

Meander Valley Council

W O R K I N G T O G E T H E R

AGENDA

COUNCIL MEETING

Tuesday 10th March 2015

COUNCIL MEETING VISITORS

Visitors are most welcome to attend Council meetings.

Visitors attending a Council Meeting agree to abide by the following rules:-

- Visitors are required to sign the Visitor Book and provide their name and full residential address before entering the meeting room.
- Visitors are only allowed to address Council with the permission of the Chairperson.
- When addressing Council the speaker is asked not to swear or use threatening language.
- Visitors who refuse to abide by these rules will be asked to leave the meeting by the Chairperson.

SECURITY PROCEDURES

- Council staff will ensure that all visitors have signed the Visitor Book.
- A visitor who continually interjects during the meeting or uses threatening language to Councillors or staff, will be asked by the Chairperson to cease immediately.
- If the visitor fails to abide by the request of the Chairperson, the Chairperson shall suspend the meeting and ask the visitor to leave the meeting immediately.
- If the visitor fails to leave the meeting immediately, the General Manager is to contact Tasmania Police to come and remove the visitor from the building.
- Once the visitor has left the building the Chairperson may resume the meeting.
- In the case of extreme emergency caused by a visitor, the Chairperson is to activate the Distress Button immediately and Tasmania Police will be called.



PO Box 102, Westbury,
Tasmania, 7303

Dear Councillors

I wish to advise that a general meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on ***Tuesday 10 March 2015 at 1.30pm.***



Greg Preece
GENERAL MANAGER

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Evacuation and Safety:

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

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

Agenda for a general meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 10 March 2015 at 1.30pm.

PRESENT:**APOLOGIES:****IN ATTENDANCE:****CONFIRMATION OF MINUTES:**

Councillor xx moved and Councillor xx seconded, *“that the minutes of the Ordinary and Closed meeting of Council held on Tuesday 10th February, 2015, be received and confirmed.”*

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
24 th February 2015	<ul style="list-style-type: none">• NBN Presentation• TEER – Water Quality Improvement Plan• Proposed 150 Year Celebration – Ellenora Payne• Prospect Vale Structure Plan• World Heritage Report – Draft Council Submission• Meander Valley Interim Planning Scheme – Hearing Process

DECLARATIONS OF INTEREST:

TABLING OF PETITIONS:

PUBLIC QUESTION TIME

General Rules for Question Time:

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

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

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

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

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

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

The Chairperson may direct a Councillor or Council officer to provide a response.

All questions and answers must be kept as brief as possible.

There will be no debate on any questions or answers.

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

Questions on notice and their responses will be minuted.

Questions without notice raised during public question time and the responses to them will not be minuted or recorded in any way with exception to those questions taken on notice for the next Council meeting.

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

Notes

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, depending on the complexity of the issue, and on how many questions are asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.
- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to local government, and any statements or discussion in the Council Chamber or any document, produced are subject to the laws of defamation.

For further information please telephone 6393 5300 or visit www.meander.tas.gov.au

PUBLIC QUESTION TIME

1. QUESTIONS TAKEN ON NOTICE – FEBRUARY 2015

Nil

2. QUESTIONS WITHOUT NOTICE – MARCH 2015

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – FEBRUARY 2015

1.1 Cr A Connor– Resource Sharing

With talk of voluntary amalgamations in the air, resource sharing is often touted as an alternative.

What tangible benefits have eventuated for this Council from participation in so-called resource-sharing with others over recent years?

Response by Greg Preece, General Manager

Resource sharing has provided additional income for Council when our staffing resources allow us to provide a fee for service for other Councils, eg planning, building, environmental health, engineering services. This has also had an additional benefit for Council staff as it has provided an opportunity for a broader range of projects to work on and improve their skills.

There has been a reduction in costs when Council come together to scope and tender for the provision of services, eg new telephone system, Code of Conduct Panel Chairperson, Audit Panel Chairperson.

Other examples include regional groups of Council officers working together to develop standards, strategies and deliver programs for the region, eg. Infrastructure Services Group, Waste Management Officers Group, Asset Management Officers Group, Sub Regional Alliance Group.

2. COUNCILLOR QUESTIONS ON NOTICE – MARCH 2015

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – MARCH 2015

DEPUTATIONS BY MEMBERS OF THE PUBLIC

NOTICE OF MOTIONS BY COUNCILLORS

CERTIFICATION

"I certify that with respect to all advice, information or recommendation provided to Council with this agenda:

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



Greg Preece
GENERAL MANAGER

"Notes: S65(1) of the Local Government Act requires the General Manager to ensure that any advice, information or recommendation given to the Council (or a Council committee) is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation. S65(2) forbids Council from deciding any matter which requires the advice of a qualified person without considering that advice."

COUNCIL MEETING AS A PLANNING AUTHORITY

The Mayor advises that for item DEV1 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

DEV 1 RESIDENTIAL OUTBUILDING – 32 VROUKA PLACE, HADSPEN

1) Introduction

This report considers the planning application PA\15\0122 for a Residential Outbuilding on land located at 32 Vrouka Place, Hadspen (CT 147630/1).

2) Background

Applicant

K Rowlings

Planning Controls

The subject land is controlled by the Meander Valley Interim Planning Scheme 2013 (referred to this report as the 'Scheme').

Development

The application is for a residential outbuilding located to the south-east of the existing house. The plans show a 3 bay, skillion roofed garage with 3 roller doors facing the internal driveway. The outbuilding will be used for car, caravan and boat storage, and contains a small private workshop.

The site is an internal lot and the proposed outbuilding is setback 2m from both the side boundaries at the eastern corner of the lot (see Figure 1). Due to the slope of the land, the outbuilding site will be cut into the slope. The plans show a cut of approximately 1m.

