on Brushy Rivulet Reserve.

Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions as vulnerable and should not be sited in bushfire prone areas.

We all know that fires at prisons do occur as witnessed at Risdon earlier this year. We are concerned about the increased risk of fires in their community and the potential risk to people, property, pets and livestock.

Reports from the Risdon Prison fires detail police swarming the site, multiple police vehicles stationed around the jail's border and dozens of officers patrolling the perimeter following the fires. This is exactly what both Tasmanian Government representatives and Elise Archer have said **will not happen in Westbury**. Who is going to guarantee our safety?

No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

We are concerned for the survival of the many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest and the newly discovered Goshawk's nest.

The Tasmanian Wedge-tailed Eagle is listed as an endangered species under the EPBC Act with fewer than 200 breeding couples in the wild. The Forest Practices Code states that forestry activities are restricted within 500m or 1 kilometre line of sight of active nests during the core breeding season and a reserve minimum size of 10 hectares must be established around all nests found.

Documents recently released under Right to Information reveal DPIPWE stated that over 95% of the proposed prison site is within 1 km line of site of the nest.

The Tasmanian Masked Owl is critically endangered and has a nest right in the middle of where the proposed prison would be built. How is the Government going to protect the Masked Owl given its critically endangered status?

- We call upon the Tasmanian Government to put in covenants to protect these endangered and vulnerable species on the reserve.
- We call upon the Meander Valley Council to reinstate appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management".

Egmont Reserve has been used for generations as the unofficial swimming pool for the Westbury community and in summer is often close to capacity for safe swimming. If a prison is built, this will no doubt become an unofficial waiting room for visitors of inmates and place a strain on the popular community place. How is the Meander Valley Council going to address the increased activity regarding parking and amenities?

We are concerned about the day-to-day operations effect on both us and our livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents). Artificial light disrupts flora, nocturnal fauna activity, interfering with reproduction and reducing already endangered native populations.

The Government has assured us that lockdowns do not occur but only in recent months, we have seen the unfortunate effects of lockdowns at Risdon. In the event of lockdown, we are concerned about how we are going to access our properties to attend to stock, pick up children from school etc. If roads were closed, this would be a major disruption to all road users and particularly to trucking companies as this is a major freight route.

Contrary to what some may like to believe, it will be known as the "Westbury Prison" as it is the closest population centre to the proposed site at only 5.2km away. This is not what we want for our town...it won't be the "Birralee Prison" that is a further 9.5 kms away to the North from the proposed site. The government must go back to the drawing board and start again.

The Meander Valley Council should step up and start finding out what the government is planning for the region instead of repeatedly saying they are in the dark and can't do anything until the Development Application which is now due early next year.

The Tasmanian Government and the Meander Valley Council must to listen to the will of the people and the overwhelming evidence and put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve.

The community should be asking **What does Meander Valley Council gain from having a maximum security prison in the Meander Valley?**

Submission to Meander Valley Council on the Northern Regional Prison Proposal, Marney's Hill Reserve at Brushy Rivulet, Birralee Road, Westbury.

Submission by Patricia Sessink,

, Westbury, 7303 Tasmania,

1. I would like to express my great concerns about the current site chosen for the proposed Northern Regional Prison, on Marney's Hill Reserve at Brushy Rivulet on Birralee Road, Westbury. The concerns include:

- a) The current location, as well as the previous location at 135 Birralee Road in Westbury, is too close to the community of Westbury and neighboring residents. In my opinion the job of Meander Valley Council is to protect those that elect them from unsuitable developments. The Council should protect our historic Town of Westbury, and its surrounds against these inappropriate large-scale developments. Instead of making Westbury a "Prison Town", it should stimulate the public's interest in appreciation for the beauty and promote the history and heritage values of Westbury as a small historic town and should encourage developments sympathetic to the character of Westbury and its surrounds. In my opinion this Prison Proposal will only have a negative impact on the historic value of Westbury and on our tourism industry.
- b) The proposed location is on a Nature Reserve that should be protected by the Tasmanian government. This Crown land was purchased by the state government through Federal government funded Private Forest Reserve program for the purpose of nature conservation. The Tasmanian Land Conservancy (TLC) completed a proposal under the nature Conservation Act 2020 (Brushy Rivulet- Westbury Conservation Covenant Proposal). This proposal states various natural values of the property; it identified the suitable habitat for a range of rare and threatened species. The TLC is supportive of the property's conservation and believes it should be conserved as originally intended through the Private Forest Reserve Program. **QUESTION:** How did the Minister for Corrections ever come to the conclusion that this was the site for the Northern Regional Prison and does she not agree that threatened flora and fauna deserve to be protected? What is the fixation that this prison needs to be build in Westbury based on?
- c) I have great concerns for the increased use of Birralee road, which is already a significant freight route and dangerous as it is, having a poor asset condition report. **QUESTION:** Why has nothing happened to this road to upgrade it (for nearly 9 years)? And is this upgrade now just been used in conjunction with the building of a proposed new prison as a sweetener for the residents and users of this road?
- d) **QUESTION:** How will this site be serviced e.g. for sewer and water? What consequences will this have for Westbury?

2. **The job of Meander Valley Council is to represent the interests of those who pay their salaries through their rates, and to protect those elected from unsuitable developments. So this lead me to the following questions for the Meander Valley Council:**

- a) **QUESTION:** Why was there such a lack of communication and consultation by Meander Valley Council (and by Minister Archer) about having a Prison in our municipality? And if this Council thinks that this is such a good idea why is there such a lack of detail around the economic and social ramifications of having a prison in our municipality. What impact will this have on our municipality's tourism? Would this Council not agree that it would be crucial to do a proper analysis by the council and that this would be information to share with your community?

3. **Clearly there are current problems being encountered by the State Government in staffing Risdon Prison and the remand centre in Launceston.**

- a) **QUESTION:** Can the Corrections Minister please explain how she thinks she can staff Risdon, the Northern Prison and the remand centres? With Risdon Prison in the news about Asbestos problems, overcrowding, and assaults, can the Minister promise us that Risdon Prison will still be there in the near future or will there just be one Prison, The Northern Prison and how does the Minister think she can keep our municipality safe? What else has the Corrections Minister in mind for Westbury? Will Westbury become the rehabilitation centre for North or even for Tasmania?

I would really hope that Meander Valley Council will withdraw their initial motions to build this Northern Prison in our Municipality and will focus their attention on how to rebuild the trust of its community.

Patricia Sessink

Patricia Sessink

Westbury 7303
Tasmania

From: Rosie Mackinnon
Sent: Tuesday, 10 August 2021 4:53 PM
To: Meander Valley Council Email
Subject: Attention General Manager: Submission for the Public Meeting 11/08/2021

Dear Sir/Madam,

We are writing to voice our opinions against the proposed establishment to a prison so close to Westbury. The following are our objections and reasons for objecting:

1. The lack of consultation with the community at the initial stages on the proposed first site and how the original sale of land and future funding was to be carried out.
2. How the Meander Valley Council decided that the prison would benefit the small historic village of Westbury from social, legal, educational, health and training perspectives. How will the local residents benefit?
3. How the MVC can assume that with an increased need for community based services by the prison, the region can adequately service that need when current local needs are not being met.
4. The lack of thorough data indicating how Westbury residents will benefit from employment by the prison. Is the MVC assuming much of the contract work and employment will come from Launceston? Do Westbury and surrounding residents have the skill sets to apply for contracts?
5. The lack of indication that the MVC has suggested to the government of alternative sites within the Meander Valley. For example establishing a new youth rehabilitation centre and building a prison on the Ashley site.
6. How will the MVC promote Westbury as tourist destination if the prison is built only 5 kms from the town centre?
7. What rental properties in the meander valley region will be available for inmates' relatives in this housing market. Recently 60 people attended an "open home" to view a rental property at Hagley.

Thank you for the opportunity to indicate some of our concerns. We look forward to respectful, honest, and objective consultations with the Council in the future. We therefore respectfully ask you to listen to the voices of the vast element of the hurting people of the village of Westbury.

Andrew Mackinnon and Rosie Mackinnon

Regards,
Rosie Mackinnon
Small Business Consultant | Project Management | Marketing
Mouquet
Hagley TASMANIA 7292

2011 Northern Winner - Women's Entrepreneur Award

From: Lauren Brown
Sent: Tuesday, 10 August 2021 4:56 PM
To: Meander Valley Council Email
Subject: Submission against Northern Regional Prison at Brushy Rivulet Crown Reserve

To whom it may concern,

I am writing to express my concern at the proposed northern regional prison, at Brushy Rivulet Crown Reserve.

The natural value of this reserve is huge. As a young person concerned about the future of our state and our planet, it is concerning to see that, despite all the evidence of endangered and rare species located in the area and the significance of this bush land to their survival, this proposal is still even on the table.

Any responsible leader, who cares about the future of our beautiful state, the flora and fauna it is home to, and their young people, cannot stand by and let this prison go ahead.

At a community level, I am already witnessing the impact this prison - that is not even built yet - is having on the mental and emotional wellbeing of those in the community. This is a strong resilient community, but the prison is already taking a toll.

I cannot imagine the impact it will have if it does somehow go ahead.

I hope that logic and reason prevail, and the prison proposal is shut down, for the sake of the planet, our flora and fauna, the community and our future.

Kind regards,

Lauren Brown

From: Jessica Brown
Sent: Tuesday, 10 August 2021 4:57 PM
To: Meander Valley Council Email
Subject: Submission to Council - Objection to Prison in Westbury

Dear Sir/Madam

I am writing to formally express my strong objection to the proposed prison construction on the nature reserve located on the Birralea Road in Westbury. My view is that this is the wrong site for the prison and it should not proceed in this location for multiple reasons.

My understanding is that this site was purchased by the Crown due to the natural values - these should continue to be protected and the land should be maintained as a reserved.

Consultation and transparency is also an issue with the community clearly objecting to the prison being constructed but the government seemingly proceeding with disregard to such objections.

There are many other more suitable sites - especially ones where protected fauna and flora that we all work so hard to protect will not be destroyed.

I ask that we exercise some common sense and not build the prison in this location.

Thank you for your assistance and consideration of my objection and should you wish to contact me my mobile number is below.

Kind regards

Jessica Brown

From: John Donaldson
Sent: Tuesday, 10 August 2021 4:17 PM
To: Meander Valley Council Email
Subject: Proposed regional prison public meeting

To the General Manager MVC

Could you people who have been elected by the people of the district please give some consideration regarding the proposed prison ,the majority of Westbury residents are against this idea as you would be aware,these same people make up our community as well as voting you people to your position as councillors to represent the business and residents ,already it has been said the councillors are a corrupt lot and are bowing down to the wishes and ideas of the state gov ..Enough is enough we don't want our community held to ransome by Liberal or Labour politicians who don't even live or have any interest in Westbury regards. John Donaldson concerned Westbury property owner
Sent by JD

From: Wendy Travis
Sent: Tuesday, 10 August 2021 3:27 PM
To: Meander Valley Council Email
Subject: Attention General Manager, re Westbury Prison site

My name is Wendy Travis, I am a concerned rate payer and would like to bring my thought to your attention.

I have friends that will be directly impacted by this prison, they are not just a small group and should suck it up or move, they are hard working people just trying to make a go of it and they sought out their farm for the peaceful lifestyle .

Aaron and Olivia Reader (who will share a boundary with the prison) are suffering mentally and living in limbo, all of the neighbours are not sure whether to invest further in their properties as their values are going down not up like other properties that do not have a maximum security prison proposed next door. They have wrote several letters to The Premier asking to meet with him so they can share their concerns but he refuses to meet with them even though he meet with neighbours at the first site. He simply doesn't care. They didn't ask for this prison next door. Would you like it next to you? I don't think so. Surely there are other ways to fix this broken prison system in Tasmania.

Contrary to what some may like to believe, it will be known as the "Westbury Prison" as it is the closest population centre to the proposed site at only 5.2km away. This is not what we want for our town...it won't be the "Birralee Prison" that is a further 9.5 kms away to the North from the proposed site. The government must go back to the drawing board and start again.

The Meander Valley Council should step up and start finding out what the government is planning for the region instead of repeatedly saying they are in the dark and can't do anything until the Development Application which is now due early next year.

1. I do not believe that the construction of a new maximum security prison located at the Brushy Rivulet Reserve is the right location.
2. The government should abandon all plans and stop wasting tax payers money
3. The Department of Justice can not even run one prison successfully...how are they going to run two?
4. The Brushy rivulet was a hastily chosen, quick fix when the government chose to move off the first site in the industrial estate.

This site has:

- no electricity,
- no water,
- no sewerage,
- no gas and
- no fibre optics

5• and is on the Birralelee Road, which is a major freight route that is already labelled dangerous in government documents..The Birralelee Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralelee Road.Brushy Rivulet is recognised as bushfire prone. I can't understand why the Government would consider risking the safety of prison staff, prisoners and ourselves by locating a maximum security prison on Brushy Rivulet Reserve.Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions as vulnerable and should not be sited in bushfire prone areas.

6.The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate. We call upon the Federal Environment Minister and the Tasmanian Government to honour the original intent of the agreement and lock up Brushy Rivulet Crown Reserve.

7.No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

We are concerned for the survival of the many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

8."The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest and the newly discovered Goshawk's nest.

9.Property values will decrease. Equity has been lost in properties,the adjoining neighbours Aaron and Olivia Reader's bank have told them that they may not be able to finish their new home due to the lost equity and they will be unable to lend them the funds to complete... the build is in limbo

10.Neighbouring farms are concerned about the day-to-day operations effect on themselves and their livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents).

11.We call upon the Meander Valley Council to appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management".

12.We call upon the Tasmanian Government to listen to the will of the people and the overwhelming evidence and put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve.

Sent from my iPhone

From: Brendan Armstrong
Sent: Tuesday, 10 August 2021 3:44 PM
To: Meander Valley Council Email
Subject: Re: Northern Prison submission

Attention: General Manager.

Re the building of a Northern Prison at the current proposed Brushy rivulet location.

This building site is not Appropriate for a Prison for the following reasons.

- The Brushy rivulet site was purchased for it's environmental values for it's intention to be a reserve.
- The Brushy rivulet site contains many threatened and endangered species which would be displaced or destroyed by the building of a Prison.
- All support structure is absent for a facility such as this. Birrallee road is narrow and inadequate. No appropriate sewage, power, water etc.
- Being in bushland, is susceptible to bushfire risk.

Other points for consideration.

- If it is determined that a northern prison is essential, then other appropriate locations like the Ashley facility should be strongly assessed. The current Ashley facility is highly underutilised and would be a more suitable location. Presumably no threatened species, Not in native bushland, currently emits large amounts of light at night, is close to required support structure. And it's already considered a prison. If Ashley is considered essential in it's current form, then the Prison should be build directly next to it, enabling shared resources and lower the cost of facility operation.
- It is extremely clear that the government rushed the decision to build a prison at the Brushy rivulet location as a knee jerk reaction to the initial proposal to build at Westbury. Additionally the issues above would have been clearly identified should any investigation have been performed prior to the announcement of building at Brushy rivulet.
- It is almost farcical that the government think it needs another prison when it doesn't sufficiently resource the operation of existing facilities.
- The money that would be sent on building and operating a new prison could be much better spent on activities to prevent crime and prisoner rehabilitation, as well as a thousand other more ways to support Tasmanians.

All current activities to support or investigate a prison should cease as these activities are threatening the animals and damaging habitat. The Brushy rivulet needs to formally be classified as a reserve, as initially intended for that land.

From conversations with friends, family and colleagues, I firmly believe that the majority of Tasmanians likely have the same beliefs as me.

Thank you for consideration of these points.

Regards
Brendan Armstrong

TAS, 7249

From: Ginette Thomas
Sent: Tuesday, 10 August 2021 3:54 PM
To: Meander Valley Council Email
Cc: WRAPinfo@westburyregionagainstthepreison.org
Subject: Attention General Manager: Submission for the Public Meeting 11/08/2021

Submission to Meander Valley Council on Westbury Prison

Dear Sir,

I wish to add my voice to the Public Meeting and question the Meander Valley Council as to their loyalties and where they sit on this matter.

*we the people elect our council to act on our behalf, correct?

*we the people expect due diligence from our councillors and expect their allegiance to us (Meander Valley) and not the sitting Government

*we do not expect a land grab on a Reserve that theoretically was bought with tax payers money

There are certain people responsible for this “dirty” mess but on the whole the Council/Councillors can rectify the predicament that they have created for Westbury residents and withdraw their initial motions that got this prison going in the first place.

Sincerely

Ginette Thomas

Emma Hamilton

Launceston

Tas 7250

Submission to Meander Valley Council Re: Northern Regional Prison

Dear Mr Jordan and Councillors

I write to make my feelings around the Government's prison proposal known on the record and pose questions to Council. Please note I would like not just a written acknowledgment of my submission but also for each of my questions to be answered by the relevant parties in writing.

It's noted that in December 2017 Council voted in support of a "Northern Correctional Centre" near Ashley and that Councillor Rodney Synfield abstained from voting on the motion.

Will Council now move a motion to overturn that motion from December 2017, and remove support for a correctional facility on or near the Ashley Youth Detention Centre site?

We know through RTI information that Councillor King was willing to move a motion in Sept 2018 around EOI's for a prison because she was "favourable" of a prison in the municipality.

