

Good to know:

This is the step we are at right now.

STEP 1: STATE GOVERNMENT

The State Government investigates the Birralelee site (this is what is known as 'due diligence') and gathers information to include in a rezoning and planning permit application to Council. The State Government has stated that this step is expected to be completed in 2022.

The State Government will ask to change the current zoning of the Birralelee site to a "Particular Purpose Zone". This type of zoning would allow a unique development like a prison.

STEP 2: STATE GOVERNMENT

The State Government submits a land rezoning and planning permit application to Council. The State Government's application will be seeking two things:

1. To change the zoning of the land at the Birralelee site.
2. To obtain planning permission for the future construction of a prison.

Council's Own Consultation

Council made a commitment in February 2020 to work with both pro and anti-prison groups to help plan Council's own consultation. This round of consultation may commence after STEP 2. This will be Council's own process, to assist Council to obtain more information from the community. It is different to the formal submission period that may be required in STEP 3.



STEP 3: COUNCIL

Council does an initial assessment of the State Government's application against the Tasmanian planning laws. If needed, Council will ask the State Government to supply more information about the proposal.

The State Government may still challenge this decision by asking the Tasmanian Planning Commission for a review and/or taking Council to the Supreme Court.

POSSIBLE OUTCOME A:

Council decides not to progress the rezoning:

Council's assessment process ends here.

POSSIBLE OUTCOME B:

Council is satisfied that the application meets the requirements of all the planning laws and decides to progress the rezoning:

Council will send the rezoning and planning permit application to the Tasmanian Planning Commission and State Agencies.

The application will then be advertised and the public will be invited to formally submit their feedback.

Formal Submission

This is your "formal" opportunity to support or object to the prison proposal. IMPORTANT: Only "formal" submissions can be counted in this part of the process and strict time frames will apply.



A planner will then prepare a report for Council. This report will address all the submissions sent in by the public.

Everyone who made a formal submission has the opportunity to speak at a Council Meeting.

Council then considers all public submissions and the report and decides whether or not to continue to support the rezoning and planning permit application. They may also recommended changes. Council then sends its report, including all formal submissions and any recommendations to the Tasmanian Planning Commission.

Good to know:

STEP 4: TASMANIAN PLANNING COMMISSION

The Tasmanian Planning Commission assesses the application, writes to everyone who made a formal submission and holds its own public hearings.

Tasmanian Planning Commission Public Hearings
Everyone who made a formal submission can be involved in the hearings. The State Government will then make its case and Council will be present to explain its position and recommendations.



The final decision of the Tasmanian Planning Commission cannot be appealed.

STEP 5: PLANNING COMMISSION ANNOUNCES ITS DECISION

The Tasmanian Planning Commission will inform both Council and all those involved in the public hearings of its decision.

Council will inform the Meander Valley community of the final decision.

Planning law is a very complex area. The flowchart above is a basic information guide. Contact Council on 6393 5300 or email us to mail@mvc.tas.gov.au and arrange a time to speak with a planner if you would like more detailed information about the planning process.

ROLE OF COUNCILLORS



Councillors must keep an open mind about the proposal until they have all the information.



Councillors can only make decisions supported by planning laws.



If a Councillor makes their mind up about the prison before they have all the information, they will have to step out of any Council decisions regarding the prison proposal.



If too many Councillors step out, the Tasmanian Planning Commission may step in. This can be very costly to the ratepayer and removes your elected Councillors from the decision making process. Councillors are committed to representing the Meander Valley community and do not want to be excluded from the planning process.



If Councillors make any decision not supported by planning laws, their decision can be legally challenged. This can also be very costly to the ratepayer.