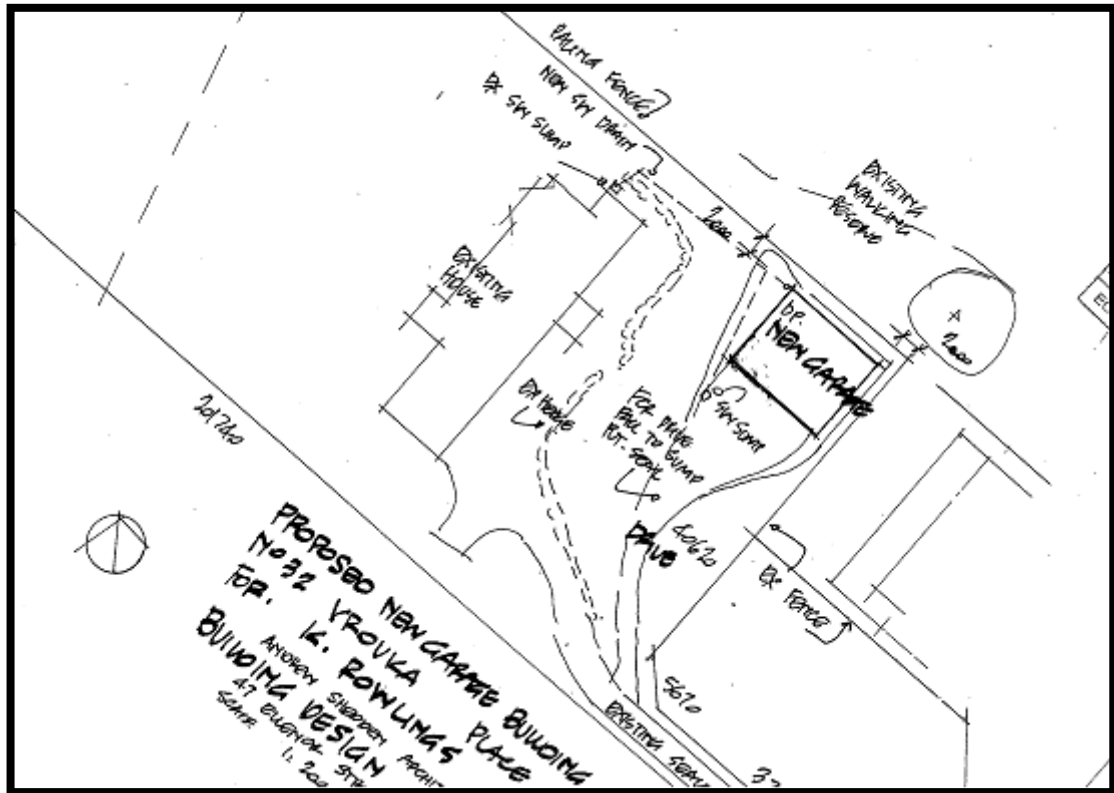


Figure 1: site plan

Site & Surrounds

The 7573m² property is located within the Hadspen Township. The surrounding area is characterised by residential lots. Larger residential lots border the River Reserve adjacent to the South Esk River (see Photos 1 & 2 below). The 'Bull Run' Reserve borders the subject property to the north east.

The property is an internal lot with frontage onto Vrouka Place. The land slopes down from the road to the river.



Photo 1: Aerial photo showing the location of the subject title (Source: The LIST 2015)

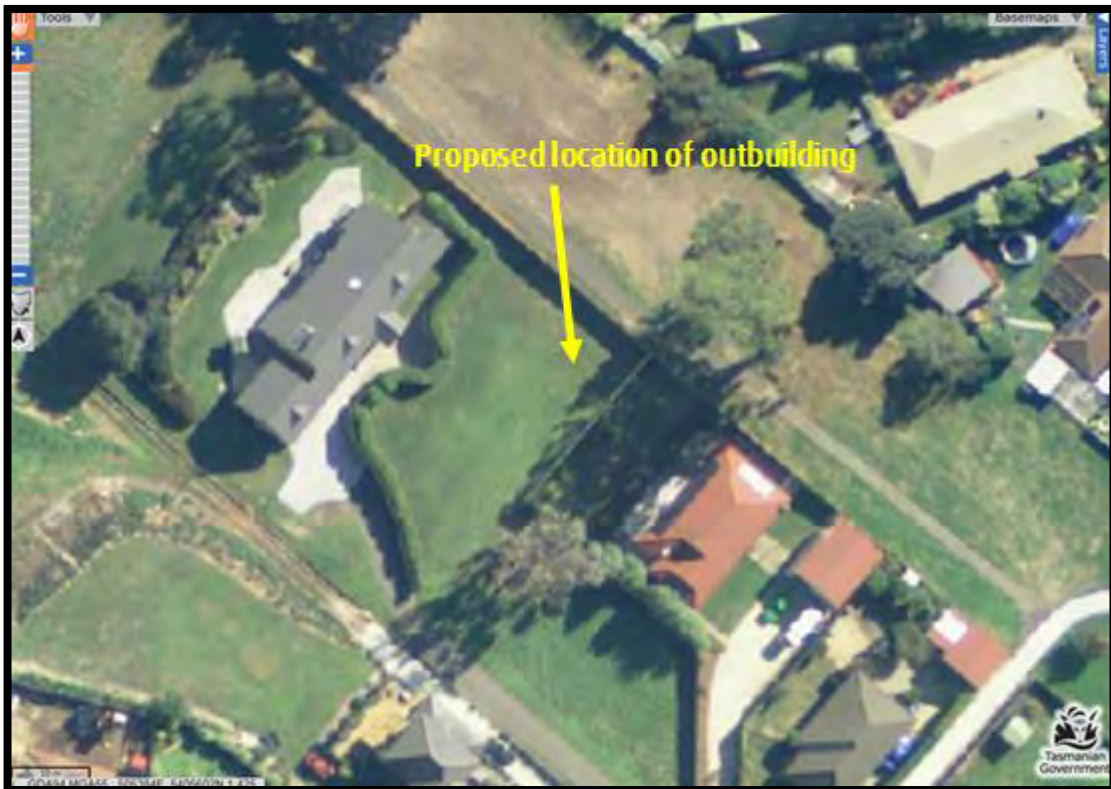


Photo 2: Aerial photo showing the subject building site and surrounding land (Source: The LIST 2015)

Statutory Timeframes

Valid application:	7 January 2015
Advertised:	17 January 2015
Closing date for representations:	2 February 2015
Request for further information:	Not applicable.
Information received:	Not applicable.
Extension of time granted:	4 February 2015
Extension of time expires:	11 March 2015
Decision Due:	10 March 2015

3) Strategic/Annual Plan Conformance

Council has a target under the Annual Plan to assess applications for discretionary uses within statutory timeframes.