This was said as part of an email chain between the immediate past General Manager (Martin Gill), immediate past Mayor (Craig Perkins) and current Deputy Mayor Michael Kelly.

Will Councillor King or someone on Council with access to Council minutes, correspondence and the like please explain at what point in the dialogue between Council and the government the language changed from "Correctional Centre" to "Prison"?

Will Councillor King please clarify if she knew the EOI's for the prison were slated for Westbury, when she wrote the email in September 2018 that she was favourable of a prison?

Will Councillor King please explain why she was favourable of a prison in the Municipality in September 2018?

Will Councillor King provide any evidence she had in September 2018 that might prove any social or economical benefits to the municipality, that might explain why she was favourable to a prison being built in the municipality?

I note there were 3 candidates in the 2018 election for Deputy Mayor included Michael Kelly and Tanya King, who both knew Martin Gill was working behind the scenes to secure a prison for the municipality. Will they both explain why they didn't mention the prison in the 2018 election campaigns?

Of the 7,927 formal votes for the Deputy Mayor position, 3,970 votes were for Michael Kelly and 2,749 were for Tanya King - or by the electoral commission's statistics, collectively 84.76% of the municipality voted for Councillors that knew a prison was being slated for the Municipality to be Deputy Mayor, yet who did not disclose the fact. One can only assume they knew mentioning the prison would damage their chance of election. This shows a horrible lack of transparency from our elected representatives.

We know from RTI documents that the past General Manager Martin Gill worked with DOJ to identify sites in the Municipality.

Given that MHA Mark Shelton was the Mayor of MVC when a deed was granted by Council to Glen Avon Farms (the original site proposed for the prison) for work to be done to create the industrial park, the repayment of which needed to be paid by Glen Avon to MVC by January 2022, will Council explain what it thinks is the first date the industrial site was identified as "desirable" for a prison proposal?

Will Council please move a motion to withdraw all Expressions of Interest submitted for the proposed prison?

Will Council please explain why "Ms Debbie Smith" was initially chosen as a fair and unbiased facilitator for the public meeting? Surely her friendship with Ms King, who is on the record as being favourable of a prison, marks Ms Smith as an inappropriate candidate for facilitator? I attach to this document evidence of their connections on Facebook, noting I would never tag someone on Facebook to perv on a video of men without shirts on, unless I was closely acquainted with them enough to know they would not be offended at being tagged. Note that Debbie Smith has, on multiple occasions, tagged Tanya King alone on posts she thought Tanya would find humorous.

This also leads me to record the other procedural objections I have to the Public meeting.

I know that the petitioner asked for the meeting to be on the weekend, when all could attend - including the elderly that don't feel comfortable driving at night, and working families that commute and are not able to make it out to Deloraine in time for a night time meeting.

I note that Council is legally required to advertise twice in a daily newspaper. I consider this to have not been fulfilled properly, as the first notice had a mistake in it and the next day a correction was printed, but I've not seen a second CORRECT notice placed in the paper. If the first notice was incorrect, it should not count and thus only ONE correct notice was placed in the paper.

I've heard that some people that visited the Council building were unable to see a public notice on display for the public meeting. Will Council explain if a public notice was displayed, if so where and on what dates was it available for public viewing?

I asked Council's Governance Officer Ms Parker on the phone on the Wednesday the 21st of July, if elderly members of the public without access to the internet were able to go to Council to get a ticket for the event, and Ms Parker said that Council should be able to help people get a ticket if they weren't able to get one themselves. However I've heard on

several occasions that members of the public were turned away from council without a ticket for the event, in one instance because the person wanting to attend "did not have an email address" and as such Council did not provide them with a ticket.

By now this Council and Councillors should be well aware of the demographic that they were elected to represent. They should know that there are members of the community that do not access the internet, and to only allow people to the event if they register online prohibits ratepayers that are not able to navigate technology from engaging with its Council. This is not acceptable!

I'm opposed to this idea of submitting questions on cards. Not only does it mean that the questions can be tampered with, I believe there should not be any anonymity with questions. Whether they are by card or from the floor, the person should state at least their first name and which town they are from. If members of the public wish to put questions with or without notice to Council during an Ordinary Meeting, then people must identify who they are and where they are from. Yes, there is provision in the ordinary meeting rules for Council to read the question if the person is unable to, BUT if no anonymous questions are allowed at ordinary meetings then they should not be allowed at this public meeting.

Given Council have used COVID-19 as the main reason it has not consulted its community to date on the prison issue and we have now had 3 people try to enter Tasmania illegally, including one person successfully entering the State that was confirmed to be infected with the Delta variant, will Council immediately put a halt on the idea to submit questions on cards, as a matter of COVID-19 health and safety?

At no point in this process has Council either conducted its own socioeconomic study into what benefits or detrimental impacts a prison would have on the municipality, indeed from my reading Council has not even made a decision how it will verify the veracity of the claims of the Government's Socioeconomic report written by SGS Economics. It seems like a logical and prudent step for Council to have done its own socioeconomic study, before deciding to move motions and submit EOIs in favour of a prison.

Will Council now rectify this oversight and immediately commission its own socioeconomic study to assess any benefits as well as any detrimental impacts a prison might have to our community?

This should be completed BEFORE the Government submits its rezone/ development application!

Will Council also make this study available for the public to view, and will Council consult with its community after such a study is done, so that the community can have a real understanding about what it would mean for a prison to be built here?

I also notice in the agenda for the MVC August 2021 Ordinary Meeting, it is happy to conduct a survey about development in the Carrick area, and that Council conducted a survey about subdivision of the "5 acre lots" in Westbury last year. It's very clear that Council is able to consult its community on some issues, but has deliberately refused to consult on the prison issue. I also note that the petitioner of a Carrick petition, which has resulted in a survey of the Carrick area, has been actively engaged by Council and has been allowed to be involved in that process, but Council has refused to fully consult with WRAP on the public meeting, because WRAP would like a full audio recording of the meeting to protect all parties involved. Again, another example of Council not willing to be transparent on the prison issue.

With regards to the current proposed site "Marneys Hill Reserve" it is noted in the history of the site that it was purchased by the Government from a private landowner, for the express purpose of conservation. We know through documents released via RTI that:

- a) The Tasmanian Government were planning to hand the land over to the Tasmanian Land Conservancy, so that a conservation covenant could be placed on the title and that the TLC had fulfilled all its obligations so that the land could be transferred to them for protection; and
- b) The Federal Government has made numerous enquires of State Government as to when it would fulfill its obligation and give that land the protection it was always supposed to have

We also know that, in the process of transferring from the "2013 Interim Planning Scheme" to the new "Local Provisions Schedule," there were a number of land lots that were identified as needing a different zone, or were mistakes, anomalies, oversights etc, where steps have been taken to rezone these to more appropriate planning zones.

For instance as part of the process Council, through its then Senior Strategic Town Planner Ms Oliver, helped the Sackleys at 1 Meander Valley Road Westbury rezone their land that was identified as a mistaken anomaly that was missed.

Councillors also approved \$13,000 of rate payer money for reports needed to rezone various land lots around Westbury as part of its own rezone amendment, some of which the Tasmanian Planning Commission approved and some of which were rejected as being premature.

It seems that the current proposed site is one of these property anomalies, because under the old planning scheme Marney's Hill Reserve had a Priority Habitat planning overlay, and in rolling over to the new LPS has mistakenly lost its environmental protection.

Given there is an existing precedent that Council has worked with landholders and has both financially, and strategically helped them to rezone their land I ask Council to immediately initiate a rezone of that site to "Environmental Management" which should have been the appropriate zone for that site when the change to the LPS originally happened

For the record, as part of my submission I would like to express my disappointment in Council that it has forced its community to compel a public meeting about the prison, as well as Council's constant insistence that there were not enough signatures on the first petition to hold a meeting!

In the December 2017 MVC meeting (which coincidentally is when the first motion was moved for a correctional centre at Ashley) a motion was moved by Council to approve a public meeting, as a result of a petition being submitted with only 487 signatures. This was not enough to trigger the "5% of electors" legislation compulsion for a public meeting, but Council chose to have a public meeting anyway and consult with its community. It's galling that for the sake of a few signatures Council refused to hold a public meeting after the first

petition was submitted, when in the past it was proactive in seeing the community's desire to consult with its council on a significant issue and made the decision to hold a meeting regardless of legislated requirements. Council was refusing to consult with its community on the prison issue, even prior to the COVID-19 pandemic.

I also note that when Council voted against holding a public meeting last time the community submitted a petition calling on Council to hold a public meeting on the prison issue, Councillor Bower said the following:

"Comment by Cr Bower As Councillors we do not shy away from a public meeting, we will consult with the community and are committed to do so at the appropriate time. We will continue to meet and listen to our rate payers and when we get a chance to meet (due to COVID-19) and consult with both pro and anti-prison groups, we can discuss a way forward together."

July 2020 MVC Meeting Minutes

It's noted that at the time it was known that the community had enough numbers on the petition to compel a public meeting, Councillor Bower resigned to focus on her Federal Liberal Party Political Campaign. Since Ms Bower is a Westbury resident that has served on Council during the prison issue, and she made a public statement about not shying away from the public, and she is still involved with the prison proposal by virtue of being a Liberal Party Candidate for our electorate, I ask:

Has Council extended a formal invitation to Ms Bower to attend the Public Meeting?

If the answer is no, why hasn't Council invited Ms Bower?

It's come to my attention that Council has invited Ms Grace Rock, Ms Berris Atkins and Mr Leigh Watts to speak for 15 minutes at the public meeting to represent the pro-prison side of the issue.

Will Council please clarify if Mr. Leigh Watts has ever or is currently employed by Meander Valley Council?

If Mr Watts is/ or has been employed by Council, will Council explain how it plans to manage any potential conflicts of interest/ bias by having him as a speaker and supporter of the prison?

I would like to note that while Ms Grace Rock runs a Facebook page that proports to be unbiased, she has a clear pro-prison agenda and that Council always turns to her as the spokesperson for the pro-prison element in the community, as is evidenced by Council inviting her and her associates from that page to a February 2020 workshop about the prison issue, and now extending an invitation to her to speak at the meeting.

The Northern Regional Prison Site Info Page on Facebook, administered by Ms Grace Rock, says that it is "Unbiased information about the Northern Regional Prison Site," however whenever Council is looking for pro-prison proponents they invariably turn to Ms Rock and her associates from that page. Will Council clarify if they view Ms. Rock's Facebook page as unbiased or pro-prison?

It's my understanding that neither Ms Rock, Ms Atkins or Mr Watts signed the petition calling for a public meeting, and had no interest in attending one. Ms Rock even went so far as to use her pro-prison Facebook page to encourage people to call the police on those that were collecting signatures, presumably as a way to stifle the petition and prevent it from getting the numbers it needed, and also submitted an RTI to Council asking Council to release previous petitions against the prison. Will Council please explain why it asked these 3 people to make a presentation at this meeting, a meeting that they originally didn't want and in some instances actively tried to stop?

Is it because Council really knows that there isn't really much support for the prison, and that Ms Rock is literally their only option for a pro prison spokesperson that's not a Liberal Party Politician or Dept of Justice employee?

In the lead up to the public meeting Council and the media have been defamatory, painting those that oppose the prison as disruptive and abusive (ie on ABC Radio segments with Belinda King on the 23rd and 27th July 2021) whilst neither Council or mainstream media

have reported or commented on the abusive vitriol on Ms Rock's pro-prison page. If Council is willing to make unsubstantiated defamatory comments against WRAP, and view those that oppose the prison to be loud troublemakers, will Council please explain its stance on the pro-prison vitriol on Ms Rock's prison information page?

Is Council aware that Ms Rock has consistently made defamatory comments in the past about WRAP and those that oppose the prison?

Is Council aware the Ms Rock's pro-prison group has never incorporated as a legally recognised entity with legal protections like insurance?

Is Council aware that her group consistently say they are in the majority and that WRAP is in the minority, when they have no independent academic research to prove their numbers and no paid membership - as opposed to WRAP, which engaged its own independent Doctor of Sociology from James Cook University in Queensland to devise a survey on public sentiment on the first proposed prison site, which found more than 80% of the community was opposed to the prison, and has had a consistent financial membership base regardless of which Westbury site the Government has proposed to build on?

For Ms Rock's one group to support the prison there are multiple groups that oppose a prison

WRAP - Westbury Region Against the Prison

CROWPS - Concerned Residents Opposed the Westbury Prison Site (the immediate neighbours of the site)

A group from Birralee (residents from Birralee township)

Sarah Lloyd OAM and her group of Field Naturalists

There are also many prominent academics and professionals that are opposed to a prison being built in Westbury, including but not limited to Greg Barns, The Justice Reform Initiative, Just Desserts, Kristy Johnstone: Independent MHA and criminologist.

There were MANY, MANY people that Council could have invited to speak at the public meeting that would have resulted a robust exchange of ideas that could have really moved this dialogue forward, however it seems that with the exception of inviting the

Government's Project Manager to speak, the Council seems content to try and pit the already divided and hurt community against itself, by excluding academics and industry professionals.

On that point is it true/ is Council aware if the Government's Project Manager Mr Colin Shepherd was involved with the highly contentious Gunns/ Bell Bay Pulp Mill proposal that dragged on for years?

The Government have done an extraordinary number of backflips in the last year or so, perhaps more than an Olympic gymnast.

They have pivoted from saying the current site is a scrappy bush block ideal to build a prison on, to a site with sensitive values that can be safely managed while they do geotechnical drilling, to seeing nothing wrong with needing an EBPC Act referral to the Federal Government because of the natural values on the site, to needing to find land to offset the loss of natural values on the site.

Will Council move a motion that it will not work with the Government to find land to "offset" the loss of natural values on the current proposed site at Marney's Hill Reserve?

I think that the targeted expression of interest lacked transparency and probity.

I think that it was wrong of the Government to select this second site that was not part of the EOI process instead of going back to one of the original EOI sites or reopening the EOI process.

I think that the Council, whether they want to admit it or not, got our community into this mess and that they could get us out of this mess if they so chose.

I believe that the current site has inadvertently lost environmental protection that it had, as one of a number of anomalies changing from the old planning scheme, and that Council should immediately take steps to rezone it Environmental Management.

I believe that Council, by being complicit to the Government's plan, has caused deep potential irreparable damage to our community, and that Council has squandered its opportunity of using this public meeting to help heal the breach.

I believe that, while Council likes to say it had no idea a prison was coming, there are some on Council that know it was coming and were favourable to a prison in the Municipality.

I submit that Council should revoke its December 2017 motion re Ashley, that it should withdraw all EOIs for the municipality, that Council should immediately undertake its own socioeconomic study on the issue and release it to the community, and properly consult with its community as to whether it wants a prison once there is a proper study done.

I submit that if Council send out a survey re the prison, it should be limited to one survey per person on the electoral roll/ managers role, and that people that own multiple pieces of land ie a residential home and investment property/ business etc are not allowed to submit more than 1 survey per person, regardless of how many properties or businesses they own.

And I request that Council not work with the Government to help them find land to offset building a prison on Marney's Hill Reserve

Emma Hamilton

Westbury

10:39

59%

← Tanya King



Suggestions Mutual All

Search Friends



David Smink



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Dean Minchin

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To the Meander Valley Council,

I write in response to the request for submissions to council in preparation of the public meeting regarding the Northern Regional Prison Project.

Much has changed in the Westbury area in the last 2 years. Sadly, I don't think this has been for the better. The community is heavily divided, there are people on both sides of the discussion who are no longer welcome in businesses or who have lost the respect of others in the community. This has been driven solely by the unexpected dumping of a prison on the doorstep to Westbury, supported by Council in the application process, yet completely undiscussed at a community level and the reaction and behaviours of people in response to this.

My points/concerns I would like to make, or to be addressed by council include:

1. Community support was listed as an underpinning factor in the selection process for the Northern Prison Development. Why did council assist so heavily in the application process without ever asking the community for its support, and why has it taken this long for council to finally engage in a public forum when other, obviously more desirable projects like playgrounds and bike trail developments are offered public meetings and input without being asked for them?
2. Considering that Anna Reynolds has a clearly public opinion about the cable car project, and was still somehow able to vote on the DA recently, why does MVC still hide behind the role of a planning authority to avoid having a personal opinion about this development. People want to be heard on this issue, not swept under the carpet. Council is here to represent the community first. Until the DA has been submitted, you are not a planning authority.
3. What investigations has council undertaken to learn about the justice system, and prison service communities since this project has been announced? What has council learned about how communities have been affected. Were there any communities that represented a similar population (commuting, retired, professional, low unemployment) to Westbury? Which ones? What did the residence have to say about the before and after effects of the prison development? How does that change things for the Westbury region?
4. New Norfolk has always had a less than desirable reputation every since I can remember (about 35years) It has recently come of age and is fast becoming a popular and authentic place to not only live but also to do business. Does council have any thoughts that this only happened as a result of both the mental institution and the prison farm being removed from the area? It still took population growth, and new market entrants (mainlanders) to bring it to life, but it is now thriving! What does this mean for Westbury? And the surrounding areas?
5. The Meander Valley region has a very fragile image. It is the route to somewhere else. It has some nice food producers and some nice natural places, and a crafty centre at Deloraine, but the image is fragile. Meander Valley will struggle to maintain a 'healthy' image with a major and often 'unhealthy' development like a maximum security prison. How does council see businesses like mine, trying to promote the Meander Valley as a beautiful place to come and stay, as well as the fledgling theme of the Meander Valley as the

Great Short Walk capital of Tasmania when the newest Great Short Walk added to the map will be from the carpark to the prison gates?