4) Policy Implications

Not Applicable

5) Statutory Requirements

Council must process and determine the application in accordance with the Land Use Planning Approval Act 1993 (LUPAA) and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

6) Risk Management

Risk is managed by the inclusion of appropriate conditions on the planning permit.

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

The application was advertised for the 14-day period required under legislation. One representation was received (attached). The representation is discussed in the assessment below.

9) Financial Impact

Not Applicable

10) Alternative Options

Council can either approve the development, with or without conditions, or refuse the application.

11) Officers Comments

Zone

The subject property is zoned General Residential (see Figure 2 below). The land surrounding the site is located in the General Residential and Open Space Zones.

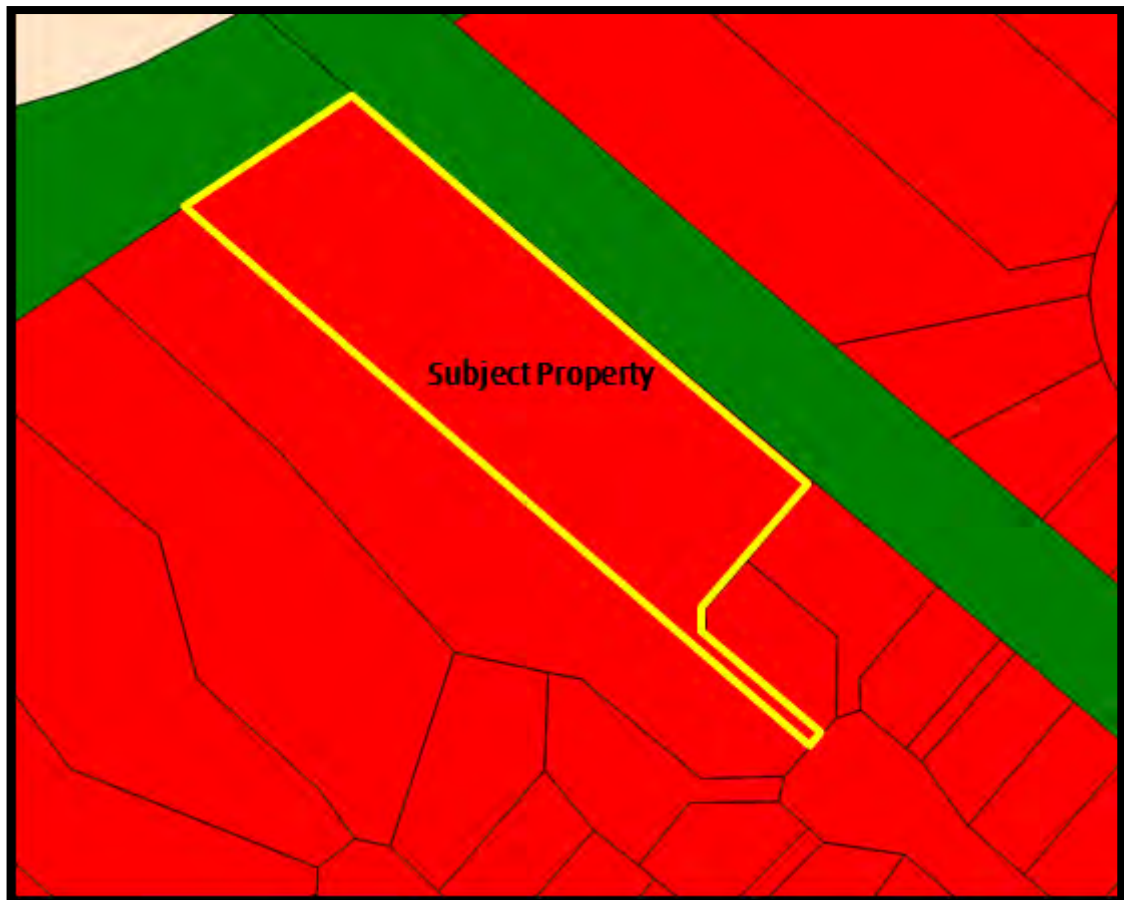


Figure 2: Zoning of subject titles and surrounding land

- Overlays

The title is subject to the Flood Prone Areas Overlay. The Flood Prone Area is indicated by the blue hatching on Figure 3 (below).

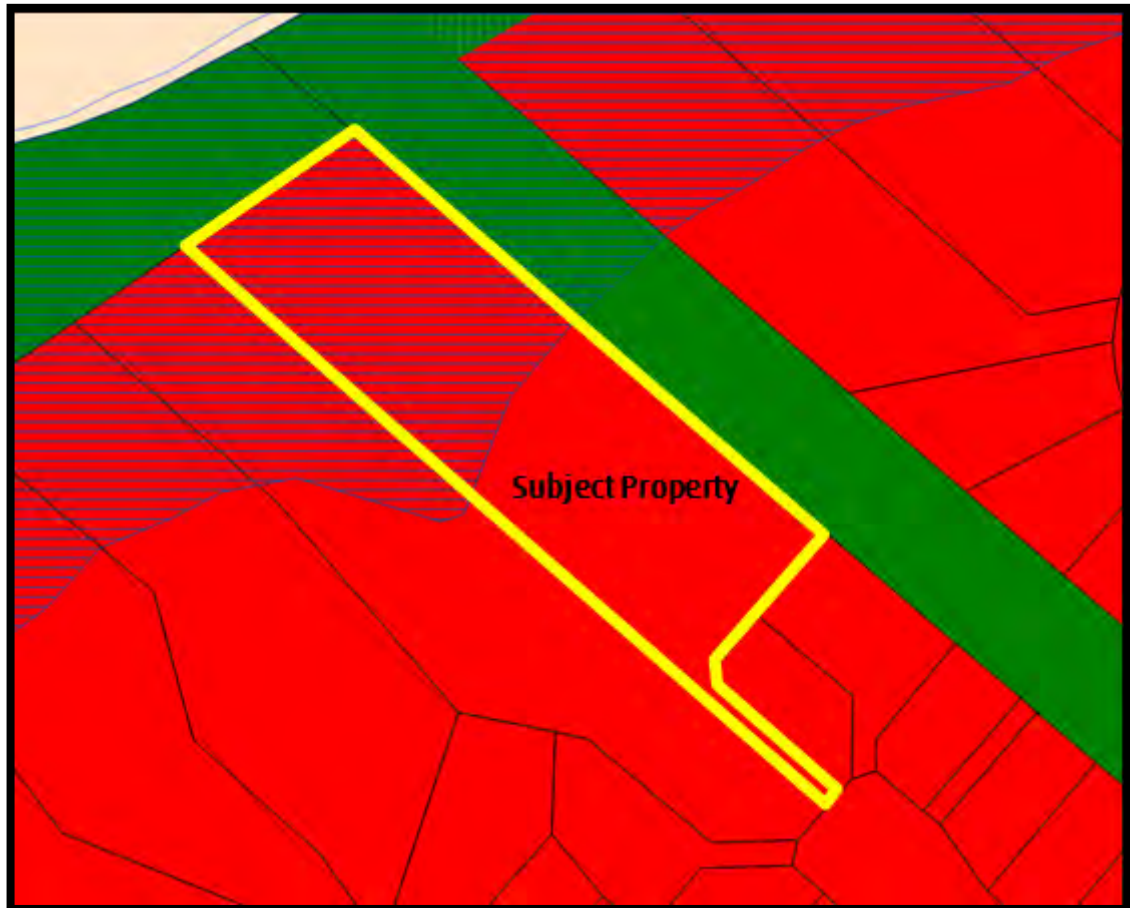


Figure 3: Overlays of subject titles and surrounding land

Use Class

In accordance with Table 8.2 the proposed Use Class is:

- Residential.

In the General Residential Zone, Residential use (for a residential outbuilding) is specified in Section 10.2 – General Residential Zone Use Table as being No Permit Required. The No Permit Required status is dependent on the use and development meeting all the applicable Acceptable Solutions in the Scheme.

Applicable Standards

This assessment considers all applicable planning scheme standards.

In accordance with the statutory function of the State Template for Planning Schemes (Planning Directive 1), where use or development meets the Acceptable Solutions it complies with the planning scheme, however, it may be conditioned if considered necessary to better meet the objective of the applicable standard.

Where use and development relies on performance criteria, discretion is used for that particular standard. To determine whether discretion should be

exercised to grant approval, the proposal must be considered against the objectives of the applicable standard and the requirements of Section 8.10.

A brief assessment against all applicable Acceptable Solutions of the Residential Zone and applicable Codes is provided below. This is followed by a more detailed discussion of any applicable Performance Criteria and the objectives relevant to the particular discretion.

Compliance Assessment

The following table is an assessment against the applicable standards of the Meander Valley Interim Planning Scheme 2013.

GENERAL RESIDENTIAL ZONE		
Scheme Standard	Comment	Assessment
10.3.1 Amenity		
A1	The proposed use is associated with the single dwelling, which is a No Permit Required use in the General Residential Zone.	Complies
A2	Not applicable.	
10.3.2 Residential Character – Discretionary Uses		
A1	Not applicable.	
A2	Not applicable.	
10.4.1 Residential Density for multiple dwellings		
A1	Not applicable.	
10.4.2 Setbacks and building envelope for all dwellings		
A1	The property is an internal lot with a 37m long access strip.	Complies
A2	As stated above, the access strip is 37m long.	Complies
A3	The setback from the south-eastern boundary (abutting 28 Vrouka place) is 2m. The Acceptable Solution is 4.5m. The setback from the north eastern boundary (abutting the Bull Run Reserve) is 2m. The Acceptable Solution is 1.5m. With a setback of 2m, the development fits within the Building Envelope.	Relies on Performance Criteria
10.4.3 Site coverage and private open space for all dwellings		
A1	The existing house (260m ²) and proposed outbuilding (120m ²) amount to 5% site coverage of the 7573m ² property. The Acceptable Solution is less than 50% site coverage. The existing and proposed impervious surfaces amount to 8.5% coverage of the property. The Acceptable Solution is less than 25% site coverage.	Complies
A2	The main private open space is located to the west of the house. The proposed outbuilding is located to the east of the house. The proposed	Complies

	building site will not impact on the private open space.	
10.4.4 Sunlight and overshadowing for all dwellings		
A1	The outbuilding does not contain any habitable rooms.	Not applicable.
A2	Not applicable.	
A3	Not applicable.	
10.4.5 Width of openings for garages and carports for all dwellings		
A1	The outbuilding is located greater than 37m from Vrouka Place. The Acceptable Solution setback is a setback greater than 12m.	Complies
10.4.6 Privacy for all dwellings		
A1	The proposed floor level is less than 1m off natural ground.	Complies
A2	As above	Complies
A3	Not applicable.	
10.4.7 Frontage fences for all dwellings		
A1	Not applicable.	

Performance Criteria

General Residential Zone
10.4.2 Setbacks and building envelope for all dwellings
<p>Objective: <i>To control the siting and scale of dwellings to:</i> <i>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</i> <i>(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</i> <i>(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</i> <i>(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</i></p>
<p>Performance Criteria: <i>P3</i> <i>The siting and scale of a dwelling must:</i> <i>(a) not cause unreasonable loss of amenity by:</i> <i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i> <i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i> <i>(iii) overshadowing of an adjoining vacant lot; or</i> <i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i> <i>(b) provide separation between dwellings on adjoining lots that is compatible</i></p>

with that prevailing in the surrounding area.

COMMENT:

The Acceptable Solution setback for an internal lot is 4.5m from the rear boundary of a lot with an adjoining frontage. The proposed outbuilding is located 2m from the shared boundary with 28 Vrouka Place.

The proposed building site is not used for any other purpose. The area would allow for ease of manoeuvring a boat and caravan.

The application included shadow diagrams for 11am and 2pm. As part of the assessment process, shadow diagrams for 12 noon and 3pm on the 21 June were drawn by the assessing planner (Refer Photo 3 and 4 below). The shadow diagrams show the projected shadows entering onto 28 Vrouka Place at 12 noon and 3pm. For comparison purposes, the shadow from a hypothetical 2.1m high fence was also projected. A 2.1m high fence is the highest fence that can be constructed without the need for a planning permit. At 12 noon the shadow only slightly exceeds the shadow length of a fence that could be constructed without the need for permits. At 3pm the shadow exceeds that of the fence; however the amount is considered minor. The shadow diagrams show that the projected shadows will not enter the habitable rooms at 28 Vrouka Place.