6. This government has clearly shown that the justice system is in crisis. Week after week, terrible stories are coming from Risdon. The current timeline of works will do nothing to fix the overcrowding as there still wont be enough beds to free up current capacity, let alone future capacity. Has council asked the question about where the future expansion would occur? How big is council prepared to allow the prison to grow? Will council have any say in the matter in future? Is it possible for future governments to gradually move much of the prison population to Meander Valley so that the more valuable Hobart real estate can be siphoned off to public development? Leaving the Meander valley as THE prison council?
7. The justice department is having trouble recruiting Correctional Officers. This is due to poor workplace relations, risk of assault, lack of interest in working in this industry. Recent news reports that 200 new CO's were employed by this government, but 170 employees are currently on long term leave due to stress or injury, or have left completely. Are these job really the kind of jobs we want our children to strive for? Are these jobs worth sacrificing other more desirable industries like agri-tourism and small business who will choose other locations to set up due to the implications of the nearby prison? It is well documented that only highly skilled tasks are contracted out once the prison is occupied with low skilled work like garden maintenance, laundry and cooking services mostly managed by inmates. So what flow on jobs does council realistically think will be a benefit to the local community? Especially given that 'prison industries' like vegetable processing etc that may be attracted to the area will also likely employ prisoners over locals. Where is the real benefit of jobs to Westbury and the Meander Valley?
8. Has council now begun considering the negative impacts that this development will bring and has council had discussions about ways and strategies to support those impacted? If council has not begun these discussions, how do we as rate payers believe that this council has the credentials to make a decision about this development proposal on behalf of the wider community, and to lead our region into the future?

I look forward to these issues being addressed at tomorrow nights meeting with honesty and compassion. This is a major development for Meander Valley, and our leaders cannot let our community down by throwing their hands up in the air and hiding behind planning authority regulations to avoid difficult discussions. I implore council to prepare for all outcomes early, because the impacts will be defining. Development doesn't always mean progress, and progress doesn't always mean a better life for the community. But good leadership can delivery pathways to prosperity through good communication and strategic planning to address impacts. It will not be delivered via closed doors and ignorance.

Sincerely,

Christie Mcleod

Hazelbrae Hazelnuts

Hagley



Westbury Region Against the Prison Inc (IA 12477)
Westbury TAS 7303

Index No.	S04-OS-040		
Doc No.	1640482		
RCVD	10 AUG 2021		MC
Action Of	ML	Doc	G
EO		OD	✓

10 August 2021

Mr John Jordan
General Manager
Meander Valley Council

Hand delivered

Dear Mr Jordan,

Northern Regional Prison

I make the following submissions on behalf of Westbury Region Against the Prison Inc., an association incorporated under the *Associations Incorporation Act 1964* comprising some 130 members.

1. Past support of Council for prison in breach of section 20 of Local Government Act

Council is required by statute to represent and promote the interests of the community (section 20(1), LGA). In performing that function, the Council is required to consult and involve its community (section 20(2), LGA). We submit that the Council has breached, and continues to breach this section of the LGA by virtue of the stance it has adopted in respect to the Northern Regional Prison.

The Council was aware of the State government's plans for a Northern Correctional Centre in 2017. In December 2017, the Council passed a motion to express interest in a northern correctional centre being located near Ashley. This motion was passed without any consultation with or involvement of the community. This project was not minor in nature and was not without controversy – the community ought to have been, but was not, consulted prior to the Council approaching the State Government.

The Government rejected the Ashley proposal, but its focus was still on the Meander Valley municipality in light of the positive interest the majority on Council had already shown. Martin Gill met with representatives of the Department of Justice (DoJ) to advance this interest and who DoJ representatives some sites near Westbury.

The Government then ran a "targeted" expression of interest (EOI) process in September 2018. This EOI process was targeted indeed – it was not advertised: as it did not need to be. DoJ had already earmarked one site in Westbury.

Martin Gill (with the knowledge of the Mayor and at least two other Councillors) facilitated the submission of expressions of interest in respect of two sites in Westbury in response to this

shambolic process. One of the Westbury sites was never intended to be in the running. The other, owned by Glen Avon Farms Pty Ltd, had already been targeted for selection.

The community was not consulted or involved in the submission of expressions of interest for the Northern Regional Prison by its Council. This was in breach of s.20(2) of the LGA. This is a major project which has massive implications not just for Westbury but for the entire municipality. By expressing interest, the Council and the owner were effectively making an offer of the site to the Government which the Government could accept in its discretion, thereby locking the site in for the prison.

The Government was ultimately driven off the Glen Avon Farms site by a range of factors, including opposition from significant large businesses at the industrial estate. The fact that Mark Shelton MP (formerly Mayor of the Council) had signed up Glen Avon Farms to a significant debt which would be extinguished if the land was sold to the Government had also tarnished the arrangement.

The Government should have walked away from Westbury altogether, but it remained fixated on Westbury for the prison. The Government must have compelling reasons indeed for not being able to leave Westbury behind. Why else would the Government refuse to go back to the drawing board and look for a new site across the entire North of the State, which is what it had originally committed to do? Like all deals made behind closed doors, the fixation on Westbury reeks of corruption.

The community of Westbury, which the Council has been elected to represent, has been completely sold out by Council's inviting the Northern Regional Prison into this municipality and Council's ongoing failure to withdraw its support for the prison being located near Westbury. The Mayor and General Manager personally expressed excitement to the writer at the announcement in June 2020 that the prison would remain in the municipality at the new site on Marneys Hill reserve.

The Council has maintained its unrepentant stance despite the deep divisions this has caused in the community and in the complete absence of any unbiased and reliable evidence that this project would bring long term benefits to this municipality. The only guaranteed benefit is in the form of a significant increase in rates coming in to Council's coffers.

2. We call on the Council to rectify this breach of the LGA

We call on the Council rectify the failings of its predecessor Council and its own ongoing breaches of section 20(2) of the LGA, by going back to Square 1. As our elected representatives, Council itself needs to undertake consultation and involve its community afresh.

As you know, the Government commissioned SGS Economics and Planning (**SGS**) to undertake a socio-economic impact assessment, which it commissioned as "benefits assessment" in relation to the Glen Avon Farms site. The Government is the proponent for this development. The report was commissioned to show benefits, not disadvantages.

The SGS Report would always cast the prison in the best possible light. It is a poorly written report, full of errors and untested and biased assumptions. It does not amount to a report upon which the Council can rely.

In addition, the consultation undertaken by the State government to inform that report was undertaken in relation to a **completely different site**. It does not amount to consultation on the new site or on the broader issue of what the advantages or disadvantages of the Northern Regional Prison are for the municipality in general.

This new prison will become the largest single enterprise in the municipality but will generate little wealth overall. It will be entirely taxpayer funded and the Meander Valley will go from its present successful private enterprise base to a community that relies very significantly on taxpayers' money. This will markedly change Meander Valley's social structure.

Meander Valley residents have not been informed or consulted about these long term changes, changes which may not bring about a better future for the Meander Valley. There has been no discussion between the Council and its community on these long term aspects of the proposal.

It is Council's responsibility to inform and consult its community before any final decisions are made on this prison proposal.

For these reasons, we call upon Council to:

- a) revoke the motion passed in December 2017 expressing interest in working with the State Government to establish a Northern Correctional centre near Ashley and write to the State government advising them of this revocation;
- b) withdraw support for the submissions lodged with the State Government in September 2018 for the two sites at Westbury;
- c) commission and publish its own socio-economic assessment of the impact (positive and negative) of the Northern Regional Prison on the municipality;
- d) once the report has been received and published, undertake consultation with the municipality on the placement of the Northern Regional Prison within the municipality and publish the results of that consultation.

As the State government will not submit a planning application until next year, there is sufficient time for the Council to take these steps.

3. Planning protection of Marneys Hill Reserve needs to be restored

The current site earmarked for the Government's planning application is Marneys Hill Reserve. This nature conservation reserve:

- a) was acquired in 1999 using Commonwealth funds so as to be set aside for the National Reserve Estate;
- b) still forms part of the Tasmanian Reserve Estate and the National Reserve Estate;
- c) was deliberately excluded from the *Crown Land Assessment and Classification Project 2006* (aimed at assessment of unallocated Crown Land) because it was earmarked for conservation under the *Nature Conservation Act 2002*;
- d) was deliberately excluded under the State Government's *Agricultural Land Mapping Project* in 2017 because it formed part of the Tasmanian Reserve Estate;
- e) hosts native vegetation which contains threatened plant and animal species listed in the *Threatened Species Protection Act 1995* and *Environment Protection Biodiversity Conservation*

Act 1999 (EPBC Act) meaning that it falls into the highest priority for protection in the Meander Valley Council's *Natural Resource Management Strategy 2000* (Principle 1);

- f) was appropriately subject to a priority habitat overlay under the *Meander Valley Interim Planning Scheme 2013*;
- g) remains the subject of repeated calls by the Commonwealth Government for formal protection as part of the National Reserve Estate;
- h) was in the process of being transferred to the Tasmanian Land Conservancy to be subject to a conservation covenant at the time the prison announcement was made in June 2020;
- i) remains subject to calls from the Tasmanian Land Conservancy for it to be formally conserved instead of used for the prison;
- j) was acknowledged by the Premier in Parliament in June 2021 as having sensitive natural values;
- k) will be the subject of a State Government referral to the Commonwealth Minister for the Environment under the EPBC Act because of the acknowledged impact the prison would have on matters of national environmental significance;
- l) is driving the Government to search for "offsets" under the EPBC Act in an attempt to compensate for the acknowledged destruction of environmental values that the prison development will entail.

It would appear that Marneys Hill Reserve inadvertently lost the "priority habitat" planning protection which it had under the Interim Planning Scheme by being zoned "Agriculture" under the *Meander Valley Local Provisions Schedule*.

We submit that it is appropriate and necessary for the Council to prepare an amendment of the Meander Valley Local Provisions Schedule further to section 40D(b) of the *Land Use Planning and Approvals Act 1993* to reinstate appropriate planning protections for the reserve which recognise its environmental significance by rezoning the reserve to "Environmental Management". Such an amendment should be initiated urgently, so that the Government's planning application can be assessed in the proper planning context.

Yours sincerely



Linda Poulton
Vice-President & Spokesperson
WRAP Inc

No. 504-05-040		
No. 1640483		
RCVD	10 AUG 2021	VC
ML	FC	G
OD		✓

Linda Poulton

Westbury
TAS 7303

10 August 2021

Mr John Jordan
General Manager
Meander Valley Council

Hand delivered

Dear Mr Jordan,

Northern Regional Prison

I make the following submissions which I would like to be accurately summarised for the public meeting.

1. Because of Council's errors, the public meeting is not a valid meeting under the Local Government Act 1993 ("LGA")

Council has overlooked the following essential notice components of section 60A of the LGA in calling this meeting about the Northern Regional Prison:

- a) Both notices published in *The Examiner* were invalid. The public should have 21 full days before the meeting to lodge its written submissions. The first notice allowed only 16 days to make written submissions. The next only allowed just under 20 full days to make written submissions. Accordingly, neither notice is valid.
- b) Council is required to publish 2 notices of the meeting. As it stands, only notice which gave close to requisite time for submissions to be lodged has been published. It has not been supported by the publication of a second notice as required by section 60A(2). Publishing two different notices does not satisfy section 60A(2). A further notice needed to be published
- c) As at the date of this submission, the notice has not been publicly displayed as required by the opening paragraph of 60A(1). People coming into the Council offices would not be put on notice of the meeting,

For these reasons, proper notice has not been given of the meeting and it is not a meeting that satisfies the LGA.

2. Council has breached its obligation under s.20(2) of the LGA to consult and involve its community in relation to the Northern Regional Prison

In performing its statutory functions, the Council is required to consult and involve its community (section 20(2), LGA).

The Council expressed interest in a northern correctional facility being located near Ashley in February 2018 without consulting its community (see enclosed document).

In September 2018, the Council's General Manager (with the knowledge of the Mayor and two other Councillors) facilitated the joint submission of Expressions of Interest in the Northern Regional Prison being located on two sites at Westbury (see enclosed document).

One of these sites was chosen by the State Government as the preferred site without any shortlisting.

The Council was aware of the State government's plans for a Northern Correctional Centre in late 2017.

Had Council considered such a project beneficial for the community, it ought to have consulted its community at that stage before the expressions of interest were submitted to the State government.

Council has breached s.20(2) of the LGA in this respect by attracting this proposal to the municipality without consulting ratepayers.

3. Council needs to rectify this breach of the LGA

In order to heal the division this proposal has brought into its municipality, Council now needs to undertake the consultation and involve its community afresh.

The SGS report commissioned by the State government was commissioned only to show the benefits that the project would bring to the community (as revealed by Right to Information). It is a poorly written report, full of errors and misguided assumptions and it does not amount to a report upon which the Council could rely with any confidence.

In addition, the consultation undertaken by the State government to inform that report was undertaken in relation to a completely different site. It does not amount to consultation on the new site or on the broader issue of what the advantages or disadvantages of the Northern Regional Prison are for the municipality in general.

For these reasons, I submit that Council should:

- a) immediately revoke the motion passed in December 2017 expressing interest in working with the State Government to establish a Northern Correctional centre near Ashley and write to the State government advising them of this;
- b) immediately withdraw support for the submissions lodged with the State Government in September 2018 for the two sites at Westbury;
- c) immediately commission and publish its own socio-economic assessment of the impact of the Northern Regional Prison on the municipality;
- d) once the report has been received and published, undertake consultation with the municipality on the placement of the Northern Regional Prison within the municipality

and publish the results of that consultation;

- e) bring the matter back before a public meeting for debate and discussion.

As the State government will not submit a planning application until next year, there is sufficient time for the Council to take these steps.

4. Planning protection of Marneys Hill Reserve needs to be restored

The current site earmarked for the Government's planning application is Marneys Hill Reserve. This nature conservation reserve:

- a) was acquired in 1999 using Commonwealth funds so as to be set aside for the National Reserve Estate;
- b) still forms part of the Tasmanian Reserve Estate and the National Reserve Estate;
- c) was deliberately excluded from the *Crown Land Assessment and Classification Project 2006* (aimed at assessment of unallocated Crown Land) because it was earmarked for conservation under the *Nature Conservation Act 2002*;
- d) was deliberately excluded under the State Government's *Agricultural Land Mapping Project* in 2017 because it formed part of the Tasmanian Reserve Estate;
- e) hosts native vegetation which contains threatened plant and animal species listed in the *Threatened Species Protection Act 1995* and *Environment Protection Biodiversity Conservation Act 1999 (EPBC Act)* meaning that it falls into the highest priority for protection in the Meander Valley Council's *Natural Resource Management Strategy 2000* (Principle 1);
- f) was appropriately subject to a priority habitat overlay under the *Meander Valley Interim Planning Scheme 2013*;
- g) remains the subject of repeated calls by the Commonwealth Government for formal protection as part of the National Reserve Estate;
- h) was in the process of being transferred to the Tasmanian Land Conservancy to be subject to a conservation covenant at the time the prison announcement was made in June 2020;
- i) remains subject to calls from the Tasmanian Land Conservancy for it to be formally conserved instead of used for the prison;
- j) was acknowledged by the Premier in Parliament in June 2021 as having sensitive natural values;

- k) will be the subject of a State Government referral to the Commonwealth Minister for the Environment under the EPBC Act because of the acknowledged impact the prison would have on matters of national environmental significance;
- l) is driving the Government to search for “offsets” under the EPBC Act in an attempt to compensate for the acknowledged destruction of environmental values that the prison development will entail.

It would appear that Marneys Hill Reserve was inappropriately zoned “Agriculture” under the *Meander Valley Local Provisions Schedule*, thereby losing the “priority habitat” planning protection of its natural values conferred under the Interim Planning Scheme.

I submit that it is appropriate and necessary for the Council to prepare an amendment of the Meander Valley Local Provisions Schedule further to section 40D(b) of the *Land Use Planning and Approvals Act 1993* to reinstate appropriate planning protections for the reserve which recognise its environmental significance by rezoning the reserve to “Environmental Management”.

I trust that these submissions will be taken into account.

Yours sincerely



Linda Poulton

nathan Harmey

From: Martin Gill
Sent: Thursday, 27 September 2018 8:52 AM
To: 'John Temple' [redacted]; Michael Kelly; Macca; [redacted]@bigpond.com; [redacted]@gmail.com; [redacted]@gmail.com; debwhite [redacted]
 [redacted] Craig.Perkins [redacted] Tanya King
Subject: FW: Weekly Correspondence

Dear Councillors,

I thought I would send you the email I sent Cr King last night about the EOI process for identifying potential sites for the Northern prison.

In addition to the notes I provided Councillor King I wanted to let you know that:

- I have met with the Director of Prisons on two occasions to discuss the project and the suitability of Meander Valley as location
- At a strategic level a site along, or with easy access to, the Bass Highway west of Launceston fits the underpinning criteria and suits the objective to service the courts in the North as well as address the issue of family and community access
- A facility cannot be built on the same land as Ashley. There is a UN convention that prevents this occurring
- The prison will be built behind a solid wall
- There is a possibility that two facilities will be built in separate locations, the second facility would be a transport hub to service prison and court transport

There are two sites that we have discussed in some detail, but I need to now approach the landowners to see if they want to submit an EOI.

I will keep you updated as I progress.

Regards

Martin

Martin Gill | General Manager
Meander Valley Council
working together

T: 03 6393 5317 | F: 03 6393 1474 | E: martin.gill@mvc.tas.gov.au | W: www.meander.tas.gov.au
 26 Lyall Street (PO Box 102), Westbury, TAS 7303



Please consider the environment before printing this email.

From: Craig Perkins [mailto:[redacted]]
Sent: Thursday, 27 September 2018 7:36 AM
To: Martin Gill
Cc: Tanya King
Subject: Re: Weekly Correspondence

Good morning all



ick gave me a call about this last night as well.

neers
raig

raig Perkins
EO & Director of Regional Development,
DA Tasmania Committee
409 395 195
ent from my iPhone

On 26 Sep 2018, at 9:44 pm, Martin Gill <Martin.Gill@mvc.tas.gov.au> wrote:

I need to identify some sites.

I have had discussions with the project manager, [REDACTED] and her predecessor about a couple of sites in Meander Valley which they had some early interest in. These were both private land holdings. Because of this I need to work with the landowners to discuss their support to nominate their land in the EOI process.

(The only suitably sized and located Council owned land is the Deloraine Racecourse and the Westbury Town Common)

The timing of the process is not good given the Council elections, but if our role is simply to facilitate and support landowners making an EOI submission then we probably don't need formal endorsement of Council.

But I will keep Council informed as I work through the search process.

For your information we discussed the matter at the regional General Managers meeting last Friday. At this point, the General Managers agreed that NMC, COL and MVC will be the most likely Council areas to locate a facility in the northern region. We have also written to the Minister seeking to have representation on the site selection panel and we have nominated the NTDC CEO [REDACTED]

Cheers

Martin Gill | General Manager
Meander Valley Council
working together

T: 03 6393 5317 | F: 03 6393 1474 | E: martin.gill@mvc.tas.gov.au | W: www.meander.tas.gov.au
26 Lyall Street (PO Box 102), Westbury, TAS 7303
<eccmail.gif>
Please consider the environment before printing this email.

From: Tanya King
Sent: Wednesday, 26 September 2018 9:25 PM
To: Martin Gill
Cc: Craig Perkins
Subject: Weekly Correspondence

Evening.

What are the plans re a Northern prison in our municipality?

I'd be happy to submit a NoM to advocate for a submission in favour of, but won't be in attendance at the next meeting.....

Regards,

Tanya King

Councillor
Meander Valley Council

Notice of confidential information

This e-mail is intended only for the use of the addressee. If you are not the addressee, you are requested not to distribute or photocopy this message. If you have received this message in error, please immediately notify the sender and destroy the original message. Views and opinions expressed in this transmission are solely those of the author and do not necessarily represent those of Meander Valley Council.



Jonathan Harmey

From: Martin Gill
Sent: Monday, 19 November 2018 2:43 PM
To: northern.prison@justice.tas.gov.au
Cc: [REDACTED]
Subject: Northern Prison Siting Project - EOI [REDACTED] and Meander Valley Council
Attachments: [REDACTED]

Dear [REDACTED]

Please find attached joint EOI application from Meander Valley Council and [REDACTED]

Please let me know if you require further information or would like to discuss the submission.

Kind regards

Martin

Martin Gill | General Manager
Meander Valley Council
working together

T: 03 6393 5317 | **F:** 03 6393 1474 | **E:** martin.gill@mvc.tas.gov.au | **W:** www.meander.tas.gov.au
26 Lyall Street (PO Box 102), Westbury, TAS 7303

Please note that our Westbury Office will be closed from 12pm on Friday 21 December 2018 and will re-open at 8.30am on Wednesday 2 January 2019. We wish you a very Merry Christmas and a Happy New Year.



Please consider the environment before printing this email.

File No.	504-05-040	
Case No.	1640484	
RCVD	10 AUG 2021	MVC
FILED	ML	G
EQ	CD	✓

Nancy McLeod

Westbury
TAS 7303

10 August 2021

Mr John Jordan
General Manager
Meander Valley Council

Hand delivered

Dear Mr Jordan,

Northern Regional Prison

I am opposed to the Northern Regional Prison being located near Westbury and indeed anywhere in this municipality.

The State government cannot even run Risdon Prison and if this thing gets built in our municipality, we will have all of the problems that are currently associated with Risdon Prison. A new facility won't make any difference to this because if it's built they won't have the funds to run it. Everything is chronically under resourced by this Government including youth mental health support which has resulted in Tasmania having the highest your suicide next to the Northern Territory.

So I think any new prison here will just taint this part of Tasmania and the Meander Valley will forever be associated with it for the wrong reasons.

I know that Council was partly responsible for this area being latched onto by the State government for the prison and I want Council to undo this damage by withdrawing all support previously given and going back to the drawing board.

Council needs to first find out the advantages and disadvantages of having a prison in our municipality and then it need to consult its community for their views once it commissioned its own research on it. The report the Government has commissioned might as well have been written by the Department of Justice. It's a benefits assessment only. The Government's report is lopsided and cannot be relied on.

It's simply **not good** enough for Council to say it has nothing to do with this. Clearly, Council welcomed it in **without** consultation. We want Council to urgently go out and find out its own facts about this and come back to us for consultation when it has its results.

This should be done immediately so that ratepayers have enough information to figure out whether to throw their support behind the project or not, and if so where it should be located.

Yours sincerely,

Nancy McLeod

A handwritten signature in blue ink that reads "Nancy P. McLeod". The signature is written in a cursive style with a large, stylized 'M' and 'L'.

Gina Poulton

Westbury
TAS 7303

10 August 2021

Mr John Jordan
General Manager
Meander Valley Council

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Hand delivered

Dear Mr Jordan,

Northern Regional Prison

I write to express my opposition to the Northern Regional Prison being located near Westbury, including at the new site on the nature reserve on Birralee Road.

Council has clearly been in support of the prison being located near Westbury from day one.

Council passed a resolution in December 2017 expressing interest in a Northern Correctional Centre being located next to Ashley.

Council then jointly submitted expressions of interest for the prison to be located near Westbury in November 2018.

I therefore ask that the Council withdraws the past support given to the Northern Regional Prison being located here by formally revoking the December 2017 motion and withdrawing its support for the two submissions to the Government submitted in November 2018.

I also ask that Council commission its own comprehensive socio-economic impact assessment about the impact of the Northern Regional Prison on the municipality and publish it.

Once the results of this are known, I ask the Council to again consult its community about the outcomes and publish the results of that consultation.

As the Government's planning application will not be submitted until early 2022, the Council would have plenty of time to take these steps.

The Council got us into this mess by not consulting its community in the beginning. Now I ask it to help us go back to square one.

On a final note, I also understand that the new site, which is a nature conservation reserve and part of the Tasmanian Reserve Estate, has no planning protection for its natural values which it did have under the Interim Planning Scheme 2013.

I would also ask, therefore, that the Council initiate an amendment to the Local Provisions Schedule to zone the reserve "Environmental Management" so that the zoning properly reflects the environmental importance of this reserve to our region. This importance is obvious from the fact that the State government has indicated it will refer the proposal under the EPBC Act.

As a final point, I wish to express my disappointment in the current Council and its inability to listen to its community (who pay you to represent us), its inability to think independently and beyond the government rhetoric of "jobs and the economy"; I urge you all to please start thinking of the long-term ... about the impact your decisions will have on our future generations; our masked owls; our Wedge-tail eagles and many other species who can be found on this reserve!

Similar to the message given to us from the famous Joni Mitchell song "Big Yellow Taxi" You are the ones who have the choice or not to ... pave paradise and put up a prison block! Think, listen and act for our future without a prison Meander Valley Council! You can be the heroes of our town.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Gina Poulton", with a long horizontal flourish extending to the right.

Gina Poulton

Sue Poulton

Westbury
TAS 7303

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10 August 2021

Mr John Jordan
General Manager
Meander Valley Council

Hand delivered

Dear Mr Jordan,

Northern Regional Prison

I write to express my opposition to the Northern Regional Prison being located near Westbury, including at the new site on the nature reserve on Birralee Road. I think that this is still too close to Westbury and will alter the place forever, for the worse.

This is a heritage town and there are other places more suitable for a prison than here.

I have spoken to many older people who have said that they are scared by this proposal and feel they have no power to influence the outcome.

I think that this will change the town completely and it will not be a good place for children to be brought up in future.

I know that the former Manager Martin Gill helped put in for the first site near the industrial estate and this is what resulted in the first site being chosen.

I know that the Council has shown support for the prison being here in the past without consulting its ratepayers about whether they wanted such a thing here.

I therefore ask that the Council withdraw its support given for the Northern Regional Prison to be located in our municipality.

Instead, I ask that the Council pay for its own impact assessment about the benefits or disadvantages of having a maximum security prison in our municipality and then consult its community once the results from that study come in. Only then can the community know whether it wants a prison, and if so, what the best place for it would be.

Yours sincerely,

Suzanne Poulton

Submission from Concerned Residents Opposed to Westbury Prison Site (CROWPS)

Northern Regional Prison Site at Brushy Rivulet Crown Reserve

11 August 2021

As direct neighbours of the proposed Northern Regional Prison, we believe the Brushy Rivulet Crown Reserve is the totally wrong choice of location for a maximum security prison.

CROWPS members are extremely anxious for our continued safety in our homes. How is the Government going to protect us and guarantee the safety of us, our children and animals?

This is a Crown Reserve purchased by the Tasmanian Government because it was agreed that the site was of significant environmental value and should be preserved for future generations – your children and their children.

This site has:

- no electricity,
- no water,
- no sewerage,
- no gas and
- no fibre optics
- and is on the Birralelee Road, which is a **major** freight route that is already labelled **dangerous** in Government documents.

The Birralelee Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralelee Road.

Brushy Rivulet is recognised as bushfire prone. We can't understand why the Government would consider risking the safety of prison staff, prisoners and ourselves by locating a maximum security prison on Brushy Rivulet Reserve.

Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions as vulnerable and should not be sited in bushfire prone areas.

We all know that fires at prisons do occur as witnessed at Risdon earlier this year. CROWPS are concerned about the increased risk of fires in their community and the potential risk to people, property, pets and livestock.

Reports from the Risdon Prison fires detail police swarming the site, multiple police vehicles stationed around the jail's border and dozens of officers patrolling the perimeter following the fires. This is exactly what Tasmanian Government representatives and Elise Archer have said will **not** happen in Westbury.

The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate. We call upon the Federal Environment Minister and

the Tasmanian Government to honour the original intent of the agreement and lock up Brushy Rivulet Crown Reserve.

No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

The many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

The proposed prison will impact upon the 500 metre buffer zone around the Wedge-tailed Eagle nest and the newly discovered Goshawk's nest.

The Tasmanian Wedge-tailed Eagle is listed as an endangered species under the EPBC Act with fewer than 200 breeding couples in the wild. The Forest Practices Code states that forestry activities are restricted within 500m or 1 kilometre line of sight of active nests during the core breeding season and a reserve minimum size of 10 hectares must be established around all nests found.

Documents recently released under Right to Information reveal DPIWWE stated that over 95% of the proposed prison site is within 1 km line of site of the nest.

The Tasmanian Masked Owl is **critically** endangered and has a nest right in the middle of where the proposed prison would be built. How is the Government going to protect the Masked Owl given its critically endangered status? We call upon the Tasmanian Governments to put in covenants to protect these endangered and vulnerable species.

Property values will decrease. Landowners will expect the Tasmanian Government to compensate landowners for loss of equity in their property.

Egmont Reserve has been used for generations as the unofficial swimming pool for the Westbury community and in summer is often close to capacity for safe swimming. If a prison is built, this will no doubt become an unofficial waiting room for visitors of inmates and place a strain on the popular community place.

We are concerned about the day-to-day operations effect on both us and our livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents). Artificial light disrupts flora, nocturnal fauna activity, interfering with reproduction and reducing already endangered native populations.

The Government has assured us that lockdowns do not occur but only in recent months, we have seen the unfortunate effects of lockdowns at Risdon. In the event of lockdown, we are concerned about how we are going to access our properties to attend to stock, pick up children from school etc. If roads were closed, this would be a major disruption to all road users and particularly to trucking companies as this is a major freight route.

Contrary to what some may like to believe, it will be known as the "Westbury Prison" as it is the closest population centre to the proposed site at only 5.2km away.

We call upon the Meander Valley Council to reinstate appropriate planning protections for the Reserve by rezoning the Reserve to “environmental management”.

We call upon the Tasmanian Government to listen to the will of the people and the overwhelming evidence and put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve.

On behalf of CROWPS

Westbury Tasmania

Aaron Reader spokesman - Mobile

From: Denise Swain m>
Sent: Tuesday, 10 August 2021 1:45 PM
To: Meander Valley Council Email
Subject: Northern Regional Prison - Submission

John Jordan,
General Manager,
Meander Valley Council.

Dear Mr Jordan,

I write this submission to oppose the State Government's proposed Northern Regional Prison in the Meander Valley near Westbury for the following reasons:

I moved to Westbury to build my forever home because of its charm, history, amenity, lifestyle and tourism potential. I did not move here to live in a prison town.

I am appalled by Council's lack of consultation with the community before proudly and arrogantly serving us up on a platter to the State Government as something we would want.

The process surrounding the choice of the previous site was riddled with secrecy, deceit, lies and vested interest (which I see as corruption) and was therefore abandoned.

The current site is unsuitable for a whole range of reasons which Council should be very concerned about and seems to have stemmed from the government's idea that MVC is in favour of "WESTBURY OR BUST" despite the Premier's denial and the fact that MVC had nothing to base this on.

The issue has divided our once lovely community and has caused untold stress to many of its residents.

MVC has caused this mess. I implore Council to act with some integrity to get us out of it. This will allow the community to heal itself and move on.

Therefore, I request the following:

I call on Council to withdraw its support of the Northern Regional Prison by revoking its motion of 12th December 2017 in which Council moved to express interest to the State Government for a Correctional Centre in the north to be built next to Ashley Youth Detention Centre.

I call on Council to revoke the Expressions of Interest submitted to the State Government by Council in September 2018 for the Northern Regional Prison to be located near Westbury.

I call on Council to conduct and publish an independent socio - economic study into the impact on the Meander Valley and, in particular, the residents and ratepayers of Westbury.

I call on Council to request the State Government to withhold its application for the development of the Northern Regional Prison until after Council conducts and publishes such a study.

Yours Faithfully,
Denise Swain,

Westbury.

From: Roslyn Williams
Sent: Tuesday, 10 August 2021 11:58 AM
To: Meander Valley Council Email
Subject: Attention General Manager: Submission for the Public Meeting 11/08/2021

To all Councillors of Meander Valley Council,

I would like to ask all councillors to reject the proposal to build a prison on a nature reserve near Westbury. I really do wonder how much longer we can go on destroying wildlife habitat to create more man made structures. These native animals should not be disturbed as surely the last 18 months has taught us, the more we interfere with the natural world, the more it comes back to bite us.

More prisons will not solve the problem . Incarceration itself does not rehabilitate. Please look once again at Ashley Detention Centre and consider an adjoining corrections facility or look at more modern ways to rehabilitate prisoners from overseas studies.

Yours Sincerely,
Roslyn Williams
Hobart. Tas

From: "Colin McQueen"
Sent: Tue, 10 Aug 2021 08:08:26 +1000
To: "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Subject: Submission to Council Public meeting re proposed Northern Prison
Importance: Normal

Sent from Mail for Windows 10

I wish to make the following submission

Council and its Officers did not follow democratic procedures when proposing a site for a new prison in Council area.

The Tasmanian government has a very poor record in prison management over many years, with very poor outcomes.

A large prison would change the historic rural ambience of the area in a detrimental way.

Maximum security prisons are very expensive to operate. Tasmania does not need and could not afford to operate two maximum security prisons. It is likely the Government's unstated agenda is to obtain rezoning approval for a prison, and then announce it will be closing Risdon and moving all the criminals to the new prison. This would mean a massive institution which would dominate the local area, and bring many problems with it. For instance, in a small rural community, there is likely to be conflict between prison staff and their families, and families of long-term prisoners who move into the region. There would also likely be a general increase in criminality in the region. The reputation of the region would suffer.

Jobs-wise, those available would mainly be as prison guards. This is unsatisfying work with high levels of stress. Is this the sort of work we want our young people to be aspiring to?

I ask Council to take the following actions:

1. Advise the Government that it no longer supports the siting of a new maximum security prison in the Meander Valley. In particular that it will oppose any move to expand the prison population beyond that already publicly stated, i.e, 270 inmates
2. Request the Government undertake a full review of the justice system with a view to improving outcomes at lower cost by reducing incarceration rates and providing more support for rehabilitation, training and improved post-sentence integration.