Photo 3: Showing approximately the 12 noon shadow (yellow area) from proposed outbuilding
The red line shows the potential shadow from a 2.1 m high fence
Contour lines are 0.5m intervals



Photo 4: Showing approximately the 3pm shadow (yellow area) from proposed outbuilding. The red line shows potential shadow from 2.1m high fence. Contour lines are 0.5m intervals

The 10 m long wall length amounts to 40% of the length of the 25m shared boundary. To gain a greater understanding of the visual bulk of the proposed outbuilding, the outline of the side wall has been projected onto Photo 5 below. For comparison purposes, the outline of the side wall if located at the Acceptable Solution standard of 4.5m from the shared boundary has been included.

There is a low picket fence between 32 and 28 Vrouka Place. The proposed outbuilding would be highly visible when viewed from 28 Vrouka Place (see Photo 5). It is also acknowledged that the proposed outbuilding with a 4.5m setback would also be highly visible. In comparing the two setbacks, the difference between the two outlines is considered marginal.

Though not considered necessary, the available space between the outbuilding's retaining wall and the shared boundary is considered too narrow for the planting of screen plants.



Photo 5: showing the approximate outline of the proposed outbuilding (black) with a 2m setback and the approximate outline (red) of the proposed outbuilding with a compliant 4.5m setback

Photo taken from the verandah at 28 Vrouka Place



Photo 6: showing the surrounding lots characterised by outbuildings in close proximity to boundaries (Source: The LIST 2015)

The surrounding area is characterised by residential outbuildings in close proximity to boundaries (see Photo 6 above). The setback proposed in this case, is considered in keeping with the surrounding area.

The proposed outbuilding does not cause an unreasonable impact on amenity of the adjoining lots as it does not reduce sunlight to existing dwellings or private open space. The increase in visual impact is marginal when compared to development that meets the acceptable solution, which would not have required a planning permit. The proposal is considered to be consistent with the objective.

Representation

One representation was received during the advertising period (see attached document).

A summary of the representation is as follows:

1. *"This position is directly in front of our front door. This would restrict our view of the river & mountains. In the future if we wanted to sell our property our property would be devalued because of this shed being built in that position".*

COMMENT:

As stated above, the proposed building will be highly visible when viewed from 28 Vrouka Place. When comparing the proposed outbuilding with the visual bulk of the same building with the Acceptable Solution 4.5m setback, it revealed that the difference is only minor (see Photo 5). No further action is recommended.

The length of the wall adjacent to 28 Vrouka Place is 10m long. The shared boundary is 25m long. The proposed building will restrict some "views"; however other "views" will not be restricted.

The planning scheme does not provide the ability to consider loss of views or devaluation of a property.

Conclusion

In conclusion, it is considered that the application for a Residential Outbuilding should be approved subject to conditions.

AUTHOR: Leanne Rabjohns
TOWN PLANNER

12) Recommendation

That the application for use and development for a Residential Outbuilding for land located at 32 Vrouka Place, Hadspen (CT 147630/1) by K Rowlings, requiring the following discretions:

10.4.2 Setbacks and building envelope for all dwellings

be APPROVED, generally in accordance with the endorsed plans and subject to the following conditions:

1. The use and/or development must be carried out as shown and described in the endorsed Plans:
 - Building Design Service – Plans – 1222 Pages 1 -2, Jan 2015.

to the satisfaction of the Council. Any other proposed development and/or use will require a separate application and assessment by Council.

2. The use of outbuilding is not permitted for human habitation and is limited to residential storage and related residential activities only.

Note:

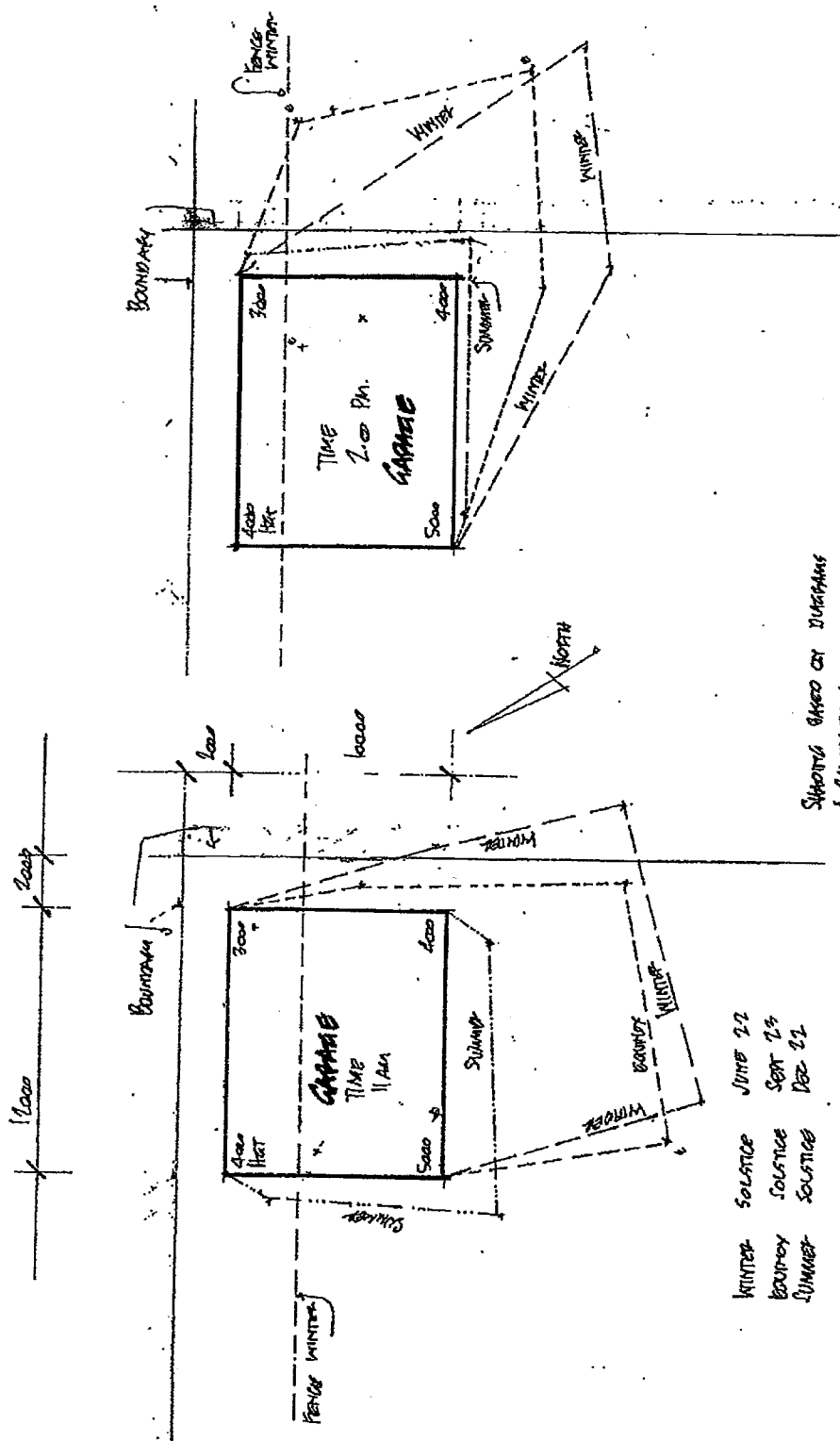
1. This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:

- a) Building permit
- b) Plumbing permit

All enquiries should be directed to Council's Permit Authority on 6393 5322.

2. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
3. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received at least 6 weeks prior to the expiration date.
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. If any Aboriginal relics are uncovered during works;
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au); and
 - c) The relevant approval processes will apply with State and Federal government agencies.

DECISION:



SHADOWS BASED ON DIMENSIONS
 & CALCULATIONS
 P. G. HARPER, STATION DATA, HOUSTON

WINTER	SOLSTICE	JUNE 22
BOUNCEY	SOLSTICE	SEPT 23
SUMMER	SOLSTICE	DEC 22

SHADOW DIAGRAMS
 11 AM MORNING
 2 PM AFTERNOON

PROPOSED NEW GARAGE BUILDING - HOAT / VAN
 NO 32 VROUKA PLACE HADSPEN
 FOR K. FOWLINGS
 ANDREW SHEDDEN ARCHITECT CC S870
 BUILDING DESIGN SERVICE
 47 ELLERRE STREET SCOTTSDALE 67523161
 SCALE 1:200 JAN 2015

1222
 2

Dear Sir

28 VROUKA PL
Hadspen TAS
7290

I am writing in reference to
a letter sent to me on the 16th
January 2015 Reference number
P/A150122

My Husband and I strongly
object to a shed being built in the
position the owners of that land have
requested, This position is directly in front
of our front door, This would restrict
our view of the river & mountains
In the future if we wanted to sell
our property our property would be
devalued because of this shed being
built in that position

Sincerely

D. Tarrant

Debra + Andrew Tarrant

DEV 2 TASMANIAN WILDERNESS WORLD HERITAGE AREA – DRAFT MANAGEMENT PLAN

1) Introduction

The purpose of this report is to seek Council endorsement of the Meander Valley Council representation on the Tasmanian Wilderness World Heritage Area – Draft Management Plan.

2) Background

In the Minister's foreword the Minister for Environment Parks and Heritage, the Honourable Matthew Groom, states:

The Tasmanian Wilderness World Heritage Area (TWWHA) is formally recognised as a World Heritage property through the World Heritage Convention for its Outstanding Universal Value.

The TWWHA is currently managed in accordance with the 1999 Management Plan.

The Tasmanian Wilderness World Heritage Area – Draft Management Plan has been prepared by the Tasmanian Government 'to reflect current understanding of key management issues', and to recognise the areas added to the TWWHA in 2012 and 2013.

The Draft Management Plan includes a new section on cultural heritage values, which has been added to provide:

... a greater emphasis on cooperation with Tasmanian Aboriginal People in the management of the TWWHA in order to properly recognise, preserve and celebrate its cultural heritage significance.

The key emphases in the Draft Management Plan are economic potential and encouraging greater engagement with the TWWHA through tourism development and recreational use.

At the February Workshop, Council discussed the Draft Management Plan giving particular consideration to the content of a Council representation. In the discussion a number of issues were raised, including but not limited to:

- the use of Crown land for private gain and ensuring community benefit
- the use of the Great Western Tiers topography to facilitate telecommunications infrastructure and improve communications coverage for the Meander Valley community

- the impact on Council infrastructure from tourist development within the TWWHA
- that there continue to be 'Remote Areas' where the impacts of increased development and visitation do not undermine the diversity of use and range of benefits found in the TWWHA
- broad support for the flexibility for interaction with tourism within the Draft Management Plan
- support for the development of a Tourism Master Plan
- ensuring that communities and townships adjacent to the TWWHA and extension areas are considered in the proposed Tourism Master Plan process

In addition, Council was clear it would seek ongoing formal involvement and input into the development of specific management plans for the extension areas and the preparation of the Tourism Master Plan.

These issues have informed the basis of the proposed Council representation.

3) Strategic/Annual Plan Conformance

The Meander Valley Council Community Strategic Plan, includes:

- Future direction (1) - A sustainable natural and built environment

The following specific strategic outcome under this future direction is relevant to consideration of the TWWHA:

The natural, cultural and built heritage of Meander Valley is protected and maintained

- Future Direction (2) - A thriving local economy

The following specific strategic outcome under this future direction is relevant to consideration of the TWWHA:

A high level of recognition and demand for Great Western Tiers products and experiences

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Council has prepared the proposed representation in response to consultation undertaken by the State Government on the TWWHA.

8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Council can elect not to make a representation or amend the proposed representation.

11) Officers Comments

Council has limited its response to the Draft Management Plan to issues that have the most immediate impact on the Meander Valley community and matters where it is important that Council continues to have active involvement. This includes the development of the Tourism Master Plan.

This approach recognises that there will be range of views in the community about a number of the key principles that underpin the Draft Management Plan. It recognises that Council has no statutory role in the management of the TWWHA. It also recognises that a number of other, directly affected, parties have commented on and will make comment on issues such as:

- the consistency between proposed uses in the extension areas and the World Heritage Convention objectives and requirements
- the compatibility of selective forestry with World Heritage status and World Heritage Convention objectives and requirements
- the appropriateness of the Ministerial approval process for development in the TWWHA
- the resolution of concerns raised by the Aboriginal Community

Council officers have reviewed the discussion from the Council workshop and considered the range of issues that were raised. In preparing the following recommendations the officers determined that a number of the specific points raised by the Councillors could be addressed through participation in projects that would come out of an adopted Management Plan.