Thankyou for the opportunity to comment

Colin McQueen Westbury resident

To: Meander Valley Council Email
Subject: Submission to MVC re Northern Prison Siting Public Meeting

From: Alistair Graham
Sent: Monday, 9 August 2021 11:47 PM
To: John Jordan
Cc: Jacqui Parker
Subject: Submission to MVC re Northern Prison Siting Public Meeting

Attn: Mr John Jordan, General Manager, Meander Valley Council, 26 Lyall St., P.O. Box 102, Westbury TAS 7303
E-mail: John.Jordan@mvc.tas.gov.au
From: Alistair Graham,
Date: 9 August 2021

Dear Mr. Jordan,

Submission on MVC Public Meeting concerning siting of a Northern Prison

I am concerned that the Gutwein State Government is acting in bad faith in seeking to build a prison – anything - on part of a site which it had previously promised to reserve for nature conservation purposes. I urge the Meander Valley Council to reject any planning application from the State Government to do anything with the block of land in question other than to reserve it under the Nature Conservation Act. It would be wrong of the MVC to indulge or reward perfidiousness by the Crown, especially when it comes to dealings in land.

I had the privilege of representing the Tasmanian Conservation Trust on the Advisory Committee of the Private Forest Reserve Program (PFRP) set up pursuant to the 1997 Tasmanian Regional Forest Agreement. The property in question was considered by the Advisory Committee and advice provided to both the Tasmanian State Government and to the Commonwealth (both governments being ex officio represented on the Advisory Committee). I am not at liberty to disclose details of our deliberations and advice but there are a couple of considerations I would like to put on the public record to assist MVC in its deliberations.

1. Initial discussions with the then private landholder involved focused on covenanting but discussions subsequently turned to selling this part of the farm to the Crown (the Tasmanian Government). The PFRP supported this way forward and our advice was accepted by both Governments. The Commonwealth subsequently agreed to pay the agreed purchase price, the Tasmanian Government agreed to revoke the freehold title and reserve the land as a reserve under the Nature Conservation Act.
2. In agreeing to sell part of their farm the then owners had a reasonable expectation that the now neighbouring land in question would continue to be managed for nature conservation purposes. Indeed, the Tasmanian Government explicitly undertook to do so. Obviously, this has implications for their expectations for the use and enjoyment of their remaining land – and for any subsequent owners.
3. In agreeing to pay for the purchase of the land, the Commonwealth sought and got an undertaking from the Tasmanian Government that this land would be reserved in perpetuity as part of the National Reserve System. It should be regarded as an unconscionable act that a state government can renege on such agreements with the Commonwealth and with a private landholder. It is hard to understand why the Tasmanian Government should expect others to take the Tasmanian RFA seriously when they clearly do not do so themselves.
4. At the time of purchase, the PFRP Advisory Committee, including both Governments, readily concluded that reservation of this land would make a welcome contribution not only to improving the roll-out of the National Reserve System (NRS) in Tasmania but also to implementing the Tasmanian RFA on private land. This remains true today. That some DPIPWE official may have seen fit to subsequently change the mapped forest type in no way diminishes or invalidates these earlier decisions of Ministers.

5. Reports of more recent discussions between DPIPWE officials and the Tasmanian Land Conservancy (TLC), including undertakings from the Crown that it would sell the land to TLC, make it clear that any changes in forest type mapping of the land had not diminished its perceived reservation value for either DPIPWE or TLC.
6. From statements in writing made by the Hon Elise Archer as Minister for Corrections, it is clear that she believed the land in question was no longer of value for reservation. Presumably, such a view by such a Minister is based on advice from her colleague responsible for DPIPWE. Why such a brief should include such an obvious error is hard to explain. Being a great believer in the wisdom of assuming 'cock-up over conspiracy' when seeking to understand events and attribute motivation, and as is the way of under-resourced bureaucracies nowadays, a loss of institutional memory is the most likely and most charitable explanation.
7. Given the erroneous and misleading nature of the information upon which the State Government seems to be relying, I urge the Meander Valley Council to seek independent, competent advice as to the nature conservation value of the land in question and its suitability and eligibility for reservation.

In my view, the behaviour of the Tasmanian Government in seeking to build a prison on this land is unconscionable for two reasons: firstly, the Commonwealth gave it money in good faith to secure the reservation in perpetuity of the land as part of the NRS; and, secondly, it undertook to the then land owner from whom it purchased the land that it would become a reserve and be managed as such. Such behaviour should not be rewarded, hence my view that the Meander Valley Council should simply refuse to support or in any way facilitate the Gutwein Government's stated intention of establishing a prison on part of the land in question.

Unfortunately, I shall be unable to attend the public meeting and I would be grateful if you could ensure that my apology is noted.

Yours sincerely,

Alistair Graham

From: Jan Flavell <[redacted]@meandervalley.com.au>
Sent: Tuesday, 10 August 2021 9:36 AM
To: Meander Valley Council Email
Subject: Proposed Northern Regional Prison, Birralee Road Westbury

Attention: The General Manager

As a frequent visitor to family living in Westbury, I was shocked and upset to learn that the government and the Meander Valley Council have proposed the building of a new maximum security prison just 5 kilometres north of Westbury.

I understand the community were not aware that the council had put forward this parcel of crown land to be considered for this prison, neither were they properly consulted. The villagers are naturally opposed to the building of this prison and I support them in their belief that this will destroy the natural habitat of a number of endangered animals living on this land, including the Wedgetail eagle and Tasmanian masked owl, including many endangered species of birds found only in Tasmania.

Westbury is a beautiful historic village with a thriving community that has much to offer its residents and visitors. The building of the prison may deter people from moving there and others from visiting, jeopardising local business.

I urge Council and the government of Tasmania to reconsider the positioning of this prison and to also consider alternative ways of reformation and rehabilitation instead of building yet another prison.

Please confirm receipt of this email.

Submission to Meander Valley Council Proposed Northern Regional Prison

By Sandra Stening

9 August 2021

I call upon the Meander Valley Council to revoke its support for the Northern Regional Prison pending:

- **Commissioning an independent social and economic study on the appropriateness of a prison in our municipality, and**
- **Undertaking a thorough community consultation process.**

Local council is meant to represent its local community. How can Council do this when it doesn't consult with the local community?

Council did not consult with the local community prior to the prison site announcement by the State Government on 30 September 2019. Nor has Council consulted since. I have received information that in September 2018 Council supported the idea of having a Northern prison in the Meander Valley municipality – in contrast other councils consulted with their communities prior to making such a decision.

The fact that this council has been dragged kicking and screaming to even front its community has led to the community's distrust and disrespect with its current council and councillors. You are elected by the members of the community to represent us and do what is best for the municipality – your lack of consultation has caused a massive divide in the Westbury community - with many people now fearful about speaking out against the proposal.

The staff required to operate a prison do not live in the vicinity of prison if there are other "easier commuter" options available. Our highways throughout Tasmania are under ever increasing pressure with a growing population and tourism – it makes no sense to put a prison so far from Launceston, where most of the staff and services will come from on a day to day basis.

This is an extract from an article that appeared recently in the Mercury newspaper on 31 July 2021 by David Killick:

"Ms Archer said the government was keen to attract more Tasmanians to come and work in prisons. "We have invested significantly since coming to office, with more than 200 extra Correctional Officers in our prison system since 2016, including 79 in

2020 alone, but we know more needs to be done, and this is another positive step forward,” she said.

A recent report from the Office of the Custodial Inspector notes that despite the recruitment of 203 staff, 102 had left over the same period, 40 were off on workers compensation and an unknown number on long-term sick leave.

Another report found that nepotism, bias and bullying were ongoing problems and two of the recruit schools conducted in 2020 were not compliant with the required standards and subsequent training now has to be conducted as a result.”

With such a low retention rate for employment – it is pointless creating jobs that most of the population do not want and clearly this is the case as the current prison fails to entice enough people to work there and stay long term.

I only need to look over the fence at the Risdon Vale suburb/prison site and ask how has the prison helped Risdon Vale?

All the issues with understaffing, lock downs and assaults at the Risdon Prison – how can this Council see that having a Maximum Security prison in its municipality as a positive when the State Government cannot run the current prison successfully?

August 8th 2021

Attn John Jordan General Manager Meander Valley Council



Thank you for your time. I would like to add my voice to the objection to the
Maximum security prison in my village.

My concern with the proposal to build a maximum security prison in the Meander Valley is that it would be highly likely to become the only maximum security prison in Tasmania, purely from the financial costs to the state. By basing a maximum-security prison here, the government would be condemning the Meander Valley to become the correctional centre of Tasmania with all of the social problems that that would bring, forever.

I have fairly recently made substantial financial investments in basing my business here in Westbury. My business model is planned around supplying my hand made in Westbury goods to discerning clients, at the prestige end of the market, whilst also catering to the customers at every other applicable market level. At any market level though, my products obviously still fall into the 'luxury' category. My products are small, valuable and very easily transported, my security measures are therefore quite stringent, but with the social changes that would come with a prison, I see another high security investment looming, that is, if my business can survive.

I am extremely worried that businesses in Westbury that are similarly attempting to cater to a high quality market level would be disadvantaged in the same way. It would be hardly likely that my targeted client base for commissions and purchases would shop for hand-made, prestige items in a town that is best known as the host of a maximum security prison. Deloraine may get smaller association, but as the nearest accomodation for visitors will be there, they too will get the social problems that will come with that.

While I am sure staff on salaries may not think much about these types of historical town planning changes, other residents like myself are shocked and saddened with these types of discussions leading to consequences that are life changing.

How many jobs are realistically going to be recruited from the village, Hobart, Launceston or even Melbourne staff will most likely be contracted. How many local jobs will be lost ? I'm hoping that my staff recruitment will still be valued or possible.

I understand you have no say with if it happens or not, just the rules for the planning stage, but I ask if you have any voice in the debate of should it be here, let it be known the amount of objection that you are hearing and aware of.

I hope common decency and an open ear to residents who you represent prevails.

Regards

A handwritten signature in black ink, appearing to read 'Jackie Ribbons', with a long horizontal flourish extending to the right.

Jackie Ribbons

Index No. 504-05-040			
Doc No. 1639912			
RCVD	- 9 AUG 2021		MVC
Action Officer	ML	Depl.	G
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Northern Regional Prison proposed for the reserve at Brushy Rivulet on Birralee Road, Westbury *Submission for consideration at the Meander Valley Council Public Meeting, 11 August 2021*

Dear Meander Valley Council,

Thankyou for the opportunity to provide my concerns regarding the inappropriateness of the proposed site for a northern prison. Please note that I wanted to attend the public meeting in person, and as with many others I know, am disappointed that council did not hold the public meeting at a time that allows more members of the community (e.g. those working in Launceston) to attend the meeting. It is also disappointing that the meeting was not held at Westbury. These choices by council appear to go against aspects of council's Code of Conduct, as detailed below.

Please find below a list of concerns and requests for Meander Valley Council, to be considered in future council actions and decisions regarding the siting of a northern prison.

Importance of ensuring that actions and decisions of councillors and MVC staff regarding a northern prison align fully with the Code of Conduct

As councillors and council staff will be aware, MVC's Councillor Code of Conduct (2019, p3), states that when making decisions, each 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. Equally, a councillor must make decisions free from "bias or prejudice", and "must make decisions solely on merit" (Code of Conduct 2019, p3). These points will be important to keep in mind when councillors make their decisions regarding rezoning applications. The proposed site for a northern prison is a highly inappropriate site from social/ natural values and planning perspectives, as is indicated by its current zoning. MVC approved the existing zoning, and this was likely done based on best evidence. It will be important to retain this decision, and not rezone the area simply because a higher level of governments was this rezoning for its own political purposes.

Transparency of actions and decisions is also necessary at all times. The council's Code of Conduct (2019, p3) states: "a councillor must uphold the principles of transparency..." There have been concerns to date about the council's transparency, and it will be important for all councillors and other council staff to ensure high levels of transparency.

As per the Code of Conduct (2019, p8-9), it will be important for individual councillors and other council staff to ensure that all actions and decisions around the site of a northern prison also follow the council's stated Principles of Good Governance. These include:

Accountable – Explain, and be answerable for, the consequences of decisions *made on behalf of the community* [italics added].

Comment on accountability: this above statement indicates that all councillors and staff of MVC should make decisions on behalf of local communities (including the local communities that will be impacted negatively by council decisions), and ensure not to make decisions on behalf of state government.

Transparent – Ensure decision making processes can be clearly followed and understood by the community.

Comment on transparency: A lack of transparency has been, as councillors will be aware, one of the most important issues throughout the entire process of siting a northern prison. The examples of lack of transparency by council, and 'backroom' discussions with government, extend back several years.

Equitable – Provide *all groups with the opportunity to participate in the decision making process and treat all groups equally.* [italics added].

Comment on equitability: There are valid concerns that state government, as a 'group', has had a large influence on the decision-making process, and that local communities which will be directly affected have not had an opportunity to participate in decisions; nor have they been treated equally to state government.

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.

Comment on 'Participatory and inclusive'. There are valid concerns that council actions need to align more strongly with this aspect of their Code of Conduct. Despite hundreds of emails and phone calls to council, at no stage has there been the chance for the Westbury community's views to be counted in any formal, real way with respect to "having a vote" in the decision. Unfortunately, the community most impacted by such a major negative development has not had the opportunity to participate – in a way that actually counts – in

decisions about whether the development should go ahead at this site. This issue appears to go against to principles of social justice and participatory decision-making, and likewise to go against the requirement in councillors' Code of Conduct regarding the need to be "*Participatory and inclusive*". It appears to disregard the views of a large proportion of people in the local Westbury community, and ignores recommended best practice in governing communities, which points to the need for social license for major controversial developments (for details of the social harm to communities when government fails to consult effectively and obtain social license, please see Colvin, Witt et al. 2019's article re the social/community harm from mis-handling of a major windfarm proposal on King Island).

Many in the Meander Valley community will be hoping that all future actions and decisions by councillors and staff at MVC, regarding a site for a northern prison, fully embrace these above aspects of the council's Code of Conduct.

Importance of ensuring that the actions and decisions of councillors and MVC staff regarding a northern prison align fully with the MVC Customer Service Charter

As councillors and council staff will be aware, the first sentence of the MVC Customer Service Charter (2019, p1), states "Meander Valley Council is committed to providing quality service to the community. We are continually striving to improve the level of service through...consultation."

Comment on this above point: Throughout the process of siting a northern prison to date, many in the Westbury region have had experiences with council, directly or indirectly, which suggest that MVC is not (despite the Customer Service Charter) "striving to improve the level of service through consultation". One of many examples of evidence for this is the barriers that have been put in the way of the many hundreds of MVC residents who have been calling for a public meeting. It would be important for council to address this point, at the public meeting.

Similarly, the MVC Customer Service Charter, (2019, p1) states:

As part of our commitment to you, we will:

- respect, listen and care for you and your concerns
- Be positive and receptive to new ideas

Comment on the above points: again, to date the perception of many in the local Westbury community is that they would like stronger effort and evidence, from council staff and councillors, of alignment with the Customer Service Charter with respect to "respect and care for you and your concerns" Residents consider their concerns to be fair, justified and reasonable. It may be important also for council to align closely with the Customer Service Charter with respect to displaying positivity and receptiveness to the concerns expressed by members of their community. This could have been exemplified, in the case of this Public Meeting, but agreeing to calls for the public meeting to be at a time that allows more members of the community to attend, i.e. 6pm rather than 5.30pm (the latter means that people working in Launceston could not attend the meeting). It would be useful for council to address these points explicitly in the public meeting or in a statement later.

Alignment with MVC's Service Standards

The many people in the Westbury region who are concerned about the prison site are "customers" when they liaise with Council. According to MVC's Customer Service Charter, they should receive a high level of service "at all times":

OUR SERVICE STANDARDS (MVC Customer Service Charter, 2019, p2)

At all times, we will:

- treat customers courteously and with respect
- deal with customers in a polite, friendly and helpful manner
- listen to customers and take their views into account
- provide customers with necessary and relevant information
- treat customers fairly and take account of the customer's particular needs

The many people in the Westbury community who have continued, often at great personal cost, to voice their concerns about the inappropriateness of the prison site(s), have not always been treated with respect. They have not always been dealt with as customers in a "helpful" manner. Requested information has not always been provided readily to them in a friendly way; and their views and needs have not been taken into account in a way that represents participatory decision-making. In the absence of this, as customers, they have not always been treated fairly. It appears that state government requirements have trumped the views and needs of the local community.

Many in the Meander Valley community will be hoping that all future actions and decisions by councillors and staff at MVC, regarding a site for a northern decision, fully embrace these above important points in the council's Customer Service Charter.

Importance of ensuring that the actions and decisions of councillors and MVC staff regarding a northern prison align with key Future Directions in the MVC Community Strategic Plan 2014-2024

As councillors and MVC staff will be aware, of the six Future Directions in the council's Strategic Plan to 2024, (Strategic Plan, p2) the first of the Future Directions is:

1. A sustainable natural...environment (MVC Strategic Plan, p4).

The need to support a sustainable natural environment, according to the council's strategic plan (p4) includes:

"Managing the balance between growth and the conservation of our natural...environment is a key issue."

And:

"Decisions will respect the diversity of community values, will be fair, balanced and long term in approach. Specific areas are...protection of our natural...heritage"

The fact that this is the first-listed of the council's Future Directions indicates its importance in council's Strategic Plan. A key Strategic Outcome here (p4) is: *"The natural...heritage of Meander Valley is protected and maintained."*

Given council's stated priorities, in its Strategic Plan, with respect to ensuring "A sustainable natural environment", it will be clear to council that the current proposed site for a northern prison is completely at odds with the council's strategic plan. The importance of the reserve at Brushy Rivulet for conservation is plentiful and well-documented. The list of threatened and endangered species which use the habitat on the reserve is long, and again well-documented by professionals in relevant fields. Members of the MV community will expect and trust that when councillors consider the state government's re-zoning request, they make their decision based on evidence. They will want to see that councillors and MVC staff support their own Strategic Direction #1 and ensure "a sustainable natural...environment". This will include making decisions based on best-practice approaches to environmental sustainability and biodiversity conservation.