It is proposed that the Council representation includes the following points:

- there are areas within the TWWHA that should be remote and not subject to use or development
- there is support for more flexible interaction with tourism within nominated areas in the TWWHA
- there is strong support for the development of a Tourism Master Plan
- the Tourism Master Plan should include consideration of townships and communities in areas adjacent to the TWWHA, including:
 - Meander in the Meander Valley local government area
- Meander Valley Council has a formal role in the preparation of:
 - Tourism Master Plan
 - Plans for the 2013 extension areas referred to in Key Development Outcome 6.12 in the Draft Management Plan

AUTHOR: Martin Gill
DIRECTOR DEVELOPMENT SERVICES

12) Recommendation

It is recommended that Council makes a representation to the Director of National Parks and Wildlife that includes the following points:

- *there are areas within the TWWHA that are remote and should not be subject to use or development*
- *there is support for more flexible interaction with tourism within nominated areas in the TWWHA*
- *there is strong support for the development of a Tourism Master Plan*
- *the Tourism Master Plan should include consideration of townships and communities in areas adjacent to the TWWHA, including:*
 - *Meander in the Meander Valley local government area*
- *Meander Valley Council has a formal role in the preparation of:*
 - *Tourism Master Plan*
 - *Plans for the 2013 extension areas referred to in Key Development Outcome 6.12 in the Draft Management Plan*

DECISION:

DEV 3 REVIEW OF POLICY NO. 57 – ROADSIDE VENDORS

1) Introduction

The purpose of this report is to review Policy No. 57 - Roadside Vendors.

2) Background

The Policy was designed to regulate road side vendors within the Meander Valley local government area.

3) Strategic/Annual Plan Conformance

The Annual Plan provides for the review of this policy in the March 2015 quarter.

4) Policy Implications

The process of policy review ensures that policies remain up to date and relevant.

5) Statutory Requirements

Meander Valley Interim Planning Scheme 2013
Section 56C – Vehicle Traffic Act 1999

6) Risk Management

There is considerable risk associated with the establishment of roadside vendors. Council needs to apply appropriate diligence when assessing applications.

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Council can elect to retain or amend the existing policy.

11) Officers Comments

Under the Meander Valley Interim Planning Scheme 2013, roads defined as corridor roads are included in the Utilities Zone. Corridor roads are roads managed by the Department of State Growth.

There is no particular definition for Roadside Stalls in the Meander Valley Interim Planning Scheme 2013. The closest definition, or the 'best fit' would be General Retail and Hire which is defined as:

Use of land for selling goods or services...

General Retail and Hire is a prohibited use in the Utilities Zone.

All other roads in the Meander Valley local government area managed by Council fall into the land use zone adjacent to the road. For instance, roads in the General Residential Zone are zoned General Residential and subject to the provisions of that zone.

In all circumstances where General Retail and Hire is a permitted or discretionary use, a Roadside Stall will require a planning permit and be subject to assessment under the provisions of the Meander Valley Interim Planning Scheme 2013.

The land use zones where Roadside Stalls (General Retail and Hire) could be considered are:

- Rural Living
- Rural Resource Zone
- Urban Mixed Use
- Village Zone
- Open Space Zone
- Local business Zone
- General Business Zone
- Light Industrial Zone

In all other land use zones the use would be prohibited.

The declaration of the Meander Valley Interim Planning Scheme 2013 since the last policy review means that the provisions of the planning scheme now provide for the consideration, assessment and regulation of any proposed Roadside Stall.

Any assessment will be made against the relevant land use zone and any applicable Code. For instance, the purpose of the Road and Railways Assets Code is to:

Ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network

Assessment against the provisions of this Code will supersede the policy objective requiring a report on traffic and safety conditions.

For these reasons set out above including the incorporation of the existing policy guidelines into the assessment criteria within the Planning Scheme, it is recommended that Council deletes the current policy

AUTHOR: Martin Gill
DIRECTOR DEVELOPMENT SERVICES

12) Recommendation

It is recommended that Council deletes the following Policy 57 - Roadside Vendors:

POLICY MANUAL

Policy Number: 57	Roadside Vendors
Purpose:	The purpose of this Policy is to provide for the granting of permits for roadside vendors.
Department:	Development Services
Author:	Tim Watson, Director
Council Meeting Date:	14 th August 2012
Minute Number:	128/2012
Next Review Date:	<i>March 2015</i>

POLICY

1. Definitions

Roadside Vendors are individuals or legal entities wishing to sell goods at a road side stall. A road side stall is as defined in the definitions of the Meander Valley Planning Scheme 1995 at Section 8.2.1 and as per Section 56C of the Vehicle Traffic Act 1999.

2. Objective

The objective of this policy is to establish the guidelines under which Council may grant permits for roadside vendors.

3. Scope

The policy shall apply to anyone wanting to carry out roadside vending within the municipality.

4. Policy

The Meander Valley Council will consider applications for permits for Roadside Stalls on any road in its Council area that is not part of the State Road Network or within State Forests, National Parks and Conservation Areas, and Public Reserves. It should be noted that where the Policy is in conflict with provisions within the Planning Scheme, the provisions of the Planning Scheme will prevail.

In deciding as to whether to issue a permit the Council will take into account the following matters:-

- A report from Tasmania Police as to the traffic and safety conditions and any other impact of the operation;
- Whether the operation is within one (1) kilometre of an established permanent business operation;
- All health and safety aspects of the operation that would be considered by Council if the operation was to be a permanently sited business within a recognised commercial area.
- The relevant provisions of the Planning Scheme.

5. Legislation

Meander Valley Planning Scheme 1995
Section 56C – Vehicle Traffic Act 1999

6. Responsibility

Responsibility for the operation of the policy rests with the Director Development Services .

DECISION:

INFRA 1 BASS HIGHWAY PROPOSED SPEED LIMIT REDUCTION – ELIZABETH TOWN

1) Introduction

The purpose of this report is to provide information to Council on the reduction of speed limit being considered by the Department of State Growth for the Bass Highway east of Elizabeth Town, from Samuel Street to the Bengo Road turnoff, and to obtain a decision from Council on its position concerning this proposal.

2) Background

The Council received a letter from the Department of State Growth dated 2nd February, 2015 (refer attachment), advising that it is considering the merits of reducing the speed limit on the Bass Highway at Elizabeth Town.

The section of Highway under review commences at the intersection with Samuel Street on the northern side of the Highway to the intersection with Bengo Road on the southern side of the Highway. Figure 1 below shows the extent of this section of road.



Figure 1: Locality plan showing extent of proposed speed reduction

The Bass Highway forms a part of the State road network and is managed by the Department of State Growth. The current speed limit on the section of Highway under consideration for the speed reduction is 110km/h.

This assessment by the Department has been initiated following the receipt of correspondence from local residents and follows on from speed limit changes introduced in late 2010 by the Department on the immediate approaches to, and through, Elizabeth Town.

3) Strategic/Annual Plan Conformance

Council's Annual Plan (ref. Infrastructure Directorate – 3.2 Transport) requires Council to work with the Department of State Growth to review safety issues and assist in the promotion of community safety across the local government area through the facilitation of the Meander Valley Community Safety Group (ref. Governance and Community Services Directorate – 1.5 Community Development).

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

It is noted that although Council is not responsible for this road asset, the Department is seeking feedback from the Council as one key representative of the community. Supporting a decision by the Department of State Growth to reduce the speed limit could be viewed by some members of the community as a proactive step in mitigating the likelihood and severity of accidents along this length of road.

7) Consultation with State Government & Other Authorities

Further clarification of the Department's proposal was sought by the Director Infrastructure Services in the preparation of this report.

8) Community Consultation

Not applicable for the preparation of this report.

9) Financial Impact

Not Applicable

10) Alternative Options

Council can approve either of the recommendations provided.

11) Officers Comments

The Bass Highway is classified by the Department as being a Category 1 road within its State Road Hierarchy. Category 1 roads are primary freight and passenger roads connecting cities and ports across the State.

The length of road proposed to be subject to the speed reduction is approximately 1.7 kilometres long. A comparison of the time of travel over this section of the highway based on the existing and proposed speed limits shows the additional travel time at 90km/hr would be less than 15 seconds.

Five year crash data has been provided by the Department for the proposed 90km/h section, the section between Bengo Road and Christmas Hills Road and the Christmas Hills Road junction where the recent fatality occurred.

Generally the crash rates are low and there is no significant trend in the crash types. From Bengo Road to Elizabeth Town there were four recorded accidents including one fatality. From Bengo Road to Christmas Hills Road there were four recorded accidents with one minor in severity and the others resulting in property damage. At the junction there has only been one other crash in addition to the February fatality and this involved a failure to give way and resulted in property damage only.

Taking this information into account, the proposed 90km/h section is aiming to balance the differing functions of the Category 1 freight route efficiency with adjacent property accesses, rather than addressing a specific crash problem, which was the reason for the previous introduction of a 90km/h speed zone through Elizabeth Town.

There is very limited access to the Bass Highway between Bengo Road and Christmas Hills Road. This section has overtaking lanes and the recent junction crash was not related to speed. Given these factors, the Department would not be supportive of extending the lower speed limit further than what is being proposed from Samuel Street to Bengo Road.

The Department is seeking Council's response on the proposed speed limit reduction. The Department would consider Council's position as being representative of the local community's views. For a proposal of this nature it would be expected that the two predominant community views would be opposing; ie. local residents and those with road accesses seeking lower speeds, and general motorists wanting to retain higher speeds.

A final determination by the Department to reduce the speed limit is not dependent on Council's decision alone, but will also take into consideration feedback received from the RACT and Tasmania Police.

AUTHOR: Dino De Paoli
DIRECTOR INFRASTRUCTURE SERVICES

12) Recommendation

It is recommended that Council:

writes to the Department of State Growth in support of the proposal to reduce the speed limit on the Bass Highway from Samuel Street to Bengeo Road from 110km/h to 90km/h.

OR

writes to the Department of State Growth to indicate it does not support the proposal to reduce the speed limit on the Bass Highway from Samuel Street to Bengeo Road from 110km/h to 90km/h.

DECISION:

Department of State Growth

TRANSPORT INFRASTRUCTURE SERVICES DIVISION

GPO Box 536, HOBART TAS 7001
Enquires: Phone (03) 6777 1942 Email Richard.Burk@stategrowth.tas.gov.au
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Mr Greg Preece
General Manager
Meander Valley Council
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Doc No.			
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RCVD	03 FEB 2015	MVC	
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Dear Mr Preece

BASS HIGHWAY, ELIZABETH TOWN - SPEED LIMIT

In November 2010 following correspondence from local residents requesting a review of the speed limit arrangements along the Bass Highway in the vicinity of Elizabeth Town, the Department of State Growth approved some adjustments to the speed zones on the immediate approaches to, and through Elizabeth Town near the ETC Bakery.

State Growth recently received further correspondence requesting that the 90km/h speed limit be extended along the Bass Highway between Samuel Street in Elizabeth Town to Bengo Road junction some 1.7 kilometres further south.

While understanding the strategic road function of the Bass Highway, State Growth recognise that this section of highway does have several property accesses and dwellings in close proximity to the road over a short distance which is at odds with the typical road environment suitable for a 110km/h speed zone.

It is considered that the proposal has some merit, however prior to progressing further; State Growth is seeking input from the key organisations best placed to represent the views of both the travelling public and the local community. It would be appreciated if you could advise me of Meander Valley Council's view regarding the above proposal at your earliest convenience.

Yours sincerely

A handwritten signature in blue ink, appearing to read "R Burk".

Richard Burk
A/Manger Traffic Engineering
TRAFFIC ENGINNERING BRANCH

2 February 2015

Councillor x moved and Councillor x seconded “ *that, pursuant to Section 15(1) of the Local Government (Meeting Procedures) Regulations, Council close the meeting to the public.*”

ITEMS FOR CLOSED SECTION OF THE MEETING:

GOV 1 APPLICATIONS FOR LEAVE OF ABSENCE

Meeting closed.....

.....
CRAIG PERKINS (MAYOR)