Alongside the many other factors which make the current site highly unsuitable, from a planning perspective, for a major prison development, there is a particular concern regarding council's commitment to protect and maintain the natural heritage of Meander Valley (Strategic Plan 2019, p4). As councillors and MVC council staff will be aware, the site was intended to remain a public reserve for the long-term. This reserve was to be held in trust for the public, as part of Australia's National Reserve System.

Councillors, as part of planning decisions and to guide MVC's Future Direction towards a "Sustainable natural...environment", may be aware of the key national sustainability document *Australia's Strategy for the National Reserve System 2009–2030*. The Executive Summary of this Strategy states:

"The National Reserve System is the cornerstone of our national efforts to protect terrestrial biodiversity. It stands as Australia's commitment to future generations that land vital to the survival of our unique native species, ecosystems and associated cultural values will be protected in perpetuity.

The National Reserve System is a national network of public...and private protected areas... Its focus is to secure long-term protection for...our diverse ecosystems and the plants and animals they support.

The National Reserve System includes the protected areas and reserves established and effectively managed through the collective efforts of the Australian Government, the states, local government...and private landholders...Australia's approach to protected areas is highly regarded internationally...But the work is far from complete as there are still many environmental challenges facing Australia. There are still notable gaps in the protection of native species and ecosystems."

The above information highlights the importance, for local councils, of supporting and developing/expanding the national reserve system in their jurisdictions. In the case of the reserve at Brushy Rivulet, council could best do this by advising the state government that this patch of threatened species habitat is not an appropriate site for a large development.

The state government has disregarded the importance of this patch of bushland as habitat for threatened species, and its importance as 'corridor' habitat between protected areas). As council will be aware, construction of a large maximum-security prison on the site would include a wide range of well-documented risks to the sustainability of local threatened wildlife, including (among other issues) bright 24-hour lighting, frequent loud noises, increased traffic, and likely poison-related control of rodents (with risks of secondary poisoning for owls, eagles, quolls/devils and other threatened wildlife that could eat poisoned carcasses).

Tasmania's leading government-supported environmental management organisation was so concerned about the inappropriateness of this site, as well as the decisions that led to it and the associated environmental risks, that they released the following public statement:

"Tasmanian Land Conservancy (TLC) is a not-for-profit, apolitical, registered environmental organisation that owns and manages land of high conservation significance (tasland.org.au). Established in 2001, TLC is now one of the largest private landholders in Tasmania with conservation reserves extending over 30,000 ha. TLC reserves are protected by a conservation covenant on title under the Nature Conservation Act 2002. TLC works both on our own reserve network and with private landholders to achieve conservation. The Revolving Fund program, delivered by TLC, enables the organisation to identify and acquire land with conservation significance, secure a conservation protection on the title through a covenant, and sell the land to a conservation-minded buyer.

In 1999/2000, land (PID 7031141) on Birralee Road, Westbury was purchased by the state government through federal government funded Private Forest Reserve Program for the purpose of conservation.

In February 2011, in discussions with the state government (Dept. Primary Industries, Parks, Water and the Environment) offered the property to the Tasmanian Land Conservancy to sell (with a covenant on title) through the TLC's Revolving Fund program with proceeds to remain in the fund to support future conservation purchases.

In May 2015, the TLC completed the proposal for a conservation covenant under the Nature Conservation Act 2002 (Brushy Rivulet – Westbury CONSERVATION COVENANT PROPOSAL) as part of the process. The proposal outlined the various natural values of the property and identified the suitable habitat for a range of rare and threatened species. Since then, the TLC has been awaiting finalisation of the process through the Department of Primary Industries, Parks, Water and the Environment (DPIPWE) which administers conservation covenants under the Nature Conservation Act 2002.

On 18 June 2020, the TLC was verbally informed by DPIPWE that the transfer of the property to the TLC would no longer transpire, as the property was selected as the site of the northern prison. The TLC was not informed of this decision until after the Tasmanian Government media release was made public, notifying the community of the government's decision.

This was a government decision to build a prison on a nature reserve.

The TLC is yet to receive any formal correspondence from DPIPWE or the Department of Justice in relation to the matter. The TLC has requested copies of relevant documents including the executed deed of transfer which the TLC has not received. Through the RTI release (019) the TLC now has a copy of the executed deed of transfer. We have sought legal advice in relation to the deed, which indicates the minister has no obligation under the deed to transfer the land to the TLC.

As outlined in the Brushy Rivulet – Westbury CONSERVATION COVENANT PROPOSAL the (70 Ha) property has numerous natural values, including suitable habitat for a range of rare and threatened species. The TLC is supportive of the property's conservation (as originally intended) through the Revolving Fund mechanism.

The TLC believes the property (PID 7031141) on Birralee Road, Westbury should be conserved as originally intended through the Private Forest Reserve Program, contributing to the National Reserve System."

The seriousness of this concern by this professional group is emphasized when one considers that Tasmanian Land Conservancy depends on the state government for funding. Given the potential risks of speaking out, TLC's concerns about the inappropriateness of the site and associated decision-making must have been very strong indeed.

Many in the Meander Valley community will hope that councillors and MVC staff are as strong and clear, when the time comes, in stating their concerns regarding the inappropriateness of the current site as a site for a large prison.

The above points show that supporting the current proposed site for a northern prison would not align with key aspects of Meander Valley Council's Strategic Plan; specifically its Future Directions for a sustainable natural environment. Claiming that the site is appropriate for a large development would also go against *Australia's Strategy for the National Reserve System 2009–2030*, which encourages councils to make decisions in the best interests of protecting and developing our reserve system.

It is hoped that the above concerns will be considered carefully by council during future actions regarding a prison site, and that all concerns presented at this public meeting are addressed in ways which align with MVC's Code of Conduct, Customer Service Charter, and in particular, the positive vision developed by council as their #1 Future Direction in their Community Strategic Plan to 2024: to support "a sustainable natural...environment".

Sincerely
R Donaldson

Contact: _____

Mr John Jordan,
General Manager,
Meander Valley Council
PO Box 102 Westbury Tasmania 7303
mail@mvc.tas.gov.au

Dear Mr Jordan,

Re: Submission on proposed development - Brushy Rivulet Crown Land property

Please find attached a submission I have prepared in relation to the proposed prison development on Crown Land adjacent to Brushy Rivulet (property identification 7031141) in Meander Valley Municipality.

I assessed this property in 1998 in my role as Senior Botanist with the Tasmanian Forest Practices Authority (FPA). The property was then private land, and a proposal to establish a hardwood plantation had been referred to the FPA for specialist advice, as was required under the Tasmanian Regional Forest Agreement (RFA) that had been signed in November 1997. A survey was also required under guidelines of the Tasmanian Forest Practices Code.

I informed the landowner, Dr Harry Laker, that part of the property could not be cleared for plantation because of the presence of threatened plant species and a forest community that had a priority for conservation under the RFA. I liaised with Dr Harry Laker at Culzean and described the values and gave him information on the financial incentives that were available to protect those values through Tasmania's Private Forests Reserve Program (PFRP). This program was established under the RFA, and was administered by DPIPW with funding from the Commonwealth Government. The property was also assessed by two other botanists – Stephen Casey from Private Forests Tasmania and Dr Matt Appleby who was a Senior Conservation Officer with PFRP.

In 1999, a mutually acceptable agreement was made between PFRP and the landowner, and the Brushy Rivulet property was purchased, with the intention that the property be reserved and managed to protect the identified values in perpetuity. Purchase of private land occurred on a small number of other properties that were referred to the PFRP by FPA, with almost all of these properties being allocated to a formal reserve tenure. (A much larger number of private properties referred to PFRP were covenanted, rather than purchased, and remain as private land with their conservation values protected.)

I anticipated that the Brushy Rivulet property would have been protected and its values managed as was intended through the RFA processes and the use of public funds provided for this purpose. Such protection of values was integral to the development and renewing of the RFA by the Tasmanian and Commonwealth governments. The RFA has facilitated continued sustainable management in Tasmania's forests, by taking into account the balance between economic, environmental and social priorities.

I retired from the Forest Practices Authority in 2010, but still maintain a role in the organisation and a strong interest in sustainable forest management, through being a

member of the Forest Practices Advisory Committee. I also provide conservation and management advice for areas of public and private land, including reserves, through being on committees of DPIPWE and the Tasmanian Land Conservancy.

I can still recall many features of the Brushy Rivulet property, although I have not visited it for over 20 years. To some, it may seem a fairly “ordinary” patch of bush, but I am convinced that the decision to purchase and protect the property in 1999 was justified for many reasons. They include:

- Presence of species of plants, found in the initial assessments, that that are listed as threatened in Tasmania under the Tasmanian Threatened Species Protection Act;
- Presence of species of plants and animals, which have been recorded from and adjacent to the property since 1999, that are listed as threatened in Tasmania under the Tasmanian Threatened Species Protection Act and the Commonwealth Environment Protection and Biodiversity Conservation Act;
- The presence of a forest community that has strong affinities with a community that has a high priority for protection under the RFA and the Tasmanian Nature Conservation Act;
- The context of this area of forest (extending to native forest on adjacent properties) and the diversity of species and habitats, particularly because much of the native vegetation in the immediate area has been cleared for agriculture or plantations.

The protection of private land, through the PFRP and other programs, has been an important element in Tasmania meeting its RFA requirements, and therefore contributing to the continued use of native forest for economic purposes. Presence of threatened species and communities in protected areas (whether on private or public land) are regularly collated and these details are incorporated into general conservation planning and prioritisation. At this stage, the Brushy Rivulet property is still being considered as contributing to conservation of threatened species and priority vegetation.

I have given more detail about these points in the attached submission. I have concentrated on aspects of the plant species and vegetation communities, which were the trigger for FPA’s and PFRP’s initial liaison with the landowner and subsequent purchase of the property through the PFRP. I understand that other submissions will be presented to Council on fauna values and potential impacts of the development on those values.

I believe that the current proposed development on the Brushy Rivulet property is a poor outcome for many reasons. They include:

- The property comprises an area of diverse forest, containing a range of threatened species and other values;
- The property was purchased with public funds to protect those values, and such protection contributes (and continues to contribute) to the functioning of the Tasmanian RFA, which has permitted ongoing sustainable use of Tasmania’s forests;
- The diversity and context of the Brushy Rivulet property enhance its viability in part of the State where much of the native vegetation has been cleared or significantly disturbed (e.g. by plantation development);

- Within the general area, and elsewhere in Meander Valley Municipality, there are other potential development sites on cleared or significantly disturbed public or private land– and the cost to the Tasmanian Government of purchasing and developing an alternative site would be miniscule as a proportion of the overall costs of the proposed development, and its ongoing use, on the Brushy Rivulet property.

I have discussed the attached submission with Dr Matt Appleby, who also assessed the Brushy Rivulet property and oversaw the negotiations and subsequent purchase of the property by the PFRP in 1999. He supports the comments I have made in this submission.

I am happy to provide additional information to Meander Valley Council councillors or staff, if this is considered useful.

Yours sincerely,

A handwritten signature in black ink that reads "Fred Duncan". The signature is written in a cursive style with a long, sweeping underline.

Fred Duncan

Submission to Meander Council on proposed development on Crown Land - Brushy Rivulet, Birralee Road

Fred Duncan

Contact:

1. Introduction

I have prepared this submission to provide support for the ongoing protection of the conservation values on the Brushy Rivulet property that is proposed for development of a prison complex.

I believe that the area has important conservation values that will be significantly and irreversibly affected by the proposed development. Some of these values were responsible for the property being purchased by the Tasmanian Private Forests Reserve Program (PFRP), to protect these values in perpetuity. The PFRP was administered by DPIPW with funding from the Commonwealth Government. The acquisition of the property was undertaken as part of the agreed processes of the Tasmanian Regional Forest Agreement (RFA), which has contributed to ongoing sustainable management of Tasmania's forest estate.

I became involved with land use decisions relating to the property in 1998, when I assessed the property in my role as Senior Botanist with the Tasmanian Forest Practices Authority (FPA). I have given an outline of my professional experience in Section 2 of my submission. I have also given details of my initial assessment, as I consider that this may be useful in understanding the reasons that the property was purchased to protect those values.

Section 3 gives some details of the conservation values of the property. I have concentrated on plant species and vegetation communities, as I understand that fauna values that were determined in recent years will be provided in other submissions to Council.

Section 4 summarises some of the reasons that, in my opinion, indicate that the proposed development of a prison on the Brushy Rivulet property site is not an appropriate land use. I strongly support the ongoing management of the Brushy Rivulet property as a reserve to maintain and enhance its conservation values.

2. My experience and involvement with the Brushy Rivulet property

General experience

I have worked as a botanist/ecologist in Tasmania for over 40 years. I have evaluated vegetation and other natural values, and the effects of different land uses, in all major Tasmanian environments. Relevant employment includes working as a researcher with the Tasmanian Forestry Commission/Forestry Tasmania, and from 1987 to 2010 being employed by the Tasmanian Forest Practices Authority as Senior Botanist and subsequently Manager of the Authority's Biodiversity Program (and on occasions as Acting Chief Forest Practices Officer).

Since 2010, I have worked on environmental consultancies and projects for the Forest Practices Authority, Tasmania Fire Service, Parks and Wildlife Service, Port Arthur Management Authority, forestry companies, schools, community groups and private landowners.

I have been a member of the Tasmanian Forest Practices Advisory Council since 2013. I am currently a member of scientific and reserve evaluation committees of the Tasmanian Land

Conservancy. I am a member of DPIPWE's Property Advisory Group, which evaluates conservation values on proposed covenant areas and gives advice on management of those values.

During my employment in Tasmania, I have been responsible for developing classifications of Tasmania's dry eucalypt forest communities and other vegetation types, and I have contributed to development of the TASVEG classification system. I have also been involved with many projects and evaluations of species and communities with a priority for conservation, and provided advice on management on different land uses. I have been involved in development of codes of practice and planning tools, including those dealing with threatened communities and species and other conservation values.

I have initiated, worked on and supervised many projects that have examined the effects of land use and natural processes on vegetation, and published many articles and reports on Tasmania's vegetation and its management.

I have undertaken environmental and land use assessments and prepared management advice in connection with many development and infrastructure projects. They include: proposed forestry operations; agricultural activities; communication infrastructure and road works; tourism developments; subdivision, housing and other construction projects; and fuel reduction burning. I have also undertaken field assessments in existing and proposed reserves (on public and private land) in all parts of Tasmania. I have contributed to works programs, research studies and interpretation on public and private land, including production forests and reserves.

I estimate that I have undertaken over 1,500 field assessments of individual land parcels in Tasmania. I have worked extensively in Tasmania's dry forests, including in the Central North and Northern Midlands.

In my work with the Forest Practices Authority, I was heavily involved with different aspects of the Tasmanian Regional Forest Agreement (signed November 1997). I mention this specifically because it is relevant to the purchase of the Brushy Rivulet property in 1999, with funds provided to the Tasmanian Government from the Commonwealth Government, under the terms of the RFA.

My involvement with the RFA included:

- Developing classifications of forest communities and determining their conservation status, and mapping the distribution of forest communities;
- Preparing keys and other planning tools to allow communities and values to be recognised
- Contributing to development of policies and guidelines relating to the RFA (and subsequent Tasmanian legislation designed to better conserve threatened Tasmanian vegetation communities).
- Conducting field assessments and providing advice to land managers, the FPA and DPIPWE about protecting areas of native forest that contained identified values (primarily threatened species and communities) that could be adversely affected by proposed forestry operations (particularly clearing for plantation establishment and agriculture). I was directly or indirectly involved with assessing over 250 individual areas in the course of this work.
- Liaising with landowners/managers, Forest Practices Officers and government agencies with primary carriage of RFA requirements. These agencies were Forestry Tasmania, Private Forests Tasmania, Forest Practices Authority and DPIPWE (and

particularly the PFRP, which was established under the RFA to provide incentives to protect important areas of forest on private land).

The above activities resulted in a relatively small number of operations on private land not being permitted under the requirements of the RFA, and other operations were modified so that they complied with RFA requirements. Several areas on private land were referred to PFRP. Properties were referred to the PFRP so that the PFRP had the opportunity to liaise with landowners about establishing covenants or management agreements on their property (generally in return for an agreed payment) or, in a few cases, PFRP funds were used to purchase a property. In all cases, there was significant vetting of the RFA requirements and conservation values of such properties, including by accredited valuers, conservation scientists (including those employed by PFRP), and senior staff of relevant Tasmanian and Commonwealth government agencies.

My involvement with the Brushy Rivulet property

I assessed the Brushy Rivulet property in 1998 in my role as Senior Botanist with the FPA. The property was then private land, and a proposal to establish a hardwood plantation had been referred to the FPA for specialist advice, as was required under the RFA. A survey was also required under guidelines of the Tasmanian Forest Practices Code.

I informed the landowner, Dr Harry Laker, that part of the property could not be cleared for plantation because of the presence of threatened plant species and a forest community that had a priority for conservation under the RFA. I liaised with Dr Harry Laker at Culzean and described the values and gave him information on the financial incentives that were available to protect those values through Tasmania's PFRP. The property was also assessed by two other botanists – Stephen Casey from Private Forests Tasmania and Dr Matt Appleby who was a Senior Conservation Officer with PFRP.

In 1999, a mutually acceptable agreement was made between PFRP and the landowner, and the Brushy Rivulet property was purchased, with the intention that the property be reserved and managed to protect the identified values in perpetuity.

I anticipated that the Brushy Rivulet property would have been protected and its values managed as was intended through the RFA processes and the use of public funds provided for this purpose. Such protection of values was integral to the development and renewing of the RFA by the Tasmanian and Commonwealth governments. The RFA has facilitated continued sustainable management in Tasmania's forests, by taking into account the balance between economic, environmental and social priorities.

I can still recall many features of the Brushy Rivulet property, although I have not visited it for over 20 years. To some, it may seem a fairly "ordinary" patch of bush, but I am convinced that the decision to purchase and protect the property in 1999 was justified for many reasons. They include:

- The presence of species of plants, found in the initial assessments, that are listed as threatened in Tasmania under the Tasmanian Threatened Species Protection Act;
- The presence of species of plants and animals, which have been recorded from and adjacent to the property since 1999, that are listed as threatened in Tasmania under the Tasmanian Threatened Species Protection Act and the Commonwealth Environment Protection and Biodiversity Conservation Act;
- The presence of a forest community that had strong affinities with a community that had a high priority for protection under the RFA (and subsequently the Tasmanian Nature Conservation Act;)

- The context of this area of forest (including forest on adjacent properties) and the diversity of species and habitats, particularly as much of the native vegetation in the immediate area has been cleared for agriculture or plantations.

3. Conservation values on the Brushy Rivulet property

As mentioned above, this section does not deal with all identified values on the property submission. Several additional values have been recorded since the purchase of the property through PFRP.

I make the point that it is highly likely that conservation values will continue to be identified. Most areas protected through processes such as the PFRP are based on limited sampling, which has established the presence of some values (e.g. threatened species, priority vegetation communities, localised habitats, geomorphic or cultural history values etc.). In many respects, protection of an area is based on known values, and the potential for additional values to be identified in the future – and this is particularly the case where the site contains localised or remnant native vegetation and habitats. This has been borne out on the Brushy Rivulet property, where several additional values have been identified since the purchase of the property in 1999.

Distribution of threatened plant species on the property is shown in Map 1.

3.1 Threatened plant species

I discuss the presence of here threatened plant species that have been recorded from the property. I believe that the proposed development will have an adverse impact on the three species I discuss below, but the impact on *Brunonia australis* is of most concern.

Distribution of threatened plant species on the property is shown in Map 1.

***Brunonia australis* (blue pin cushion)**

Brunonia australis is listed as a Rare species under the Tasmanian Threatened Species Protection Act. At the time of property purchase, it was listed as a Vulnerable species. It is an attractive herb that with distinctive blue flowerheads. My recollection is that the species was concentrated on the upper slopes and broad ridge of the Brushy Rivulet property, on sites with some influence from a lateritic overlay over the substrate.

Brunonia is confined to dry forests and woodlands in northern Tasmania, and is strongly associated with sedimentary geology (e.g. lateritic gravels), with some occurrences on dolerite (but generally close to contact zones with sediments). It occurs in several sites in Meander Valley Municipality, with the Brushy Rivulet property supporting the largest population.

Habitat of the species has been substantially cleared since early in European settlement, and many remaining populations are small and localised (including some in reserves).

A detailed assessment of the species was undertaken by Craig Hawkins between 2000-2004. Craig was a forester employed by Gunns, and subsequently by FPA. I was involved with his project, and I can confirm the comprehensive nature of his fieldwork and investigations.

Craig recorded several new populations and checked out sites containing previously recorded populations. The overall picture was of a species that had a fragmented distribution, with some populations of reasonable size (> 1000 individuals), but with many very small populations. About 20 previously recorded populations had been lost because of land use pressures and possibly because the populations were too small to remain viable. He predicted a continued decline of the species without adequate protection and management actions.

The Brushy Rivulet population was one of the largest he recorded. This was not a function of deliberate oversampling of this site - as mentioned his study across the range of the species

was comprehensive. In 2002, it was the fourth-largest population in the State, and one of the best reserved populations.

In my opinion, the Brushy Rivulet property is a critical site for the ongoing maintenance of this population. I believe that the proposed development is likely to have significant adverse impact on *Brunonia*. This could result in its status of the species again being listed as Vulnerable, and that the intention of the RFA to protect threatened forest species would be undermined.

***Uncinia elegans* (handsome hooksedge)**

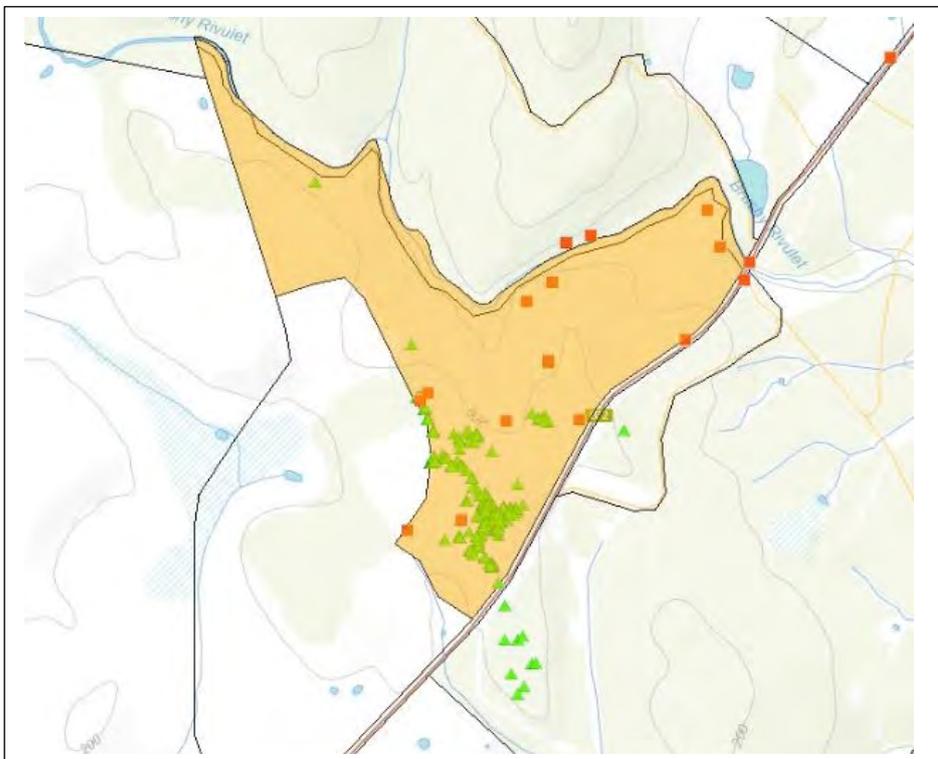
Uncinia elegans is listed as a Rare species under the Tasmanian Threatened Species Protection Act. It has been recorded from two sites on the Brushy Rivulet property, in relatively open forest. My recollection is that these sites had a sandy substrate over dolerite.

Uncinia elegans has a localised distribution in mainly dry forests in Tasmania. Within Meander Valley Municipality, it has only been recorded from the Brushy Rivulet property (information from DPIPWE's Natural Values Atlas).

***Aphelia pumilio* (dwarf fanwort)**

Aphelia pumilio is listed as a Rare species under the Tasmanian Threatened Species Protection Act. It has been recorded recently from the Brushy Rivulet property. It is typically a species of open or grassy forest, often growing in damp conditions.

In Tasmania, it has only been recorded from the northern Midlands and Central North. It would have been substantially affected by clearance for agriculture or settlement and is not well reserved. It has been recorded from three sites in Meander Valley Municipality, with one of these sites being in a residential area in Prospect (information from DPIPWE's Natural Values Atlas).



Map 1: Records of threatened plant species (green triangles) and threatened animal species (red squares) in and adjacent to Brushy Rivulet property (source: DPIPWE's Natural Values Atlas)

3.2 Threatened vegetation community

Allocation of vegetation types on the Brushy Rivulet property has proved problematic – because of the interface between Jurassic dolerite (which can be observed throughout much of the property) and Tertiary sediments (which are mapped as occurring mainly to the east and northwest of the property, but extend onto the property on the flatter sites and upper slopes as the community “inland *Eucalyptus amygdalina* forest”).

Areas that I allocated to “inland *E. amygdalina* forest”, had vegetation and substrate characteristics that were typical of this community, as described in information available in 1998. Such vegetation features included the composition and structure of the understorey (including the presence of *Brunonia australis*) and the presence of lateritic and sand substrate, which were also typical of this community. Dolerite was also present in these areas, but my overall conclusion was that the upper slopes and flats supported vegetation that was better allocated to “inland *Eucalyptus amygdalina* forest” than “*E. amygdalina* forest on dolerite”.

In coming to this decision, I also took into account the structure and composition of *Eucalyptus amygdalina* forest on dolerite that I had sampled very extensively on State forest and private land elsewhere in this general area (including Reedy Marsh area, Black Sugarloaf and Marneys Hill) and could be readily allocated to this community. It was my professional opinion that the vegetation on parts of the Brushy Rivulet property (and particularly the areas proposed for plantation development) had a greater affinity to “inland *Eucalyptus amygdalina* forest” than “*Eucalyptus amygdalina* forest on dolerite”.

Downslope, and particularly on lower slopes adjacent to Brushy Rivulet, my recollection is that the dolerite influence was stronger, and the riparian vegetation (which was in particularly good condition) contained many species that I associated with dolerite-based streams in this part of the State.

The vegetation was in fair to good condition, despite impacts of occasional grazing by stock and felling of some trees (probably for firewood or posts) – which were most evident on the upper slopes/broad ridge near the southern property boundary. I had sampled many areas of Midland forest (with affinities to “inland *E. amygdalina* forest”) over the years, and I was satisfied with my condition assessment for the community on the Brushy Rivulet property. As mentioned, the area was also assessed by other botanists as part of the RFA and PFRP processes, who supported my conclusions about the vegetation (species and communities) that were present on the property.

I am not aware of reasons for the reclassification of some forest on the property, so that all forest on the property has been allocated to the TASVEG community “*E. amygdalina* forest and woodland on dolerite (DAD)”, rather than part of the property being allocated to this community, and other areas with a sand/laterite influence being allocated to “*E. amygdalina* inland forest and woodland on Cainozoic deposits (DAZ)”. As the latter community was listed as a threatened community under Tasmania’s Nature Conservation Act in 2007, and the former community is not listed as a threatened community, this reallocation has implications for the conservation value of the property as it relates to forest communities.

DAZ is a community that was erected in a 2005 reclassification of Tasmania’s native vegetation communities and it is a close (but not complete) match to the pre-2005 community “inland *E. amygdalina* forest”, which was identified in the RFA as having a high priority for protection. DAZ and Dad are described in the publication *From Forest to Fjaeldmark* (available on DPIPWE’s website: https://dpiipwe.tas.gov.au/Documents/f2f_dry_eucalypt.pdf) and these descriptions are the main basis for allocating vegetation at a site to different forest communities. The FPA’s Forest Botany Manual (https://www.fpa.tas.gov.au/Planning/biodiversity/forest_botany_manual) is also a useful

tool in allocating vegetation to communities. In any determination of communities, it is necessary that all site factors need to be considered, including how land use history or geological boundaries can result in vegetation being gradational between communities – and thereby confounding community classification at a site.

In the case of the Brushy Rivulet property, I believe that my original allocation of part of the site to “inland *E. amygdalina* forest” is valid on the basis of the transitional/gradational attributes of the site, as I’ve described above. I also consider allocation of vegetation to “*E. amygdalina* inland forest and woodland on Cainozoic deposits (DAZ)” is supported in some circumstances where dolerite substrate is also present – and that these circumstances apply to parts of the Brushy Rivulet property. The description of DAZ in *From Forest to Fjaeldmark* states that in the central north around Bridgenorth there can be a subtle gradation between DAZ and DAD. I have seen a similar situations in the Reedy Marsh area. I consider that this situation also applies on the Brushy Rivulet property. The FPA’s Forest Botany Manual also emphasises the need to check in distinguishing between DAZ and DAD where Cainozoic sediments occur in the vicinity of dolerite. It is important to note that remnant areas of native forest to the immediate east of the property are mapped as DAZ on the current TASVEG map, and an area to the west of the property is also mapped as DAZ.

I realise that this explanation of community identification on the Brushy Rivulet property is complex - this is largely because of the occurrence of the mapped Cainozoic - Jurassic boundary within and adjacent to the Brushy Rivulet property (and therefore the gradational nature of substrate and vegetation on parts of the property can be anticipated). The changes in forest community classifications between 1997 and 2005 have added to the complexity.

In considering all the information in this section of my submission, I am satisfied – from my experience in classifying and allocating Tasmania’s forest vegetation and my recent review of details of the property – that the property supports some areas of DAZ. Therefore the presence of this threatened community on the Brushy Rivulet property should be taken into account in land use decisions.

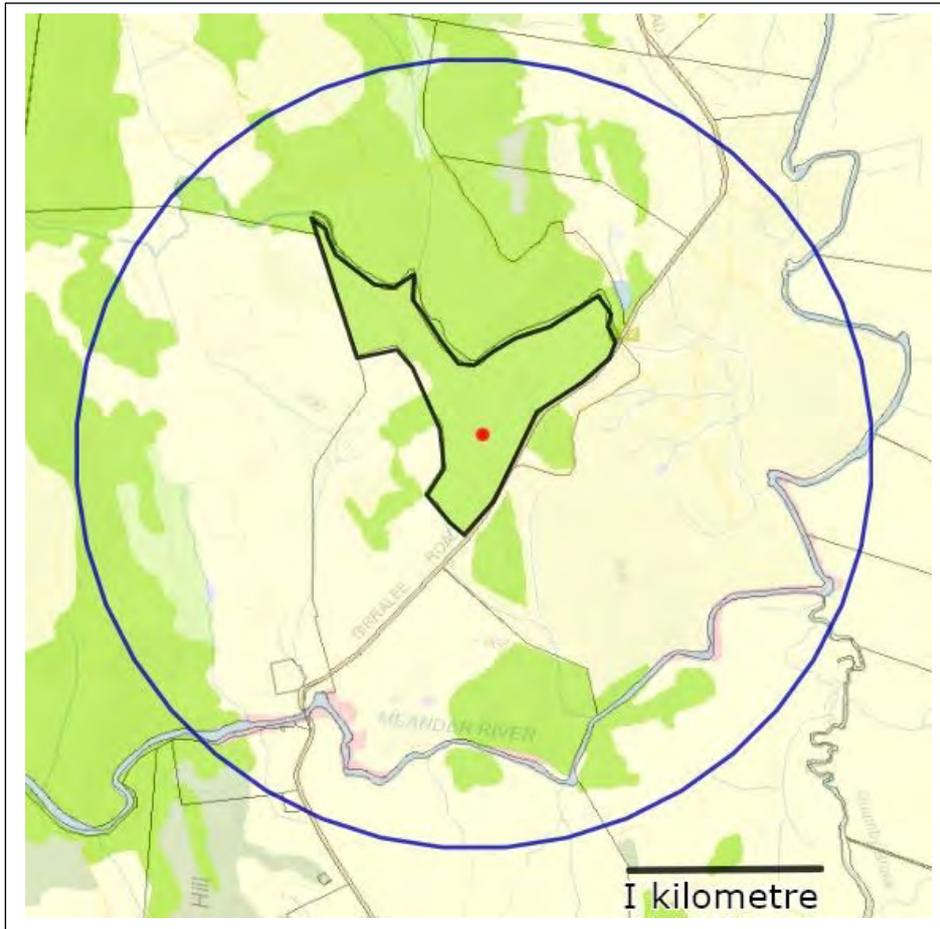
3.3 Context of the property

I will make some brief observations on the landscape context of the property - and the importance of the Brushy Rivulet property in forming part of a corridor of native vegetation (primarily forest) in a part of Tasmania which has been substantially modified.

I realise that the vegetation within the Brushy Rivulet property has also been modified (particularly near the southern property boundary), but it is in fair to good condition and can recover with little management input. The riparian vegetation adjacent to Brushy Rivulet is in excellent condition. Other forest connecting with the Brushy Rivulet property to the northwest is also in good condition.

The vegetation in Brushy Rivulet property is relatively diverse (which is associated with variability in substrate and topography) and adds to the diversity of vegetation and habitats in the corridor I have mentioned above.

The importance of this corridor can be seen in Figure 2, which shows the extent of native and modified vegetation within a circle of 2 km radius, centred on the Brushy Rivulet property. Native vegetation comprises approx. 385 ha – approx. 40 % of the area within this circle. Hardwood and softwood plantations comprise 280 ha and areas cleared for agriculture or other purposes comprise approx. 520 ha – meaning that approx. 60% of the circled area is substantially modified. The fact that most of the area of native vegetation forms a continuous and moderately broad corridor, and its diversity, adds greatly to its conservation value. This value will be reduced by the proposed development - both in areas of direct impact on the Brushy Rivulet property, and through indirect impacts on adjacent native vegetation.



Map 2: Location of Brushy Rivulet property (black outline) and 2 km radius circle centred on the property. Areas of native vegetation are shown in green.

4 Conclusions

I believe that the current proposed development on the Brushy Rivulet property is a poor outcome for many reasons. I have outlined some of the reasons relating to plant species and vegetation communities. I am aware that the Brushy Rivulet property is also important for other values – particularly in relation to threatened fauna species and diversity of fauna.

In relation to the points I have covered in in Section 3 of my submission, I believe that the property is important for many reasons, which include:

- The property comprises an area of diverse forest, containing at least three threatened plant species. The population of *Brunonia australis* is one of the largest in Tasmania. The species appears to be at risk of loss of small populations on many sites elsewhere in its range. Two other threatened species (*Aphelia pumilio* and *Uncinia elegans*) have very few recorded occurrences in Meander Valley Municipality.
- I believe that the threatened vegetation community “*E. amygdalina* inland forest and woodland on Cainozoic deposits (DAZ)” is present on part of the property on the basis of structure and composition of the vegetation and substrate attributes. The community is in fair to good condition and has a high priority for conservation in the region and in Tasmania as a whole.

- The property was purchased with public funds to protect those values, and such protection contributes (and continues to contribute) to the functioning of the Tasmanian RFA, which has permitted ongoing sustainable use of Tasmania's forests.
- The diversity and context of the Brushy Rivulet property enhance its viability in part of the State where much of the native vegetation has been cleared or significantly disturbed (e.g. by plantation development).
- Within the general area, and elsewhere in Meander Valley Municipality, there are other potential development sites on cleared or significantly disturbed public or private land—and the cost to the Tasmanian Government of purchasing and developing an alternative site would be miniscule as a proportion of the overall costs of the proposed development, and its ongoing use, on the Brushy Rivulet property.

I hope that Meander Valley Council can take into account the information in my submission, when they consider future land use on the Brushy Rivulet property.

General Manager
P.O. Box 102.
Westbury
TAS 7303.

Index No. 304-05-040			
Doc No.			
RCVD	- 9 AUG 2021	MVC	
Action Officer	ML	Dept.	G
EO		OD	<input checked="" type="checkbox"/>

I still remember hearing the alarms at Ashtley and the relief when it was over.

We are told a prison at Westbury made it easier for visits. Bus services are limited or are no where near the latest site which is a protected area.

A prison should be close to a large town e.g. Launceston where all (emergency) services are accessible.

The beautiful quiet village of Westbury is not wanting to become known for having a large prison nearby with its problems.

I would not feel safe being alone in a rural situation if a prisoner were to escape. Riskon is in crisis as I write.

Please leave us able to welcome visitors without the stigma of an unwelcome addition to this area.

I request you acknowledge the receipt of this letter.

C.T. Knight.

MRS C.T. KNIGHT

EXTON

TAS 7303.

4th August 2021

09.08.21

To the General Manager - Meander Valley Council
Re: Submission Proposed Northern Prison Site.

I Donna Maree O'Grady at [redacted] would like to ask the Meander Valley Council to undo the damage it had done by inviting this prison into our community. The division within our community saddens me and feel it will never be resolved. I'm also requesting the Meander Valley Council to revoke all decisions in support of a prison in Meander Valley and for them to look for a better and positive future for Westbury.

The proposed prison site is in a bushfire prone area with only one access road, community members, visitors, prisoners and staff will be put into a dangerous situation with limited services mostly all voluntary operated and under pressure now.

I would like the Meander Valley Council to reconsider to rezone the prison site in line with previous planning scheme, and I would hope this can be discussed in the next council meeting. Council cannot be a party to further destruction of endangered and rare Tasmanian Wildlife and flora. Wildlife are internationally known tourist icons.

General Manager, you must see & realize this prison expression of interest application was deceitful to the whole community pro & against.

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Signed.

Donna M. O'Grady

Donna M. O'Grady

MAIL:

To The General Manager,
Meander Valley Council
Email mail@mvc.tas.gov.au
Subject Submission Council meeting 11 August 2021

Submission from Alana Hoskinson

Launceston

Proposed Northern Prison at Brushy Rivulet Crown Reserve, Westbury

10 August 2021

I do not believe that the construction of a new maximum security prison located at the Brushy Rivulet Reserve is the right location at all. The government should abandon all plans and stop wasting taxpayers money on a site that has so many red flags.

I have very close friends that will be directly impacted by this prison, they are not just a small group and should suck it up and move they are hard working people just trying to make a go of it. They didn't ask for this prison next door. Would you like it next to you? I don't think so. Surely there are other ways to fix this broken prison system in Tasmania. Another prison will not fix the problem.

The Brushy Rivulet Crown Reserve was purchased in 1999 because it was agreed that the site was of significant environmental value and should be preserved for future generations. The government has failed to protect the reserve by simply not doing their jobs in completing the paperwork. They must do this now.

The new site was so slapped together and does not have any of the following infrastructure, in fact it was so rushed that even DOJ representatives months after the announcement were not aware that the site didn't have something as critical as power running past the site. No electricity, No water, No sewerage, No gas and No fibre optics on a site which in the governments own admission "has sensitive natural values". If the government had completed any due diligence and consulted with the community they would have discovered over a year ago that the site is not suitable for a myriad of reasons.

The Birralea Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralea Road. It is a designated freight route connecting Bell Bay and the Burnie ports, for 10 years residents have been promised up-grades to the road from federal funding, the road is in an appalling state the Meander Valley Council must contact the Department of State Growth immediately and press for urgent and significant works to commence. The road is so degraded and pot-holed it is a danger to all that travel it particularly at night or in fog.

Brushy Rivulet is recognised as bushfire prone. I am concerned for the safety of prison staff, prisoners and ourselves. The Government will be placing prisoners, who are deemed vulnerable, (because they are locked up) on this bushfire prone site.

No consideration has been given to the extensive wildlife corridor which runs through neighbouring properties allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site. The Reserve is home to the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle. I call upon the Meander Valley Council to reinstate appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management" . Or use any other method to protect this reserve.

The Tasmanian Government and the Meander Valley Council need to listen to the will of the people and the overwhelming evidence and put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve. There are plenty of other suitable locations.

Contrary to what some may like to believe, it will be known as the "Westbury Prison" as it is the closest population centre to the proposed site at only 5.2km away. This is not what we want for our town...it won't be the "Birralee Prison" that is a further 9.5 kms away to the North from the proposed site. The government must go back to the drawing board and start again.

The Meander Valley Council should step up and start finding out what the government is planning for the region instead of repeatedly saying they are in the dark and can't do anything until the Development Application which is now due early next year.

Regards

Alana Hoskinson

Submission to Meander Valley Council for the Public Meeting 11/08/2021 on the Northern Regional Prison proposal

Compiled by Torey Taylor, on behalf of Birralees residents opposed to the prison site

1. The natural values of the reserve should remain intact;

The Birralees community consists of those who are acutely aware of protecting and establishing wildlife habitats and to destroy a public reserve goes against what environmentally conscious land owners in this district are trying to achieve. The council should be acting to insist this reserve is protected, as it was initially purchased with public funds for conservation purposes. As it has remained relatively intact for decades it is now serving as a crucial and critical wildlife corridor. In a region that is otherwise dominated by cleared farmland, we expect our elected members to advocate for land of environmental significance to the Meander Valley region to be preserved, not destroyed. Even residents who are neutral on the proposal do not believe a nature reserve should be destroyed to host the prison.

1 a) Registered Wildlife Carer, Debbie Everson, cares for injured and orphaned wildlife, from her Birralees home. She believes that her previously cared for wildlife (predominantly wombats) would be inhabiting the extensive wildlife corridor around Marney's Hill Reserve at Brushy Rivulet, because of its suitable and critical habitat including year round water supply. Ms Everson has also raised concerns in relation to increased traffic, especially the 24 hour operating times of the prison and how this would certainly lead to further instances of wildlife being killed on Birralees Road.

2. Birralees Road is not fit for purpose;

Please see State Growth's 2012 report on the state of Birralees Road. Any development of this type of magnitude should be located where traffic can be safely managed. This duty of care sits with developers, planners and councils, to ensure these factors are considered or rectified prior to approvals. This road is not going to safely cope with any greater traffic volumes in its current form, which consists of constantly deteriorating surfaces, below safety standard width, with numerous blind and sharp corners. The state of Birralees Road is a separate issue and council should also be made aware that community members feel our council should be lobbying the government for faster upgrades for Birralees Road regardless of where the prison goes. Residents have not been given any information from Department of Justice as to what happens if Birralees Road needs to be closed during a prison emergency. Residents have requested State Growth to reduce the speed limit on Birralees Road, especially at the Birralees settlement section where there is an intersection, school buses operating and many driveways located, however there has been no response on the progress of this request to date. Many of us have become fearful about using the road. The projected increase in prison traffic will put additional pressure on an already inadequate road. (Continues on page 2)

Residents believe there would be a huge disruption to traffic on Birralelee Road if the proposed prison were to proceed on what is already a major freight route. Construction of a major development would mean that workers and building materials would need to be transported each day. There are increasing numbers of heavy vehicles, two twice daily school buses and not to mention the growing population of residents at Birralelee, as well as tourists accessing this road. Tourists do not want to drive past a flattened and destroyed nature reserve or have their route disrupted by road closures, due to disturbances at the prison.

3. There has been no community consultation or justified surveys to explain the reasons for either of the proposed sites

The current site was never part of the Expressions of Interest process, which many perceive to have been flawed. There are no existing infrastructure or community services such as police, fire, hospital or ambulance services, located nearby which are necessary for the safe operation of this prison. Residents are perplexed to understand why our community has been subject to what appears to be government decisions made "on the run". The Social and Economic Impact Study that was conducted did not show any clear justification to move the proposed prison a few KMs away from the previous site. Residents (including those who hold a neutral position on the proposal) general sense of the whole debacle has been one of feeling lied to and outcast by our government and our council, who have appeared from the outset to be supportive of this highly controversial and divisive major development. The current site has so many issues which are going to be so very costly to be rectified that it's hard to see any clear way forward. We therefore expect that the council should advocate that the government, or perhaps an independent body, re-commence the whole process of selecting an appropriate site for this once in a generation infrastructure proposal. This is viewed to be the only way forward as a means of ensuring transparency and accountability.

T. G. Adams

Westbury 10/8

To the General Manager.
Meander Valley Council.

Dear Sir

I appreciate that you are a busy man that all that comes before requires, from you, careful consideration.

Suggested to me recently what seemed to me, a wise proposition to build the new prison on the site of the local detention centre. (Ashleigh).

Preserve the natural country to the North, save money, minimise confrontation to locals and consider sentiment, and do little harm.

NOV	504-05040	NOV
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Faithfully Yours
Tina Adams.

Submission from Aaron & Olivia Reader -

Westbury

Northern Regional Prison Site at Brushy Rivulet Crown Reserve

11th August 2021

The Northern Regional Prison new site location boundaries our southern boundary which consists of approximately 2.5 km running along the brushy rivulet crown reserve. We believe the Brushy Rivulet Crown Reserve is the totally wrong choice of location for a maximum security prison.

What a dream we once had

We purchased Birralea Road with the dream of building our new home and creating an off grid farm operation. It was very ambitious considering the remote location with no services, extremely rugged ground, not a lot of fences if any we had very little to start off with but we could see the potential. As you may be aware it is extremely hard for young couples to purchase properties so we had to start off with nothing. We worked hard and sank every dollar we saved into the farm to get to where we are today.

Currently running a small business in Westbury and farming operation with the slab gone down to start the build of our dream home this is going to be a forever home well that's what we were thinking about 12 months ago. However in the past 12 months we have had to put our lives on hold with the thought of a maximum security prison being built alongside our farm.

We would like you just to imagine for a minute if you had to drive up a 3 km driveway each and every day surrounded by bush knowing that there was a prison just only a few metres away would you be concerned of your safety?

Closest neighbour is 2.6 km away there is no way that we could sing out for help if anything was to happen.

And sitting in your front lounge being able to watch over the glowing lights and listening to the noise pollution that a maximum security prison would create.

Having helicopters fly over low in the event of a manhunt with personnel and dogs that will be running across your property not knowing if they were going to shoot you or your livestock, we will have no privacy and that is in fact why we moved here for the privacy the quiet.

We have been told

why not move - why should we?

It's only a piece of land - it's our home

You are flogging a dead horse it going to be built just get over it - why should we?

Your young enough to start again - why should we?

We didn't asked to be in the situation that we are in yet we have to live it every day it is taking a toll on our mental health, personal well-being and putting a strain on our family.

This is a Crown Reserve purchased by the Tasmanian Government because it was agreed that the site was of significant environmental value and should be preserved for future generations

This site has:

- no electricity,
- no water,
- no sewerage,
- no gas and
- no fibre optics
- and is on the Birralelee Road, which is a **major** freight route that is already labelled **dangerous** in Government documents.

The Birralelee Road is notorious for being a dangerous, narrow road and we are concerned about the safety for everyone who travels on Birralelee Road.

Brushy Rivulet is recognised as bushfire prone. We can't understand why the Government would consider risking the safety of prison staff, prisoners and ourselves by locating a maximum security prison on Brushy Rivulet Reserve.

Locating a prison on the Brushy Rivulet Crown Reserve would not comply with the Meander Valley Interim Planning Scheme 2013. The Land Use Planning and Approvals Act identifies hospitals, aged care, educational care services and correctional institutions as vulnerable and should not be sited in bushfire prone areas.

We all know that fires at prisons do occur as witnessed at Risdon earlier this year. We are concerned about the increased risk of fires in their community and the potential risk to people, property, pets and livestock.

Reports from the Risdon Prison fires detail police swarming the site, multiple police vehicles stationed around the jail's border and dozens of officers patrolling the perimeter following the fires. This is exactly what Tasmanian Government representatives and Elise Archer have said will **not** happen in Westbury.

The site was purchased by the Tasmanian Government in 1999 using Federal Government money with the intention that this Reserve be preserved for future generations because it is part of the National Reserve Estate. We call upon the Federal Environment Minister and the Tasmanian Government to honour the original intent of the agreement and lock up Brushy Rivulet Crown Reserve.

Olivia and I were granted a landcare grant to protect the wildlife corridor yet there has been no consideration been given to the extensive wildlife corridor which runs through our property allowing animals and birds to move safely. The wildlife corridor is essential for the preservation of resident endangered and vulnerable birds and mammals living on the proposed prison site.

The many residents of the Reserve are the Spotted-Tailed Quoll, Grey Goshawk, Green and Gold Frog, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Tasmanian Masked Owl and Tasmanian Wedge-Tailed Eagle.

The Tasmanian Wedge-tailed Eagle is listed as an endangered species under the EPBC Act with fewer than 200 breeding couples in the wild. The Forest Practices Code states that forestry activities are restricted within 500m or 1 kilometre line of sight of active nests during the core breeding season and a reserve minimum size of 10 hectares must be established around all nests found.

Documents recently released under Right to Information reveal DPIPW stated that over 95% of the proposed prison site is within 1 km line of site of the nest. The nest is located on our property when our plantation was harvested we had to comply with the rules and regulations that are in place yet it seems that the government can do what they please.

The Tasmanian Masked Owl is **critically** endangered and has a nest right in the middle of where the proposed prison would be built. How is the Government going to protect the Masked Owl given its critically endangered status? We call upon the Tasmanian Governments to put in covenants to protect these endangered and vulnerable species.

Property values will decrease. Landowners will expect the Tasmanian Government to compensate landowners for loss of equity in their property.

We are concerned about the day-to-day operations effect on both us and our livestock. Noise and light pollution will have a major effect on lambing and calving (potentially causing animals to abort), spooking animals and sending them through fences (potentially onto the road increasing the chance of accidents). Artificial light disrupts flora, nocturnal fauna activity, interfering with reproduction and reducing already endangered native populations.

The Government has assured us that lockdowns do not occur but only in recent months, we have seen the unfortunate effects of lockdowns at Risdon. In the event of lockdown, we are concerned about how we are going to access our properties to attend to stock, pick up children from school etc. If roads were closed, this would be a major disruption to all road users and particularly to trucking companies as this is a major freight route.

Olivia and I call upon the Meander Valley Council to consider our position and reinstate appropriate planning protections for the Reserve by rezoning the Reserve to "environmental management".

Olivia and I call upon the Tasmanian Government, to act upon our concerns as there is overwhelming evidence and should put a stop to building a maximum security prison on the Brushy Rivulet Crown Reserve immediately.

This is just the tip of the iceberg we have many more concerns that need to be addressed throughout this process for further information please contact Aaron Reader

Aaron & Olivia Reader

Vestbury

Don't destroy our future!

From: Julie Gee
Sent: Tuesday, 10 August 2021 2:41 PM
To: Meander Valley Council Email
Subject: Attention Municipal Manager. Mr John Jordan

Municipal Manager you have arranged the venue for this meeting to conveniently suit the Councils Agenda , it is a farce, a face saving exercise, endeavouring to cover up all previous lack of consultation with the people that you are meant to represent.

Working people, elderly residents and families have found it difficult to attend the, timing , distance and driving at night for the elderly being problematic.

Council should have adopted a neutral position from the start and sought the feelings of the rate payers it is meant to represent.

Your faithfully,
E Harvey Gee

Exton 7303 Tas.
Sent from my iPad